Monitoring Report 2024

Verein für Menschenrechte
in Liechtenstein VMR

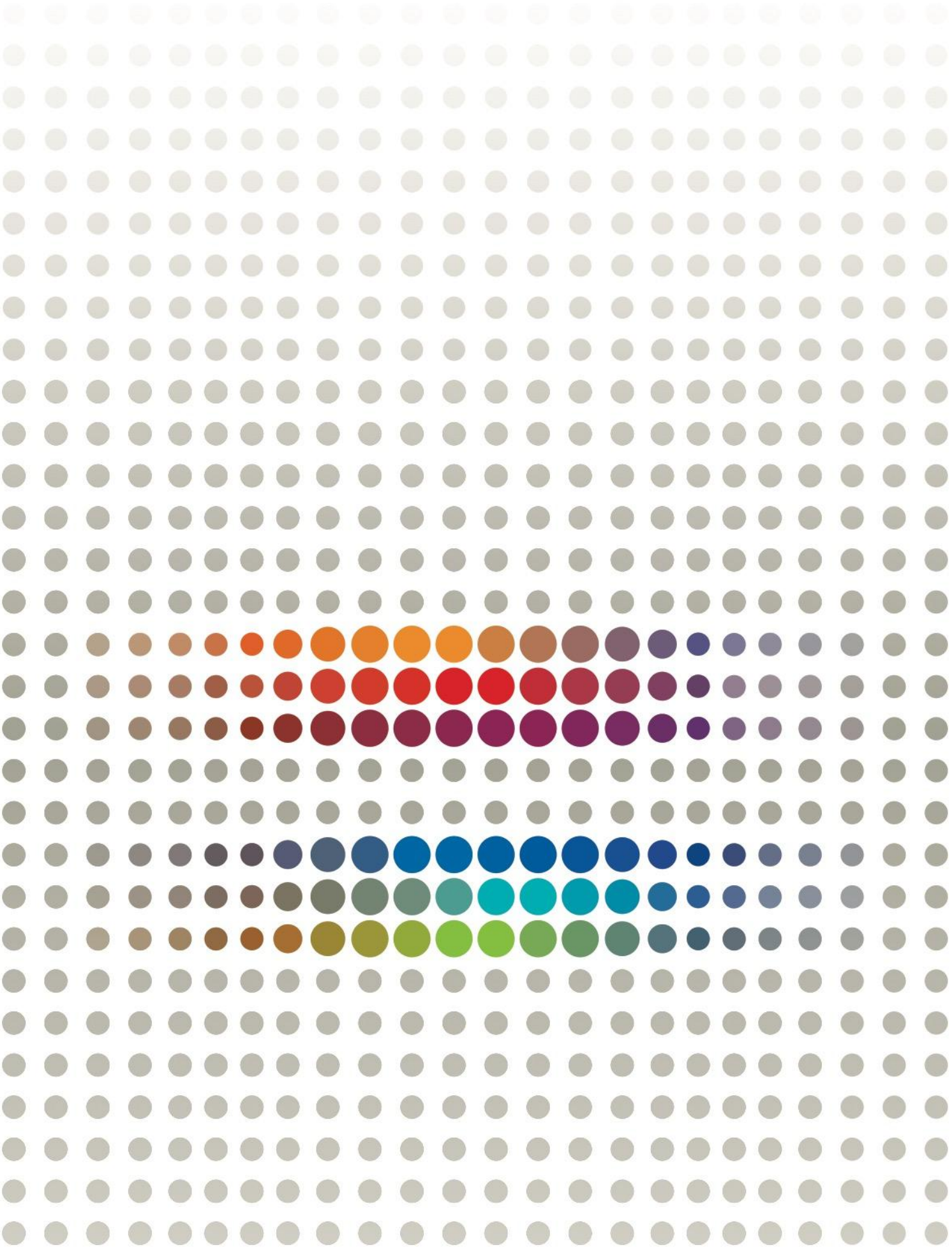


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Editorial

Dear reader



The current political situation poses a serious threat to human rights and international law. The Council of Europe and Amnesty International are urgently warning of an increasing erosion of the principles of the rule of law in many parts of the world. Alarming is the development in the United States, where rule of law institutions that were considered immovable for centuries are being undermined. At the same time, we are witnessing a worrying trend in Europe where decisions of the European Court of Human Rights (ECtHR) are being openly called into question, thereby shaking the foundations of our common judicial area.

In order to counteract these trends, it is essential that states comply with their obligations under international law and that political decision-makers publicly stand up for the protection of human rights achievements. Civil society also has a crucial role to play. With their broad networks, many organizations and activists form a lively counterweight to those forces that seek to undermine human rights and democratic values. Freedom of expression is fundamental to this. It is the backbone of democracy and protects those who courageously stand up for human rights and counter authoritarian tendencies. Through the free and unhindered exchange of ideas and criticism, grievances can be exposed, democratic debates can be kept alive and social developments can be reflected upon.

Our association has a duty to protect these values and to stand up for human rights in Liechtenstein. This monitoring report takes a critical look at the current human rights situation. It identifies shortcomings and documents the joint efforts of the state and civil society towards a free and just society.

I hope you find it interesting reading!

Schaan, August 2025



Wilfried Marxer, President

Human rights milestones 2024

Association for Human Rights

The independent Association for Human Rights (VMR) has three legal mandates:

NMRI National Human Rights institution	OSKJ Ombudsman's office for children and young people	MOBE Disability Monitoring Office
The NHRI protects and promotes human rights. It is the independent monitoring and advisory body for human rights in Liechtenstein.	The OSKJ protects and promotes the rights of children and young people. It is the independent monitoring and and advice center for children's rights in Liechtenstein.	MOBE protects and promotes the rights of people with disabilities. It is the independent monitoring and and advice center for disability rights in Liechtenstein.

With this report, the Association is fulfilling its legal mandate to publish an annual report on the development of the human rights situation in Liechtenstein. In 2024, the VMR recorded the following groundbreaking developments in the protection and promotion of human rights:

UN Convention on the Rights of Persons with Disabilities enters into force

On January 17, 2024, the UN Convention on the Rights of Persons with Disabilities came into force for Liechtenstein. This marks the start of a far-reaching reform of disability policy towards comprehensive legal protection and the participation of people with disabilities in all areas of life. Now it is time for the major implementation work, which is being coordinated by the government's Equal Opportunities Division. (More on this in the chapter "People with disabilities").

Paid parental leave is decided

After several years of waiting and preparation, the state parliament passed the law introducing paid parental leave in the fall. Parental leave is a key element in the more equal distribution of paid and unpaid work between both genders and is therefore an important prerequisite for equal rights and gender equality. It enables children to be cared for by their parents in the first few months of their lives and thus supports the child's right to the best possible development and stable relationships. Although only from 2026 - but retroactively to the reporting year - each parent is now entitled to a total of four months of parental leave. Two of these months are remunerated at 80% of the average relevant monthly salary. (More on this in the "Gender equality" section).

Marriage for all becomes a reality

The law introducing marriage for all was passed by parliament in March. This represents a milestone for the legal equality of homosexual couples and their recognition. As a result, homosexual couples now have the

same rights in the adoption process, tax law, inheritance and pension and social security entitlements. In addition to this legal level, "marriage for all" also has a strong symbolic meaning, as it shows that love and partnership are of equal value regardless of sexual orientation and receive the same recognition in society. The law introducing marriage for all will come into force in Liechtenstein from January 2025. (More on this in the chapter "Sexual orientation and gender identity").



Li-Pride 2024: Ein fröhliches, vielfältiges und offenes Fest für alle Menschen

Unter dem Motto «I säg jo» lud die Li-Pride 2024 am Samstag zu einem bunten Fest im Lindahof ein. Der Verein Flay wollte mit dem Motto den Fokus auf die Bedeutung der zivilrechtlichen Ehe für gleichgeschlechtliche Paare legen, die sich ab 2025 auch in Liechtenstein das Ja-Wort geben dürfen. Auf dem Programm standen neben dem Feiern und dem Beisammensein auch Referate sowie eine Podiumsdiskussion zum Thema. Regierungsrat Manuel Frick hielt eine Ansprache.

Bilder: Tatjana Schnalzger

Figure: A reason to celebrate at Pride: Marriage for all has been in force in Liechtenstein since 2024. Photo: Liechtensteiner Vaterland.

Advice center for migrants opens its doors

With the introduction of the advice center for migrants (integration.li), the government created a central integration service and successfully implemented an urgent recommendation from the report by the Council of Europe's Commission against Racism and Intolerance (ECRI). Another important step towards improving information and access to integration was the revision of the integration.li information platform - expanded and multilingual, it opens the door to information and integration offers for everyone. (More on this in the chapter "Migration and integration").



Figure: In June, the advice center for migrants was opened by Minister of Society Manuel Frick - a milestone for integration in Liechtenstein. Photo: Gregor Meier

First ageing strategy is adopted

In a broad-based participatory process, the government developed and adopted an ageing strategy for the first time as the basis for a sustainable and human rights-based ageing policy. By focusing on self-determined ageing, social participation, barrier-free living and care as well as comprehensive advice and integration, the ageing strategy strengthens the rights and protection of older people and establishes their dignity, autonomy and participation as central concerns of social policy. Now it's time for implementation! (More on this in the chapter "Health and social rights")

A national psychiatry concept is presented

After several years of preparation, the government presents a national psychiatry concept for Liechtenstein for the first time in spring. It marked the beginning of an important systematic examination of gaps in care, particularly in the care of children and adolescents. In October, the first concrete measure announced was an improvement in child and adolescent psychiatric services: additional specialists are to facilitate access, as there has been a lack of local and timely support to date. In November, workshops were held with representatives of institutions and specialist agencies to develop proposals for further implementation.

53 Recommendations for the improvement of human rights

In 2024, the VMR makes the following recommendations to the state to improve human rights.

Liechtenstein should ...

Implementation of international recommendations

1 Take the lead in following up and prioritizing recommendations from international human rights bodies. Create a transparent implementation process that involves all stakeholders, including civil society.

1 Introduce a more efficient, transparent, and participatory process for prioritizing recommendations. Additionally, assume greater leadership responsibility and allocate more operational resources to the implementation of international recommendations.

Civil liberties and the rule of law

2 Adopt a law on religious communities that comprehensively protects religious freedom and the ban on discrimination.

2 Enact a binding code of ethics for journalists that enshrines the principles of truth, freedom of expression, and protection against discrimination.

3 Enact a law on religious communities that guarantees freedom of religion and equal treatment for all religions.

3 Urgently resume efforts to create faith-compliant burial sites for Muslims.

4 Urgently resume efforts to establish burial sites for Muslims that comply with their religious beliefs.

4 Urgently create a comprehensive anti-discrimination law.

5 Take stronger preventive measures against racism, extremism and radicalization tendencies on the Internet.

5 Urgently enact a comprehensive equal treatment law (anti-discrimination law).

6 Establish additional rules for MEPs to deal with conflicts of interest, confidential information, secondary employment, contacts with third parties and the acceptance of gifts.

6 Adopt a comprehensive anti-corruption strategy for the public sector, a code of conduct against corruption for the state police, and binding rules for state legislators on how to handle conflicts of interest, confidential information, outside employment, contacts with third parties, and the acceptance of gifts.

7 Urgently take concrete measures to remedy the fundamental rights violations of persons under US sanctions in Liechtenstein.

7 Take concrete steps to address human rights violations committed by individuals subject to U.S. sanctions in Liechtenstein.

8 Develop an action plan against human trafficking and raise awareness of the national human trafficking hotline. Train judges, police officers, immigration authorities, and specialized human trafficking agencies.

8 Develop an action plan against human trafficking that focuses on protecting victims and raising awareness among vulnerable groups. Train judges, migration authorities and the police on human trafficking.

9 Establish an independent body to investigate torture and handle complaints against the actions of police and correctional officers.

9 Make the national reporting office for human trafficking at the state police better known and firmly institutionalize the exchange between the Round Table on Human Trafficking and non-governmental specialist agencies.

10 To establish the framework that will enable Liechtenstein authorities and the Liechtenstein National Preventive Mechanism (NPM) to visit persons detained abroad.

10 Abolish the statute of limitations for torture in the Criminal Code and introduce appropriate penalties.

11 Require audio or video recordings of all police interrogations. In all cases, automatically provide minors with a trusted person and legal counsel during interrogations.

11 Make audio or video recordings of all police interrogations. Minors should always and automatically be provided with a trusted person and legal counsel during questioning.

12 Create an independent body to investigate torture.

12 Abolish the statute of limitations for torture in the Criminal Code and introduce appropriate penalties.

13 Establish the framework for a medical evaluation and a determination of fitness for detention within 24 hours of incarceration, and provide the necessary medical and psychiatric staff for the state prison.

13 Start a strategic process to expand the state prison to address infrastructure, education and employment deficiencies.

14 Introduce rules on the right of children to have contact with parents in custody or on remand.

14 Implement separate housing for people in deportation detention.

15 Urgently establish a standard procedure for the detention and supervision of minors, as well as rules governing children’s right to visit parents who are in prison or in pretrial detention.

15 Check whether the guidelines for movement-restricting measures are implemented in all social facilities.

16 Create a legal basis for an independent complaints office for residents of care homes and social institutions and their relatives.

16 Initiate a strategic process to expand the state prison in order to address deficiencies in infrastructure, as well as in educational and occupational programs.

17 Überprüfen, ob die Richtlinien für bewegungseinschränkende Massnahmen in allen sozialen Einrichtungen umgesetzt werden.

17 Establish a psychological emergency service or introduce a qualification, advice or support system for doctors in psychological emergencies.

18 Establish a legal framework for residential care and create an independent ombudsman's office for residents of nursing homes and social care facilities, as well as their relatives.

18

19 Establish a psychological emergency response service or implement a training, counseling, or support system for physicians in the event of psychological emergencies.

19 Revise the legal regulations on victim protection so that victims do not have to pay back legal aid.

20 Enforce the treaty with Switzerland regarding the involuntary commitment of persons from Liechtenstein.

20 Introduce a right of appeal for recognized organizations and associations in the area of human rights.

21 When implementing the new AI laws, place particular emphasis on the protection of human rights and develop a national regulation that extends European laws to the private sector and national security.

21 Revise the legal provisions on victim protection so that victims of crimes are not required to repay legal aid.

22 Introduce a right of association to file complaints in the area of human rights for recognized organizations and associations.

23 Rapidly ratify the Council of Europe's Framework Law on AI and defend the EU's AI Regulation and General Data Protection Regulation against attempts to weaken them.

Asylum and refugee affairs

22 Quickly conclude a new service agreement between the government and Refugee Aid, which also clarifies the issue of independent representation of the association's interests.

23 Replace aid organization representation in asylum proceedings with free legal representation for asylum seekers.

24 Create a positive protection status instead of provisional admission for persons in need of protection who are not recognized as refugees.

24 Review the elimination of wage garnishment for asylum seekers.

25 Adapt the age limit in Art. 9 of the Asylum Ordinance to the requirements of the Convention on the Rights of the Child.

25 Quickly conclude a new service agreement between the government and the refugee aid organization that also clarifies the issue of the organization's independent representation of interests.

26 Examine alternatives to having laypeople represent asylum seekers in asylum proceedings and, if necessary, replace this with pro bono legal representation.

27 Establish a formal protection status in place of temporary admission for persons in need of protection who are not recognized as refugees.

28 Raise the age limit in Article 9 of the Asylum Ordinance for the accommodation and care of unaccompanied minor asylum seekers (UMAs) from 16 to 18 years of age, thereby bringing it into line with the provisions of the Convention on the Rights of the Child.

Migration and integration

26 Provide more resources for the implementation of the government's integration strategy.

27 Extend the range of interpreting services in doctors' surgeries to all healthcare services and other areas of society. Standardize funding and make the service better known.

28 Introduce a hardship provision for family reunification in the Foreign Nationals Act and withdraw the reservation to Art. 10 of the Convention on the Rights of the Child.

29 Urgently introduce a standard employment contract for 24-hour care in private households.

29 Allocate more resources for the implementation of the integration strategy.

30 Expand the availability of interpretation services in doctors’ offices to cover all health care services and other areas of society. Standardize funding and raise awareness of these services.

31 Introduce a hardship provision for family reunification in the Aliens Act and withdraw the reservation to Article 10 of the Convention on the Rights of the Child.

32 Urgently introduce a standard employment contract for 24-hour care in private households.

33 Revise the standard employment contract for agricultural interns regarding working hours, minimum wage, meals, and housing.

Health and social justice

30 Revise the Ordinance to the Health Insurance Act (KVV) so that emergency treatments are defined and benefits not available during the deferral period are not counted as debts through full premiums.

31 Create a Reproductive Medicine Act and consider ratifying the Council of Europe's Biomedicine Convention.

32 Examine the causes, risk factors and consequences of poverty in greater depth in order to develop a national action plan against it.

33 When implementing the ageing strategy, pay particular attention to the challenges faced by vulnerable groups, such as older people with a migration background. In addition, provide sufficient financial and human resources for implementation.

34 Revise the implementing regulation on the deferral of health insurance payments so that emergency treatment is clearly defined and services not utilized during the deferral period are not counted as debt.

35 Conduct an in-depth analysis of the causes, risk factors, and consequences of poverty in order to develop a national action plan to address it. Allocate the necessary resources to implement this plan.

36 When implementing the aging strategy, pay particular attention to the challenges faced by vulnerable groups, such as older adults with a migrant background. In addition, allocate sufficient financial resources for its implementation.

Children's rights

34 Implement the urgent recommendations of the Committee on the Rights of the Child in a coordinated manner, in particular the creation of strategies for the prevention of violence and the inclusion of children with disabilities.

35 Implement the recommendations of the 2023 custody working group on the revision of child custody law. In particular, the introduction of mandatory and ordered parental counseling and greater consideration of the best interests and will of the child in proceedings relating to divorce, custody and visitation rights.

36 Take immediate measures to ensure the protection of children and young people in the unaccompanied use of digital school devices.

37 Coordinate and fully implement the urgent recommendations of the Committee on the Rights of the Child, in particular by developing a strategy for the inclusion of children with disabilities.

37 Take targeted measures to increase the number of BA apprenticeships. In doing so, the state administration, municipalities and state-affiliated companies should lead the way.

38 Implement the recommendations of the Obsorge Working Group on child custody law and ensure a child-friendly justice system in accordance with international standards.

38 Develop prevention programs to strengthen the mental health of children and young people, with a focus on disadvantaged children and young people.

39 Take immediate steps to ensure the protection of children and young people when they use digital school devices unsupervised.

39 Swiftly complete work on a concept for the implementation of a juvenile penal system in Switzerland and abolish detention under immigration law for persons under the age of 18.

40 Undertake targeted government initiatives to ensure that state and local governments take a leading role in providing vocational training programs.

41 Develop and implement a prevention program to promote the mental health of children and adolescents, with a focus on disadvantaged children and adolescents.

42 Develop a national action plan to prevent and combat all forms of violence against children, based on the GREVIO recommendations and the recommendations of the UN Committee on the Rights of the Child.

43 Rapidly finalize and implement a plan for the domestic juvenile justice system and abolish immigration detention for persons under the age of 18.

People with disabilities

40 Rapidly draw up an action plan to implement the Convention on the Rights of Persons with Disabilities.

41 Quickly tackle the collection and publication of internationally comparable data and make it accessible to all.

42 Consistently drive forward the implementation of accessible websites and mobile applications.

43 Quickly introduce a silent and barrier-free emergency call for people at risk.

44 Provide the resources needed to develop an action plan for implementing the Convention on the Rights of Persons with Disabilities and establish the framework for collecting the necessary statistical data.

44 Make voting documents and electoral processes accessible and inclusive. Adapt the procedures for exclusion from voting and electoral rights to the requirements of the Convention on the Rights of Persons with Disabilities.

45 Consistently promote the development of accessible websites and mobile applications, while publishing key content in plain language.

46 Make election materials and processes accessible and inclusive. Bring procedures for disqualifying individuals from voting rights into line with the requirements of the Convention on the Rights of Persons with Disabilities.

47 Ensure that existing public and private victim assistance and counseling centers are designed to be inclusive and receive training so that they are accessible to people with disabilities.

48 Quickly implement a silent, accessible emergency call system for people at risk.

Equality between women and men

45 Provide more resources and a national violence protection strategy to implement the Istanbul Convention. Revise the procedure for removal and prohibition of entry in cases of domestic violence. Carry out broad-based further training on the Istanbul Convention for the judiciary, police and governmental and non-governmental specialist agencies.

46 Carry out a statistical survey of care work and its distribution.

47 Integrate the successful measures of the "Diversity in politics" project for the balanced representation of women and men in political bodies into the national gender equality strategy.

48 Decriminalize abortion and provide access to safe abortion and aftercare services for women and girls. Abolish the information ban on abortion.

49 Finalize the gender equality strategy that has been consulted on as soon as possible and launch a coordinated implementation process with the necessary resources and the involvement of civil society.

50 Conduct a broad-based training program on the Istanbul Convention for the judiciary, the police, and government and nongovernmental agencies.

51 Implement a standardized data system for recording domestic violence in accordance with the Istanbul Convention.

52 Provide more resources and a national strategy to prevent violence in order to implement the Istanbul Convention.

53 Decriminalize abortion and cover it through health insurance. Ensure access to information and safe abortion and post-abortion care services for women and girls.

Sexual orientation and gender identity (LGBTIQA+)

49 Implement the ECRI recommendation on the scientific survey of the situation of LGBTIQA+ in Liechtenstein.

50 Introduce a modern civil status law that makes it possible to enter a third gender category in the civil register and other official documents.

51 Prohibit sex reassignment surgery for children born intersex without medical necessity and without an informed decision and investigate the medical counseling and treatment practice of children born

intersex as part of the planned study on the situation of LGBTIQA+.

52 Examine rehabilitation and compensation for persons who were prosecuted in Liechtenstein in the past on account of their sexual orientation.

54 Prohibit gender-assigning surgeries on intersex children without medical necessity and without informed consent, and investigate medical counseling and treatment practices for intersex children.

55 Implement the ECRI's 2018 urgent recommendation regarding the collection of data on the situation of LGBTIQA+ individuals in Liechtenstein.

56 Enact a modern civil status law that allows for the inclusion of a third gender category in the civil registry and other official documents, and establishes a human rights-compliant framework for gender reassignment.

57 Establish a legal framework for the rehabilitation and redress of individuals who were prosecuted in Liechtenstein in the past on the basis of their sexual orientation.

Human rights and sustainability

53 Align sustainability indicators with the UN Sustainable Development Goals and set concrete targets for 2030 and show greater determination and commitment to implementing the goals. Involve civil society in the development of implementation plans and through funding programs for sustainability projects.

58 Demonstrate greater determination and commitment in implementing sustainability goals, and involve civil society in the development of implementation plans as well as through funding programs for sustainability projects.

International recommendations

The visits, reports and recommendations of international expert bodies of the UN and the Council of Europe are invaluable for Liechtenstein, as they provide independent, well-founded and comparable assessments of the implementation of human rights and thus enable targeted improvements. Through their recommendations, they promote the continuous development of human rights. The regular exchange with these expert bodies promotes and enriches cooperation within the country as well as the transfer of knowledge between governmental and non-governmental specialist bodies, creating synergies for the protection of human rights. Without this external impetus, progress in human rights protection would be much slower and less effective.

Current reports

In the reporting year, the report of the Council of Europe's Commission of Experts on Domestic Violence and Violence against Women (GREVIO) and the report of the Committee of Experts under the UN Convention against Torture (CAT) on Liechtenstein were published. These reports as well as all state reports ("country reports") to the respective bodies are available on the website of the Office for Foreign Affairs. The reports of the OCR and civil society ("shadow reports") are published on the website of the OCR.

On January 22, the UN High Commissioner for Human Rights visited the country and discussed the human rights situation with the authorities and civil society. From March 5-7, the Group of Experts under the Council of Europe Convention on Action against Trafficking in Human Beings (GRETA) reviewed the situation in Liechtenstein. On April 15-19, the evaluation team of the Council of Europe's Group of States against Corruption (GRECO) visited the country and on June 18, the Congress of Local and Regional Authorities of the Council of Europe, which examines respect for human rights and the rule of law at local and regional level, was in the country. With the exception of the visit by the High Commissioner for Human Rights, the results of these visits will be included in the respective audit reports for Liechtenstein. These are expected in 2025.



Figure: The exchange with international expert bodies strengthens the protection of human rights. In the picture: UN High Commissioner Volker Türk with civil society organizations in Liechtenstein. Photo: VMR

Implementation

In order to implement the reports and recommendations of international human rights bodies to Liechtenstein and to coordinate the collection of data and reporting to these bodies, the Government created an internal working group in 2019 under the leadership of the Office for Foreign Affairs. The working group is also tasked with exchanging information with institutions and organizations outside the administration that are central to the implementation of human rights in Liechtenstein, namely civil society organizations and private sector actors.

In 2024, the working group continued to pursue the project of a database for the uniform recording, review and prioritization of all human rights recommendations of international monitoring bodies. Following completion of the database, all recommendations received from 2023 onwards could be imported in the reporting year and work could begin on filling in the implementation measures planned and taken. Reservations made by Liechtenstein when ratifying human rights treaties are not recorded in the database, as it is not a legal database. The database is an internal administrative working tool and is not publicly accessible.

1

Liechtenstein must:

Take the lead in following up and prioritizing recommendations from international human rights bodies. Create a transparent implementation process that involves all stakeholders, including civil society.

Individual consultations

As a point of contact, advice and complaints office for individuals, the Ombudsman gains direct insight into the human rights problems of people in Liechtenstein and obtains a differentiated picture of structural challenges, legal gaps and implementation deficiencies in various areas of society. It can intervene in a targeted manner to improve the individual situation of those affected and help them obtain their rights. At the same time, in many cases the consultations provide a valuable basis for the in-depth investigation of structural problems and for recommending systematic improvements to human rights protection.
In the reporting year, the Advisory Committee on Human Rights held 57 consultations (previous year: 52). 32 (previous year 27) consultations concerned general human rights. 24 (previous year 25) consultations concerned children's rights and were conducted by the Ombudsperson's Office for Children and Adolescents (OSKJ). The consultations of the Disability Monitoring Office (MOBE) in accordance with the Convention on the Rights of Persons with Disabilities were recorded for the first time. In the reporting year, there was one consultation on the topic of equality and non-discrimination (Art. 5).
Of the 32 consultations on general human rights in accordance with the Universal Declaration of Human Rights (UDHR), five each concerned the prohibition of discrimination (Art. 2) and the right to a fair trial (Art. 10). Three each related to the right to life and liberty (Art. 3), the right to family (Art. 16) and the right to work (Art. 23). Two each on the right to legal protection (Art. 8), the right to asylum (Art. 14) and the right to social security (Art. 22). The remaining consultations relate to various human rights.

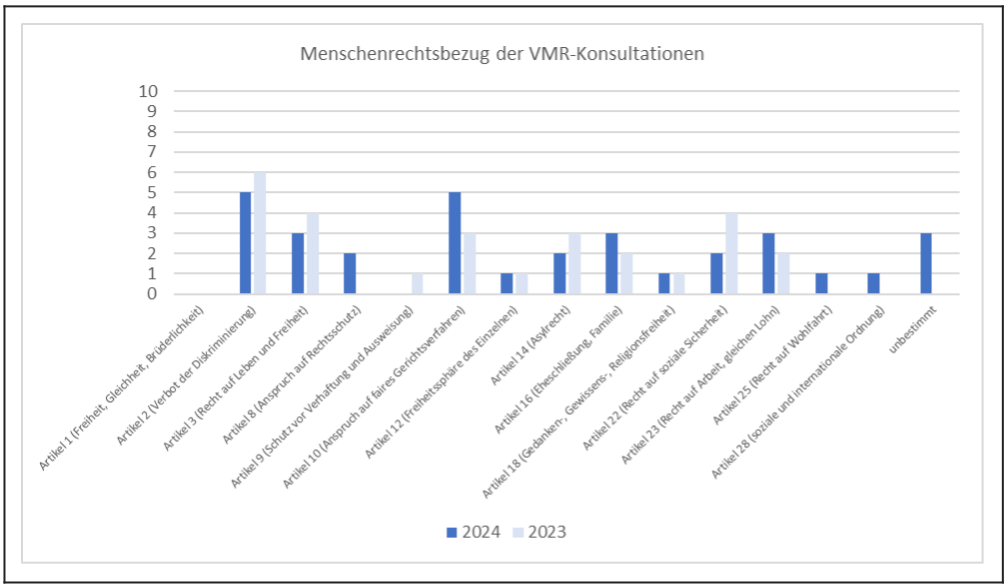


Figure: The prohibition of discrimination and the right to a fair trial were the rights from the Universal Declaration of Human Rights on which the Advisory Committee on Human Rights was consulted most frequently. Statistics: VMR

Of the 24 consultations held by the OSKJ on children's rights in accordance with the UN Convention on the Rights of the Child, six concerned the right to protection from violence (Art. 19) and five concerned separation from parents (Art. 9). Two consultations each concerned the consideration of the will of the child (Art. 12), the right to education (Art. 28) and educational goals (Art. 29). Other consultations concerned the prohibition of discrimination (Art. 2), the best interests of the child (Art. 3), nationality (Art. 7), the unlawful removal of children abroad (Art. 11), the protection of privacy (Art. 16), health care (Art. 24) and adequate living conditions/maintenance (Art. 27).

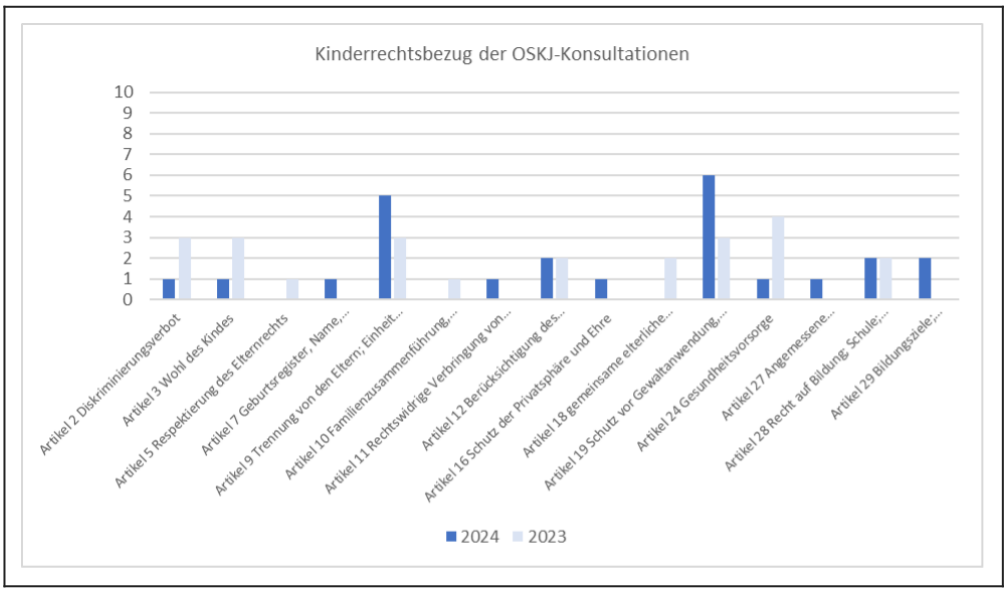


Figure: The right to protection from violence was the most common concern in the 2024 OSKJ consultations Statistics: VMR

Civil liberties, civil and political rights



Freedom of choice

In November 2024, a delegation of experts from the OSCE's Office for Democratic Institutions and Human Rights (ODHIR) visited Liechtenstein as part of a Needs Assessment Mission (NAM) to assess the need for election observation in the run-up to the parliamentary elections. They held talks with representatives from the administration, judiciary, politics, media and civil society. The subsequently published report came to an overall positive assessment of the institutional conditions for free and fair elections in the country. For example, political plurality, transparency, media freedom, reliable administration and organizational processes were examined. In its report, the ODIHR particularly emphasized that the electoral process in Liechtenstein is supported by a clear legal basis, functioning electoral administration and open framework conditions for politics, media and civil society. As in previous audits, the ODIHR again refrained from observing the elections.

Freedom of expression and media diversity

Diversity of information and independent media strengthen democracy. They impart knowledge, provide information and present different voices, perspectives and opinions in public discourse. In this way, they ensure the free formation and expression of opinions. They enable people to actively participate in social and political life. An informed public is the basic prerequisite for the functioning of constitutional and democratic states.

Media concentration has been increasing throughout Europe for years. This is mainly due to mergers between large media companies, takeovers of regional newspapers by a few national groups and the strong market position of global platforms such as Google, Meta and Amazon in the digital advertising market. As a result, traditional media are coming under financial pressure, local reporting is declining and public opinion is increasingly being shaped by a smaller number of players. At the same time, social media is further fragmenting information channels.

Media Promotion Act

Due to the small market, practically all private media in Liechtenstein are dependent on media subsidies. In 2023, the government submitted a reform of the Media Promotion Act for consultation. The aim of this was to maintain and strengthen media diversity, pluralism of opinion and the free formation of opinion in Liechtenstein. To achieve this goal, the government proposed an increase in basic funding, greater support for digital and young media, better qualification of journalistic work and adjustments to the Media Commission.

The reform was discussed in parliament during the reporting year and passed unanimously in December. The reform will strengthen micro-media in particular, for example by increasing the basic contribution to media professionals and introducing start-up funding and higher funding quotas for further training and distribution. At the same time, it promotes digital and innovative information offerings. The Media Commission has been strengthened and the basis for a binding code of conduct for journalists has been established. This has improved the basis for diversity of information and reliable information. The new law will come into force on January 1, 2025.

Media concentration

Europe-wide media concentration did not stop at Liechtenstein. In March 2023, the Liechtensteiner Volksblatt was closed for economic reasons. This left the "Liechtensteiner Vaterland" as the only daily newspaper in Liechtenstein, which is published by the same publishing house together with the weekly newspaper "LIEWO".

At the end of the reporting year, the public radio station Radio Liechtenstein was discontinued. In October of the reporting year, a referendum held by the Democrats for Liechtenstein (DpL) party led to the decision to repeal the Liechtenstein Broadcasting Act and discontinue funding for Radio Liechtenstein at the end of the year - 55.4% of the population voted in favor. Until then, Radio Liechtenstein had a stable audience (around 11,400 daily listeners in Liechtenstein in 2021). An attempt to privatize the station failed.

What remains is the private television station 1FLTV, which provides around one hour of daily local reporting on politics, society, culture and sport, as well as public information platforms such as the national channel or the municipal channels. The online newspaper lie:zeit has been published weekly since 2013.

The closure of Liechtensteiner Volksblatt and Radio Liechtenstein will significantly weaken media diversity in Liechtenstein. This will further reduce the diversity and quality of information. It is to be hoped that the new Media Promotion Act will succeed in promoting the development of new, high-quality media formats, including small ones, so that media diversity, pluralism of opinion and the free formation of opinion can be preserved and strengthened.

Religious freedom

Separation of church and state

Freedom of religion is enshrined in Art. 37 of the Constitution. In the same article, the Roman Catholic Church is placed under state protection as a national church. It is thus given preferential treatment and financed by the state and the municipalities as well as through tax contributions. As far as religious education is concerned, there has been a formal agreement between the Catholic Church and the State of Liechtenstein on religious education in public schools since 1936, according to which the Church selects the content and teaching materials for the subject of religion. Only since 2003 in secondary schools and since 2019 in elementary school has the denomination-neutral religious education "Ethics and Religion" been offered as an alternative at public schools.

Non-Catholic religious communities are defined as private associations. They receive varying levels of state funding on application. State support for Islamic religious communities is linked to the condition that they establish a joint umbrella organization. There are no such conditions for other religious communities. This does not guarantee equal treatment of religious communities.

This has also been established by international monitoring committees: In its examination of Liechtenstein's 2017 State Report, the UN Committee on the International Covenant on Civil and Political Rights questioned the close ties between the state and the Catholic Church and expressed concerns about the impact that the close ties between state and church could have on the protection of religious freedom as provided for in the aforementioned covenant. He called on Liechtenstein to make funding available to all religious organizations on an equal footing and without conditions and to grant all religious and faith communities the same rights by law. In 2018, the Council of Europe's Commission against Racism and Intolerance (ECRI) recommended the abolition of discriminatory rules and practices in the area of religion. In 2023, it called on the authorities to be vigilant with regard to teaching materials that are critical of human rights, particularly those that are hostile to LGBTIQA+.

Religious Communities Act

In 2008 and 2011, there were already concrete legislative plans to reorganize the relationship between the state and religious communities. Although a Religious Communities Act was passed by parliament in 2012, it never came into force. In the reporting year, the government submitted a new draft to parliament. It based its bill on the UN Covenant on Civil and Political Rights (Covenant II), the UN Convention against Racism and the UN Convention on the Rights of the Child. References were also made to the ECHR and the 2018 report by the

Council of Europe's Commission against Racism (ECRI).

The bill provides for improvements for religious communities that were previously not recognized under public law. All religious communities can now be legally recognized, provided they meet certain criteria. State recognition gives a religious community the status of a corporation under public law, which gives it special rights and obligations. These include the provision of religious education in schools, pastoral care in public institutions, the conclusion of contracts and financial support from the state. According to the report and proposal, the aim is graduated equal treatment. Property law issues were not considered in the proposal.

This means that the bill does not lead to equal treatment - i.e. equal protection and equal rights - for all religious communities. It also refrains from disentangling church and state. The constitution continues to guarantee the Roman Catholic regional church its special status as a regional church. In addition to the Catholic state church, the Protestant and Evangelical-Lutheran churches are also recognized by law, while other religious communities can receive state recognition or individual special rights under certain conditions by means of a government decision. In its statement on the consultation process, the VMR therefore criticized the fact that the bill does not implement the human rights principles of freedom of religion and non-discrimination. The bill was discussed at first reading in May. A second reading was postponed indefinitely by Parliament, as the Archbishopric of Vaduz has only been under administrative management since the Archbishop's resignation in 2023.

In May, the Free List submitted a parliamentary initiative to reorganize the relationship between the state and religious communities, as the disentanglement of church and state in the government bill did not go far enough. The aim of the initiative was to end the special status of the Roman Catholic Church and introduce a modern, equal financing model for all religious communities by introducing a so-called mandate tax. This meant that taxpayers could decide for themselves which church or religious community they would like to contribute to financially. After the initiative was declared unconstitutional by parliament in September, the Free List launched a new, amended initiative in October, which was no longer discussed in the reporting year. The changes to the first version related in particular to property law issues concerning the Archbishopric of Vaduz.

The Free List initiative goes one step further than the government's proposal with regard to the integration of church and state and thus the effective equal treatment of religious communities in Liechtenstein. As long as the Roman Catholic Church derives its right as a national church in the constitution and some religious communities are given more legal certainty in their public law status in a Religious Communities Act, there can be no talk of equal treatment. The integration of the national church with the municipalities is omitted both in the government bill and - at least temporarily - in the Free List initiative. The delay caused by the lack of a new archbishop may be understandable for political reasons. For human rights reasons, however, the VMR demands that the reorganization of the relationship between the church and the state and, in particular, the introduction of a law on religious communities be pushed forward. In doing so, freedom of religion and the prohibition of discrimination should be comprehensively implemented in accordance with the Monitoring Committee under UN Covenant II and ECRI.

2

Liechtenstein must:

Adopt a law on religious communities that comprehensively protects religious freedom and the ban on discrimination.

Muslim cemetery and prayer rooms

According to the last census in 2020, around 2,300 Muslims live in Liechtenstein. That is 6 percent of the population. There is no Muslim burial ground accessible to these people, neither in Liechtenstein nor in the region. Muslims who have lived in Liechtenstein for several generations must bury their loved ones in other countries - usually their original countries of origin - if they wish to be buried in accordance with their religion.

In 2018 and 2023, the Council of Europe's Commission against Racism (ECRI) called on Liechtenstein to find a suitable burial site for the Muslim communities in Liechtenstein. After a corresponding project in Schaan failed in 2016, the municipalities of Gamprin and Schaan began preliminary investigations into a Muslim cemetery at the southern entrance to Nendeln in the reporting year. However, the project met with resistance during the clarification phase and had to be put on ice.

The Muslim religious communities have had problems renting prayer rooms and club premises in Liechtenstein for years. There is no mosque. In its 2018 report, ECRI called on the authorities to help Muslim communities find suitable prayer rooms. In the reporting year, the Islamic Community (IGFL) was able to open new premises in Schaan after a long search.

3

Liechtenstein must:

Urgently resume efforts to create faith-compliant burial sites for Muslims.

Interreligious dialog

Since 2022, the government has been conducting an annual integration dialog in which religious communities also participate. In its 2023 report, the ECRI's Commission against Racism encourages the authorities to continue this in the long term. On the private initiative of the Gutenberg Education Center and the VMR, a round table of religions has also been held annually since 2023. In 2024, a Roman Catholic priest took part for the first time. The Round Table of Religions serves as a platform for interreligious dialog and for cultivating relationships to coordinate interreligious activities. In the reporting year, the Round Table organized the "Religion in the Cinema" film festival.



Figure: A law on the equal treatment of all religions was once again not passed; there are still no Muslim burial sites. The Round Table of Religions organized a film festival during the Week of Religions. Photo: Daniel Schwender

Racism and discrimination

Prohibition of discrimination in criminal law

Since 2016, Section 283 of the Liechtenstein Criminal Code has standardized a comprehensive public ban on discrimination, which includes all grounds of discrimination enshrined in international law. The criminal provision criminalizes the public display, incitement and dissemination of disparaging or defamatory ideologies. It prohibits the public trivialization, denial or justification of genocide and other crimes against humanity. The criterion for criminal liability is the public nature of an act. It also stipulates that benefits intended for the general public may not be denied to a person or group of persons on the basis of "race", language, nationality, ethnicity, religion or ideology, gender (including non-binary), disability, age or sexual orientation. Membership of discriminatory organizations is also prohibited.

Urteile § 283 StGB 2016-2024	**12**
Freiheitsstrafen unbedingt	0
Freiheitsstrafen bedingt	4
davon: mit Geldstrafen unbedingt: 2	
Geldstrafen bedingt	4
Freispruch:	4
andere Massnahmen	**30**
Diversion	7
Vorerhebungen eingestellt / Verfahren abgebrochen	22
Strafantrag/ laufendes Verfahren	1
Anzeigen Total	**42**

Figure: Since the creation of the anti-discrimination ban in criminal law in 2016, 42 charges have been filed and 12 convictions handed down.

In the reporting year, the public prosecutor's office initiated five new proceedings for discrimination. Four cases involved the offense of disparagement. One case concerned the denial of genocide and the publication of discriminatory content. A criminal complaint was filed in one case and one case was settled by diversion. One case was discontinued due to referral abroad, in two cases the preliminary investigations were discontinued. In the reporting year, no legally binding judgments were handed down in relation to the criminal provision.
This means that a total of 42 proceedings against discrimination have been initiated by the public prosecutor's office since the introduction of this criminal provision. In the same period, 12 final judgments were handed down, four of which were in the form of conditional custodial sentences. In two of these cases, unconditional fines were imposed.

In March, the Council of Europe's Commission against Racism and Intolerance (ECRI) published its sixth country report on Liechtenstein. It analyzes progress and challenges in areas such as equality, hate speech, hate-motivated violence, integration and inclusion. The report contains eleven recommendations, including two urgent measures, the implementation of which Liechtenstein must report on by 2026.

One of ECRI's urgent recommendations relates to the creation of a comprehensive anti-discrimination law, which the VMR has also been calling for for several years. The establishment of a central contact point for migrants was implemented in the reporting year (see also the chapter on the implementation of the integration strategy). The ECRI also recommends that Liechtenstein strengthen the protection of human rights by providing the VMR with better funding, increasing human rights education in schools with a special focus on LGBTIAQ+ issues and removing criminal liability for renting to irregular migrants. In addition, the rights of LGBTIAQ+ people should be safeguarded through a study, clear legal regulations on gender recognition, the inclusion of gender identity and gender characteristics in criminal law and a better fight against hate speech on the internet. Further recommendations concern the establishment of a Muslim burial ground and the systematic collection of equality data to promote effective anti-discrimination measures.

Liechtenstein's tenth country report to the Committee of Experts under the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) would have been due in August 2022. Earlier reports are also still outstanding. The Ministry of Foreign Affairs and the responsible Foreign Office prioritized other reports. The VMR regrets the long delay in reporting under ICERD and recommends that at least the option of simplified reporting be used. This is available to states that are more than five years behind schedule with their reporting.

4

Liechtenstein must:

Urgently create a comprehensive anti-discrimination law.

Extremism and hate speech

In its 2022 Recommendation, the Council of Europe defines hate speech as all forms of expression that attack or devalue violence, hatred or discrimination against a person or group based on their skin color, language, religion, nationality, ethnic or national origin, age, disability, gender, gender identity and sexual orientation or other identity characteristics. Hate crime is defined as a criminal offense based on hatred or prejudice against certain groups or individuals.

Racist, anti-Semitic content or calls for violence are on the rise across Europe, particularly on the internet and in online forums. Online hate speech often targets marginalized groups such as LGBTIQA+, Roma or refugees. According to Jens or Reddit posts from surveys conducted in August 2024, almost 50% of internet users aged 16-29 in the EU report that they have experienced hateful or derogatory messages online in the last three months.

The Council of Europe recommends combating hate online through a graduated legal and political approach, ranging from criminal law measures to the promotion of education and media literacy to effective cooperation with platforms, authorities and civil society. The Swiss Stop Hate Speech reporting platform provides a point of contact for people who have become victims of online hate speech and supports them in reporting incidents and considering legal action. The platform serves as an early warning system and supports the authorities in gaining a better understanding of the spread of such incidents.

The 2024 Monitoring Report on Extremism in Liechtenstein also notes an increase in slurs, insults and hate speech against certain groups, individuals or minorities in Liechtenstein. It also observes a rapid spread of fake news and anti-democratic and extremist content. The current 2024 report does not record any major incidents of violence or activities with an extremist background. However, the heightened security situation in Europe and the increasing digitalization of everyday life are having a particular impact on extremist activities, including criminal offences, especially on social media.

The VTR did not receive any complaints about extremist acts, but was aware of an increase in disparaging posts and comments on social media. The government or public authorities did not take any measures to reduce or prevent hate online in the reporting year.

5

Liechtenstein must:

Take stronger preventive measures against racism, extremism and radicalization tendencies on the Internet.

Corruption

The Council of Europe's Group of States against Corruption (GRECO) was founded in 1999. GRECO uses a monitoring mechanism, to which 50 member states belong, to check whether the fight against corruption in

the member states complies with international standards.

At the end of 2023, the fourth round of evaluations to prevent corruption in parliament, courts and the public prosecutor's office was completed. The preliminary implementation report was published in March 2024. Liechtenstein has already taken steps to implement several recommendations: After the Judges Appointment Act and the Public Prosecutor's Office Act were amended in 2022, a code of conduct for members of parliament was introduced in the reporting year and integrity criteria for the court and public prosecutor's office were developed or further developed.

Nevertheless, not all recommendations have yet been fully implemented - in particular, further improvements are needed in terms of transparency, judicial independence and protection mechanisms. Furthermore, the group of states misses regulations for members of parliament on dealing with conflicts of interest, confidential information, lobbying and the acceptance of gifts. Secondary employment and financial interests of members of parliament should also be disclosed. With regard to the training of judges, the committee misses an annual training course on ethics and the appointment of a confidential advisor. In the case of the Public Prosecutor's Office, the government's termination of Article 50 of the Public Prosecutor's Act continues to be met with criticism. Overall, Liechtenstein was able to implement six of the sixteen recommendations satisfactorily. Of the remaining recommendations, eight were partially implemented and two were not implemented.

From 15 to 19 April 2024, a GRECO evaluation team visited Liechtenstein as part of the fifth evaluation round and exchanged views with authorities and civil law organizations on measures to prevent corruption and promote integrity in the government, senior civil servants and the police. Particular attention was paid to the handling of ethical principles and rules of conduct, conflicts of interest, transparency regarding activities, assets, income or financial obligations and conflicts of interest. The report on the fifth evaluation round is expected in 2025.

6

Liechtenstein must:

Establish additional rules for MEPs to deal with conflicts of interest, confidential information, secondary employment, contacts with third parties and the acceptance of gifts.

Human rights violations due to US sanctions

Individuals and legal entities that have been sanctioned by the US Office of Foreign Assets Control (OFAC) are subject to strict economic and financial restrictions. Banks are no longer allowed to carry out significant transactions for sanctioned persons. US citizens and US companies are prohibited from doing business with the sanctioned persons. In Liechtenstein, several legal entities and individuals are affected by these sanctions.

All Liechtenstein banks have entered into private-law agreements with their US correspondent banks to refrain from servicing the assets of OFAC-sanctioned persons. The Liechtenstein Financial Market Authority FMA also urges the banks to comply with all requirements in order to avoid the risk of secondary sanctions and jeopardizing the financial centre. The banks are therefore no longer allowing any movements on the accounts of those affected: No health insurance, insurance or tax payments can be made. Costs for legal representation are also excluded. At the same time, those affected cannot receive any payments that secure their livelihood, such as unemployment benefits, family allowances or salaries from other work activities. Transactions by family members are also restricted. As a result, those affected are completely excluded from the global financial system and their livelihoods are at risk. The sanctions mean a de facto ban on work and a restriction on freedom of action and movement. The sanctions are not based on national, international or EU laws. The criteria for sanctions are not transparent and there is no legal recourse.

The effects of these sanctions violate various fundamental and human rights under the Liechtenstein

Constitution and international conventions, including the right to an adequate standard of living, the right to health, the right to social security, the right to property, the right to a bank account, the right to respect for private and family life and the right to a fair trial. In a broader sense, the sanctions violate the right to life and the protection of human dignity. The Liechtenstein State has a duty to ensure the protection of human rights for its nationals.

7

Liechtenstein must:

Urgently take concrete measures to remedy the fundamental rights violations of persons under US sanctions in Liechtenstein.

Human trafficking

Human trafficking involves serious human rights violations. It leads to serious physical, psychological and social damage and deprives the victims of their dignity and self-determination. Trafficked persons are deprived of their freedom and papers, exploited and forced into work or prostitution. From March 5 to 7, the Council of Europe's Group of Experts on the Review of the Council of Europe Convention on Action against Trafficking in Human Beings (GRETA) visited Liechtenstein. It exchanged views with government and administrative authorities as well as civil society organizations. The focus of this evaluation round is on the access of victims of human trafficking to justice and effective legal remedies. The report and recommendations are expected in 2025.

Action plan against human trafficking

In its 2024 report, the UN Committee against Torture (CAT) expresses concern about the lack of a national plan to combat human trafficking and recommends proactively investigating the risk of human trafficking and carrying out prevention work, even if there are no specific complaints. To this end, particularly vulnerable population groups should be made aware of the risks of human trafficking and encouraged to report it. Judges, law enforcement officers and migration and border control officials should be trained in the early identification of victims of human trafficking and their referral to appropriate social and legal services. When cases of human trafficking are uncovered, not only should perpetrators be punished, but victims should also receive appropriate protection and support, including through - at least temporarily - secure residence and protection from prosecution in Liechtenstein.

8

Liechtenstein must:

Develop an action plan against human trafficking that focuses on protecting victims and raising awareness among vulnerable groups. Train judges, migration authorities and the police on human trafficking.

Reporting office

In September 2023, a report office for human trafficking was set up at the state police. To this end, the state police's whistleblower platform, which has been in place since 2020, was expanded to include reports of suspected human trafficking. Whistleblowers can now communicate with the state police about their suspicions via an online portal while remaining anonymous. The VMR welcomes the establishment of the reporting office, but is critical of its location within the state police. A law enforcement agency is a very high-threshold reporting office compared to a non-governmental advice center for victims and witnesses. It is still difficult to establish contact with victims. There is also a lack of low-threshold access to support services and information. Nevertheless, in its report published in 2024, the UN Committee against Torture (CAT) welcomed the introduction of the reporting office at the national police force as significant progress.

Since the hotline was set up, one report of suspected human trafficking has been recorded via the whistleblower system. No reports of human trafficking were recorded in 2024.

Round table on human trafficking

The inter-agency "Round Table on Human Trafficking" has existed in Liechtenstein since 2006 under the leadership of the National Police and with the participation of the Public Prosecutor's Office, the Victim Support Office, the Office of Economic Affairs, the Office of Foreign Affairs and the Foreigners and Passport Office. The Round Table aims to strengthen cooperation between law enforcement authorities, migration authorities and institutions for the support of victims of human trafficking. If necessary, it can involve other stakeholders, including non-governmental organizations. Since 2018, the Round Table has documented six cases of human trafficking in Liechtenstein. None were added in the reporting year. No charges have been brought in any of the proceedings to date. Fulfilling the offense is very difficult. On the one hand, providing evidence is extremely challenging. On the other hand, the victim must testify, which proves difficult in almost all cases. However, there have been convictions in such cases for other offenses, e.g. welfare fraud. One case is still pending and three cases from 2023 have since been discontinued.

Jahr	Verfahren	Anklage	Verurteilung	Bemerkungen
2018	1	0	0	Verfahren wg. Menschenhandel eingestellt. Anklage wegen anderer Delikte.
2019	1	0	0	Verfahren wg. Menschenhandel eingestellt. Anklage wegen anderer Delikte.
2020	0	0	0	-
2021	1	0	0	Verfahren anhängig.
2022	0	0	0	-
2023	3	0	0	1 Verfahren wg. Menschenhandel eingestellt. 2 Verfahren anhängig.
2024	0	0	0	1 Verfahren noch anhängig
Total	**6**	**0**	**0**	

Figure: None of the six proceedings on human trafficking since 2018 have been concluded. Source: Round Table on Human Trafficking. Statistics: VMR

9

Liechtenstein must:

Make the national reporting office for human trafficking at the state police better known and firmly institutionalize the exchange between the Round Table on Human Trafficking and non-governmental specialist agencies.

International commitment to human trafficking

At the international level, the fight against human trafficking and modern forms of slavery is a focus of Liechtenstein's commitment to human rights. With the multi-stakeholder initiative against the financing of human trafficking and modern forms of slavery (FAST, Finance Against Slavery and Trafficking), Liechtenstein is committed to mobilizing the financial sector against modern slavery. The aim of the initiative is to involve the global financial center in the fight against slavery and human trafficking, which are enormously lucrative illegal business models, and to hold it accountable. In addition, various international meetings on combating human trafficking took place in 2024, in which Liechtenstein participated. In addition, Liechtenstein once again supported the "Human Trafficking" research focus of the Ludwig Bolzmann Institute for Fundamental and Human Rights with CHF 70,000 and the "UN Fund for Victims of Human Trafficking" with CHF 100,000 in the reporting year.

Prohibition of torture

In 2019, Liechtenstein submitted its last report to the Committee against Torture under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). In the reporting year, this 5th report was examined by the Committee and discussed with a state delegation. In June 2024, the Committee published 20 recommendations - three of them urgent - to Liechtenstein to improve implementation of the Convention Liechtenstein. The Committee also notes that its previous recommendations have not yet been fully implemented. Liechtenstein must provide information on the implementation of the recommendations in its next report. Liechtenstein must report in writing on the implementation of the three urgent recommendations by May 10, 2025.

Statute of limitations on torture

In addition to various recommendations in connection with deprivation of liberty and detention (see chapter "Detention"), the Committee considers it urgent that an appropriate penalty for acts of torture be set in the Criminal Code and that the statute of limitations for torture be abolished so that perpetrators cannot go unpunished.

10

Liechtenstein must:

Abolish the statute of limitations for torture in the Criminal Code and introduce appropriate penalties.

Procedural rights

The Anti-Torture Committee is concerned that police interrogations in Liechtenstein are not systematically documented by audio or video recording and that juveniles can be interrogated without a trusted person or legal counsel, whereby they themselves must submit a corresponding request. It recommends introducing such recordings as standard, storing them securely and making them accessible to all parties involved in the proceedings, as well as ensuring that young people always have automatic access to a trusted person and legal counsel during questioning without having to request this themselves.

11

Liechtenstein must:

Make audio or video recordings of all police interrogations. Minors should always and automatically be provided with a trusted person and legal counsel during questioning.

Independent monitoring mechanism

Even though no cases of torture and abuse have been documented for years, the Committee misses an independent mechanism in the country that takes action in the event of such allegations and is authorized to investigate them. This is provided for in Art. 12 and 13 of the Convention. It considers an internal police working group, as it has been created, to be not only unsuitable but also counterproductive, as there must be no institutional or hierarchical relationships between the investigators and the alleged perpetrators.

Apart from this, Liechtenstein has created the National Preventive Mechanism (NPM) in accordance with Article 3 of the Optional Protocol to the Convention against Torture (OPCAT), which takes preventive action by systematically visiting places of detention. Articles 17 to 23 of the Protocol set out the characteristics and powers of this mechanism: The mechanism must operate independently of the government, administration and judiciary and must not be subject to political or institutional instructions. It must be based on a legal foundation, its members must be appointed transparently and on a professional basis, and it must have sufficient staff, budget and expertise. It must have unhindered and unannounced access to all places of deprivation of liberty and report regularly on its own initiative to the government, parliament and the public.

Since its creation in 2006, the National Preventive Mechanism in Liechtenstein has been implemented via the government's Prison Service Commission. This means that the mechanism and the Prison Service Commission are staffed identically. The mandate of the Prison Commission is regulated in Art. 17 of the Prison Act. Although this commission is also independent and not bound by instructions, its members are considered civil servants, are formally appointed by the government and are required to report to the government. It should therefore be examined whether an identical composition of the NPM and the Prison Service Commission is compatible with the Additional Protocol to the Convention or whether the two commissions should be separated. At the same time, it could also be examined whether the NPM could also be given the function of an independent mechanism for investigating allegations of torture in accordance with Art. 12 and 13 CAT.

12

Liechtenstein must:

Create an independent body to investigate torture.

Imprisonment

According to the government's accountability report, a total of 77 (previous year: 48) people were imprisoned in the state prison in the reporting year, 29 more than in the previous year. Of these, 69 (previous year 46) were men and 8 (previous year 2) women. 18 of the detainees were asylum seekers who were detained as part of the removal procedure in accordance with the Asylum Act in order to prevent them from absconding. The majority of these detentions were carried out as part of the Dublin procedure, i.e. the removal took place in Dublin states. There were no juveniles among the detainees (previous year: 0). In 2024, a total of 4,152 detention days (previous year 3,566) were served in Vaduz.

National prison

The Liechtenstein Preventive Mechanism (NPM) under the UN Convention against Torture (CAT) and the Prison Service Commission (identically staffed) visited the national prison four times unannounced in the reporting year. In their annual reports, the committees state that the state prison is run in an exemplary manner and that the penal system complies with legal requirements. During their visits, they were given unrestricted access to all the rooms they wanted and were able to have undisturbed conversations with prisoners. The detainees reported very good prison conditions and respectful treatment by prison officers. The employment opportunities are still considered to be limited, but sufficient in the reporting year. In contrast, the UN Committee against Torture criticized the employment opportunities in its new 2024 report and called for access to training, general education, leisure and cultural activities to be improved, especially for women.

The National Preventive Mechanism (NPM) and the Prison Service Commission have been observing an increase in mentally abnormal prisoners for years. The UN Anti-Torture Committee criticizes the fact that no medical professionals are employed in state prisons. It refers to the so-called Nelson Mandela Rules, according to which prisoners are medically examined upon admission to prison and later as often as necessary in order to detect health problems, infectious diseases or signs of mistreatment in good time. It calls on Liechtenstein to implement this accordingly. He also points out the need for sufficient human resources.

Solitary confinement

According to the 2024 report by the UN Committee against Torture (CAT), the provisions in the Prison Act on solitary confinement for adults for up to four weeks and for juveniles for up to two weeks violate applicable international standards and should be amended. The Anti-Torture Committee particularly points out that solitary confinement may only be used in exceptional cases as a last resort, for the shortest possible time and only after an independent review and authorization by a competent official. Furthermore, solitary confinement may not be used as a disciplinary measure against juveniles.

Structural deficiencies

With 20 prison places, a security cell and a multi-person cell, a small library, a gym and a small workroom, the space available in the state prison has been very cramped for years. In addition, the prison, which was built in 1991, has outdated facilities overall. In its latest report on Liechtenstein from 2024, the UN Committee against Torture also notes that the lack of space and the layout of the national prison lead to various situations, some of which are detrimental to human rights. For example, the Committee sees a need for action in the separation of prisoners (by gender, age and type of detention), the provision of vocational and general education, leisure activities and social contact opportunities.

According to its own information, the state police are monitoring these developments and the reasons for them in order to "draw any conclusions that may require strategic and political decisions in the future". A planned expansion of the prison was last widely discussed in 2004 and rejected by the majority of the Liechtenstein population in a referendum. According to the recommendations of the Anti-Torture Committee, however, it is appropriate to initiate a new strategic process.

13

Liechtenstein must:

Start a strategic process to expand the state prison to address infrastructure, education and employment deficiencies.

Imprisonment abroad

In its latest report, the UN Committee against Torture is also concerned about detention abroad. Although it understands the reasons, it is critical of some aspects: Liechtenstein cannot ensure that basic legal guarantees against torture and ill-treatment are guaranteed abroad, as visits by authorities and visits by the national preventive mechanism abroad are not possible. He also sees a need to clarify legal uncertainties, e.g. with regard to Liechtenstein's jurisdiction in cases of allegations of torture, the receipt of complaints in this regard and ensuring unhindered access to independent legal counsel for persons detained abroad. It also criticizes the fact that the possibility of social contact (family visits) abroad is made more difficult. The Committee would therefore prefer all detentions to be carried out domestically and the corresponding capacities to be created.

Right of contact for families

The right of detainees to family contact is a sensitive issue in terms of human rights. The right of contact is enshrined in the general recommendations of the Committee of Ministers of the Council of Europe on the rights of children of detainees (Rec. 2018/5), in the UN Convention on the Rights of the Child Art. 3 para. 1 and Art. 9 para. 3 and 4 and in the UN Principles for the Treatment of Women Prisoners ("Bangkok Rules"). There are often judicial restrictions on visiting and contact rights for pre-trial detainees in state prisons. Apart from this, according to the prison management, the legal visiting and other contact rules would be increased wherever organizationally possible or humanly necessary. For example, the length of time for all prisoners would be practically doubled, even more generous visiting rights and special solutions would be granted for visitors traveling from far away, for women in prison, juveniles or people in de facto solitary confinement. The telephone communication options would be provided to detainees in multilingual information sheets. The legal contact rights and visitor rules can be found on the prison's homepage. However, there are no written regulations governing the visiting rights and contact rules of relatives to detainees in more detail - probably also due to the individual special solutions. It should be examined whether the special solutions mentioned correspond to an implementation of the right of contact of underage children with imprisoned parents (also in pre-trial detention) that complies with children's rights.

14

Liechtenstein must:

Introduce rules on the right of children to have contact with parents in custody or on remand.

Detention of minors under immigration law

Art. 60 para. 2 of the Aliens Act stipulates that minors over the age of 15 can be detained. With regard to detention under immigration law, the group of experts under the UN Convention against Torture calls in its

2024 report for ensuring that children and families are not detained solely because of their migration status. Instead, alternative accommodation options should be used. Liechtenstein should also provide better care for unaccompanied minor asylum seekers or children separated from their parents - through a child-friendly care system that is geared towards the well-being and individual needs of children.

Residential care in Germany

Placement in care homes or other social institutions is significant in terms of human rights because it involves interference with personal freedom, self-determination and privacy. In the reporting year, the National Preventive Mechanism under the UN Convention against Torture (CAT) visited the St. Peter and Paul nursing home in Mauren. As in previous years, its current report comes to an extremely positive conclusion regarding the cleanliness, environment and treatment in all of the homes visited by Liechtensteinische Alters- und Krankenhilfe (LAK). However, in its 2016 report to Liechtenstein, the Council of Europe's Committee for the Prevention of Torture (CPT) identified a need for action with regard to measures restricting movement and the possibility of complaints.

Measures restricting movement

The Council of Europe's Committee for the Prevention of Torture 2016 (CPT) found that there was no basis for movement-restricting measures in retirement and nursing homes and recommended that the government create a corresponding legal basis. With the revision of the Social Assistance Act 2021, the legal basis for measures that restrict movement is now in place. However, it would be necessary to check whether the regulations and practice in all social institutions have been adapted.

15

Liechtenstein must:

Check whether the guidelines for movement-restricting measures are implemented in all social facilities.

Independent complaints body

The report of the Council of Europe's Committee for the Prevention of Torture (CPT) had also already recommended to the government in 2016 that an external complaints procedure be set up in all social welfare facilities in Liechtenstein. The National Preventive Mechanism under the UN Convention against Torture states in its current annual report on the visit to a LAC home that there is still no independent complaints office for residents. This continues to affect all social institutions. In Switzerland, there are independent complaints bodies at cantonal level. In Liechtenstein, the LIPO would be predestined to be an independent complaints body. Its aim is to represent the interests of patients and insurance holders and to strengthen their position in the healthcare system. However, this would require a legal basis, e.g. similar to the Home Residence Act in Austria.

Home Residence Act

In Austria, the Residential Homes Residence Act regulates the rights and obligations of residents of residential homes, particularly homes for the elderly, nursing homes and homes for the disabled. It ensures that residents' personalities are respected and that they can lead a dignified life, including appropriate care and protection from abuse. The law stipulates that homes must comply with certain quality standards and that

residents have access to complaints procedures. It also promotes the self-determination of residents and the involvement of their relatives. Liechtenstein has no legal basis for residential care. In 2017, the Ministry of Society initiated a review of the Austrian law, but no further legislative efforts have been made in this regard to date.

16

Liechtenstein must:

Create a legal basis for an independent complaints office for residents of care homes and social institutions and their relatives.

Forced placement

Custodial placements (involuntary committal) are very sensitive procedures in terms of human rights and can massively encroach on the individual's rights to freedom. They must therefore be carried out with care and restraint. The revision of the Social Welfare Act has introduced significant improvements to the procedure since 2021. The annual judicial care reports show that the number of involuntary placements has increased significantly in recent years. While there were still 42 proceedings for involuntary placement at the district court in 2018, there were already 65 in 2021 and 94 in the reporting year.

Admissions in acute cases

According to detailed statistics from the district court, 95% of all placement procedures between 2018 and 2024 were ordered by a doctor on duty in cases of imminent danger. A doctor on duty within the meaning of the legal provision is any doctor with a professional license in Liechtenstein. He or she is not necessarily qualified to assess the situation. Therefore, the establishment of a psychological emergency service or the introduction of a qualification, counseling or support system for the medical profession in psychological emergencies remains an essential human rights concern in order to prevent unnecessary admissions. By law, the court must decide on the admissibility of hospitalization within five days in cases of imminent danger. The medical referral report serves as the basis for this. The court's confirmation of the admissibility of the placement in the event of imminent danger is limited to six weeks. 4 percent of all placements were classified as inadmissible by the court.

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Liechtenstein must:

Establish a psychological emergency service or introduce a qualification, advice or support system for doctors in psychological emergencies.

Review of the placement

According to the Social Assistance Act, retention must always be appropriate and in the interests of the person concerned. A transparent and regular review of the measures is mandatory. No later than six months after the start of the placement, the district court reviews whether the conditions are still met, based on reports from

the clinic, independent expert opinions and hearings with the person concerned. The person concerned can apply to be released at any time, and a decision will be made in writing without delay. The district court's detailed statistics on involuntary placements between 2018 and 2024 show that 41% of involuntary placements ended after five days. 37% of placements lasted between 6 days and 6 weeks. 22% of placements lasted longer than 6 weeks.

Causes of placement

The Social Welfare Act defines the conditions for involuntary placement and stipulates that the order for involuntary placement is restrictive and primarily intended to prevent self-harm, and that an order to protect against harm to others can only be made if this "seriously and significantly endangers the life or health of others". As the detailed analysis of the statistics shows, an average of 81% of all proceedings since 2018 have been based on self-endangerment. Threat to others was the reason for 35% of all proceedings initiated during this period. In 29% of cases, there was both self-endangerment and danger to others. In an average of 12% of the proceedings initiated, there was neither self-endangerment nor danger to others. Accordingly, no proceedings were initiated in these cases, the proceedings were discontinued due to inadmissibility or a voluntary admission took place.

During the period under review, 65% of the reasons for involuntary committal were psychological or mental illnesses with partly physical causes (including dementia) and 25% were mental illnesses in combination with or triggered by substance abuse. severe neglect, as permitted by the Social Welfare Act, was not given as a reason for committal in any case. In 10 percent of cases, no cause is known.

Fürsorgerische Unterbringungen gemäss Sozialhilfegesetz	2018		2019		2020		2021		2022		2023		2024		Durchschnitt
erfasste Verfahren gemäss SHG	**42**		**51**		**51**		**65**		**88**		**93**		**94**		
Rückzug des Verfahrens	**2**	**5%**	**14**	**27%**	**5**	**10%**	**6**	**9%**	**7**	**8%**	**12**	**13%**	**4**	**4%**	**11%**
Unzulässigkeit	1	2%	4	8%	1	2%	2	3%	3	3%	7	8%	1	1%	4%
andere Gründe	1		10		4		4		4		5		3		
Gefährdung	**42**		**51**		**51**		**65**		**88**		**93**		**94**		
Selbstgefährdung (mit oder ohne Fremdgefährdung)	39	93%	33	65%	44	86%	56	86%	74	84%	67	72%	76	81%	81%
Fremdgefährdung (mit oder ohne Selbstgefährdung)	22	52%	13	25%	17	33%	18	28%	35	40%	25	27%	35	37%	35%
Selbst und Fremdgefährdung	*-22*	*52%*	*-11*	*21%*	*-16*	*32%*	*-16*	*23%*	*-26*	*30%*	*-15*	*16%*	*-24*	*26%*	*29%*
keine Gefährdung	3	7%	16	31%	6	12%	7	11%	5	6%	16	17%	7	7%	13%
Ursachen	**42**		**51**		**51**		**65**		**88**		**93**		**94**		
psychische Erkrankungen (inkl. Demenz)	29	69%	23	45%	35	69%	42	65%	62	70%	59	63%	68	72%	65%
psychische Erkrankungen mit/durch Substanzmissbrauch (Medikamente, Drogen)	11	26%	16	31%	12	24%	17	26%	21	24%	19	20%	23	24%	25%
keine Angaben	2	5%	12	24%	4	8%	6	9%	5	6%	15	16%	3	3%	10%
Anträge zur Unterbringung	**40**		**41**		**47**		**60**		**86**		**86**		**91**		
bei Gefahr in Verzug (SHG Art. 18g)	39	97%	40	98%	46	98%	55	92%	78	91%	82	95%	85	93%	95%
auf Antrag (SHG Art. 18f)	1	3%	1	2%	1	2%	5	8%	8	9%	4	5%	9	10%	6%
beides	*0*		*0*		*0*		*0*		*0*		*0*		*-3*	*3%*	
Unterbringungen (Dauer: Stichtag 31.12.)*	**40**		**42**		**47**		**60**		**83**		**86**		**91**		
0 bis 5 Tg**	17	43%	19	45%	19	40%	21	35%	28	34%	40	47%	41	45%	41%
6 Tg bis 6 Wo***	19	48%	16	38%	14	30%	20	33%	25	30%	34	40%	38	42%	37%
länger	4	10%	7	17%	14	30%	19	32%	30	36%	12	14%	12	13%	22%

Figure: Custodial placements have risen sharply in recent years. The causes are mental illness - sometimes with substance abuse.
Source: Regional court. Evaluation VMR.

The problem of accommodation abroad

Practically all placements are made in foreign, mostly Austrian or Swiss facilities. The Committee under the UN Convention against Torture (CAT) expressed concerns about this in its recent 2024 report on Liechtenstein. It sees difficulties for Liechtenstein in monitoring placements, granting visits and assuming responsibility in the event of allegations of torture and recommends that corresponding capacities be created domestically.

It is more difficult to monitor placements in foreign facilities, as the supervisory bodies of the respective countries are responsible. Among other things, the respective duration of the stay is not always evident from the court file in Vaduz. This is particularly the case if the local courts conduct their own proceedings regarding further retention. This is always the case in Austria. For psychiatric admissions to Swiss psychiatric or welfare facilities, the VMR has been recommending the conclusion of negotiations on a corresponding state treaty for several years. At the end of 2019, the first draft of the treaty was submitted by Liechtenstein to the Federal Office of Justice. According to the Liechtenstein representation in the negotiating delegation, there was another regular intergovernmental exchange on the planned treaty in 2024. The text was largely finalized, with only a few details remaining at the end of the year. The aim is still to conclude the negotiations quickly, if possible in 2025.

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Liechtenstein must:

Review of Covid measures

Since the end of the Covid-19 pandemic, seven evaluations by the Liechtenstein Institute have examined the course of the pandemic, crisis management, the views of society, politics and the administration on the measures taken, legal aspects, the impact on schools and economic support measures. A study commissioned by the government from the Institute of Epidemiology Biostatistics and Prevention at the University of Zurich on the medical and scientific aspects of the measures taken during the Covid-19 pandemic in Liechtenstein was published in July 2024. The study evaluated nine measures, including mandatory masks, school closures and vaccinations, in terms of their advantages and disadvantages based on current medical and scientific evidence. It concludes that the Liechtenstein government's medical measures in the early phase of the pandemic, i.e. before vaccines were available, were largely in line with the scientific evidence. The vaccinations themselves are rated as very beneficial. According to the report, the wearing of masks, general hygiene measures, contact reduction and quarantine and isolation regulations also demonstrably contributed to containing the spread of the virus. The assessment of school closures is more critical, which - although shorter in Liechtenstein than in other countries - caused more harm than good according to current knowledge. Their negative impact on education and psychosocial development outweighed the epidemiological effect. The report also sees greater discrepancies between political action and medical evidence for the period after the vaccines were introduced: measures such as comprehensive assembly bans or travel restrictions should have been weighed up more carefully, as their benefits decreased while their social and economic disadvantages increased. The report does not clarify the question of the political and legal proportionality of the measures. The VMR had suggested an assessment in this regard, particularly with regard to the impact on particularly vulnerable groups. During the pandemic, it had criticized the lack of protective measures and compensation for care migrants in domestic care and the disproportionate and persistent ban on contact in the national prison.

Victim protection

Legal aid

According to the Victim Support Office, the practice of the Criminal Procedure Code revised in 2022 to improve victim protection in criminal proceedings works well overall in those cases in which the Victim Support Office is involved. However, the Victim Support Office sees a need for action with regard to legal aid in criminal proceedings. According to Art. 25 of the Victim Support Act, victims and their relatives are exempt from fees and costs in court and other administrative proceedings that are a consequence of the crime in accordance with the legal aid provisions of the respective procedural regulations. If a victim has been granted legal aid but the costs cannot be transferred to the offender or a third party, the victim owes these costs to the state. This means that the victim must prove annually, for 10 years and without being asked, that no repayment of the legal aid granted is possible. If assets are identified in the proof of assets, the legal aid must be repaid. If proof of assets is not properly provided, it is assumed that the legal aid granted can be repaid. In the case of minors, the parents are held responsible - regardless of the nature of the relationship or living circumstances. This regulation is not victim-friendly and, in the opinion of the Victim Support Center, discourages victims from seeking legal representation. In addition, the 10-year repayment requirement is not only economically but also psychologically stressful for the victims.

19

Liechtenstein must:

Revise the legal regulations on victim protection so that victims do not have to pay back legal aid.

Association complaints

The right of associations to lodge a complaint refers to the right of recognized organizations or associations to lodge a complaint or lawsuit in the public interest, even if they are not directly affected themselves. Such a right strengthens the human rights of vulnerable groups because they often lack the resources, knowledge or social position to assert their rights independently. In addition, it can be associated with shame to expose oneself as a victim. Associations can make structural abuses visible, pursue them legally and thus ensure access to justice for particularly vulnerable people and improve the administration of justice overall. For this reason, during the consultation process for the founding of the Association for Human Rights, various organizations submitted an application for the VMR to be granted the right to lodge an association complaint.

20

Liechtenstein must:

Introduce a right of appeal for recognized organizations and associations in the area of human rights.

Artificial intelligence

In 2024, the Council of Europe continued its work on an international framework convention to ensure the protection of human rights in the development and use of AI systems. The convention was officially opened for signature on September 5, 2024. It is the world's first legally binding international agreement for AI systems and is open to interested third countries as well as Council of Europe members. Liechtenstein took part in the negotiations and advocated for compliance with human rights and data protection standards and for the agreement to be as global as possible. The country signed the agreement on February 27, 2025, and ratification is still being examined.

In December 2023, the EU adopted the world's first comprehensive legislation on artificial intelligence - the EU-AI Act. The aim of this regulation is to ensure safe, trustworthy and human rights-compliant AI systems. The regulation came into force on August 1, 2024 and will be implemented gradually. The EU-AI Act must be implemented in a binding manner for Liechtenstein within the EEA and requires the establishment of national supervisory structures. The responsible Digital Innovation Unit is involved in the corresponding preparations.

The European Network of National Human Rights Institutions (ENNHRI), of which the VMA is a member, critically monitored the drafting processes of the Council of Europe Convention and the EU Regulation. In a statement, it criticized the lack of central human rights guarantees. For example, the treaty only contains binding regulations for the public sector, while the powerful private sector remains largely excluded. In addition, AI systems used in the area of national security are excluded from the scope of application. Here, the state would have to take measures at national level to ensure that protection covers all areas. In the EU regulation, the term "human rights" is often only used rhetorically and not in the sense of a normative

formulation. This means that the regulation does not specify exactly which human rights are affected and what the risks are that arise from AI. A regulation or guideline would be necessary for this. Finally, ENNHRI criticizes the lack of independent and effective supervisory mechanisms at both national and Council of Europe level.

21

Liechtenstein must:

When implementing the new AI laws, place particular emphasis on the protection of human rights and develop a national regulation that extends European laws to the private sector and national security.

Asylum and refugees



Refugee and asylum policy

Liechtenstein's refugee and asylum system continued to be shaped by the war in Ukraine in the reporting year. Since March 2022, refugees from Ukraine have been granted "S" protection status, similar to Switzerland. Since the outbreak of war, 1,127 people have applied for protection in Liechtenstein (as at December 31, 2024). In the reporting year, 407 applications for international protection were registered. 318 applications were related to the war in Ukraine, 317 of which were from Ukrainian nationals and 1 person with third-country nationality residing in Ukraine. In addition, 89 regular asylum applications were submitted, mainly by people from North Africa, the Middle East and the Western Balkans. The majority of these asylum applications were from Dublin states (EU) or safe countries of origin. At the end of 2024, there were 727 asylum seekers from Ukraine in Liechtenstein, 697 of whom had a valid "S" protection status. 187 of the protection seekers present were minors. At the end of 2024, Flüchtlingshilfe (FHL) was looking after a total of 786 people, 151 more than in the previous year and a record since FHL was founded.

In the reporting year, 231 people from Ukraine were granted S protection status, i.e. temporary protection in Liechtenstein. Two people were granted temporary admission. At the same time, not a single person was recognized as a refugee in Liechtenstein through the regular asylum procedure. Due to the ongoing tense situation in Ukraine, the VAC is in favor of retaining "S" protection status for refugees from Ukraine.

The duration of the procedures at the APA is generally appropriate, although the procedures for determining the need for temporary protection have become more complex. However, delays in asylum procedures were occasionally reported to the APO, particularly due to the high workload. It is important that those affected are informed regularly and transparently in these cases.

No other solidarity measures have been taken, such as voluntary self-entry to carry out an asylum procedure in Liechtenstein or the admission of refugees or asylum seekers via existing EU or UN resettlement or relocation programs. According to the responsible ministry, this is also not planned for the future. In view of the historically high global refugee numbers and the extremely advantageous European refugee and migration regulations for Liechtenstein, the VMR is calling for more responsibility and solidarity in this regard.

Liechtenstein does, however, show solidarity within the framework of International Humanitarian Cooperation and Development (IHCD), particularly with regard to emergency aid and international refugee and migration aid. In 2022 and 2023, a total of around 3.8 million Swiss francs were used for projects in the Ukraine context. These funds were used for accommodation, food, medicine, water, sanitary facilities and electricity supply or to support refugees in Ukraine's neighboring countries - e.g. for measures such as registration, legal advice or access to education and basic services. In addition, the documentation of war crimes and human rights violations was also funded to ensure accountability. To make this commitment possible, the government increased the regular IHCD budget by a total of CHF 3.6 million in 2023 and 2024.



3

Inland

Liechtensteiner Vaterland | Montag, 5. Februar 2022

Asylgesuche weiterhin auf hohem Niveau

Nach dem Angriff Russlands auf die Ukraine schnellten in Liechtenstein die Asylgesuche im Jahr 2022 in die Höhe. Auch 2023 flüchteten viele Menschen nach Liechtenstein, Ukrainer erhalten besonderen Schutzstatus. Reguläres Asyl wurde allerdings in keinem Fall gewährt.

Daniela Fritz

Seit fast zwei Jahren herrscht in der Ukraine Krieg. 585 Betroffene haben in Liechtenstein mittlerweile einen sicheren Hafen gefunden, was das kleine Land allerdings vor Herausforderungen stellt. Das verdeutlicht schon die Entwicklung der Asylgesuche: 2021 wurden noch 97 Gesuche gestellt, was in etwa dem damaligen langjährigen Durchschnitt entsprochen hat. 2022 – nach dem Angriff Russlands – waren es rekordhafte 584 Gesuche.

508 Gesuche betrafen geflüchtete Personen aus der Ukraine, die unter bestimmten Voraussetzungen den vorübergehenden Schutzstatus S erhalten, ohne ein ordentliches Asylverfahren durchlaufen zu müssen. Sie erhalten also innerhalb weniger Tage einen Aufenthaltstitel, während das ordentliche Asylverfahren je nach Komplexität und Verfahrensart zwischen einigen Wochen und mehreren Monaten dauern kann.

Die Situation im Flüchtlingswesen bleibt herausfordernd: Trotz der im Herbst eröffneten Unterkunft im Triesner Industriegebiet ist ab Sommer neuer Wohnraum nötig. Bild: Daniel Schwendener

Knapp 400 Asylgesuche im vergangenen Jahr

Im vergangenen Jahr suchten zwar nicht mehr ganz so viele Personen um Asyl an, wie eine «Vaterland»-Anfrage beim Ausländer- und Passamt (APA) zeigt. Mit 392 Gesuchen gab es aber immer noch deutlich mehr als vor dem Ukraine-Krieg. So wurden 304 Gesuche von Personen aus der Ukraine gestellt. Die restlichen 88 Asylgesuche betrafen Menschen aus anderen Ländern, die zum Teil als «sichere Herkunftsstaaten» gelten.

Aus dem Gaza-Streifen flüchteten hingegen kaum Menschen nach Liechtenstein, das APA verzeichnete 2023 nur zwei Gesuche von Personen aus den Palästinensischen Autonomiegebieten.

Julia Walch, die im APA den Bereich Asyl leitet, rechnet hier auch nicht mit einem grösseren Anstieg: «Bei gleichbleibender Entwicklung des Konflikts wird nicht mit relevanten Fluchtbewegungen nach Europa gerechnet.»

Keines der 2023 abgeschlossenen ordentlichen Asylverfahren endete mit einem positiven Bescheid für die Betroffenen. «Im vergangenen Jahr wurde kein Asyl gewährt, da die Voraussetzungen dafür in keinem Fall erfüllt waren», erklärt Walch.

Die meisten Personen, die ein reguläres Asylgesuch stellten, stammten aus sicheren Herkunftsstaaten oder unterlagen dem Dublin-Verfahren, weshalb Liechtenstein nicht zuständig ist. Vier Personen wurden jedoch vorläufig im Land aufgenommen.

Die Flüchtlingshilfe betreut derzeit rund 645 Personen, darunter 595 Schutzbedürftige aus der Ukraine, 27 Asylsuchende und 23 vorläufig Aufgenommene: eine Herausforderung für die zuständigen Stellen – und eine Entspannung ist derzeit nicht in Sicht: Allein im Januar wurden bereits 25 Asyl- und Schutzgesuche verzeichnet, 17 davon von ukrainischen Staatsangehörigen. Walch rechnet damit, dass in den kommenden Monaten weiterhin zwischen 25 und 50 Asylgesuche pro Monat hinzukommen.

Wohnraum wird ab Sommer wieder knapp

Noch gibt es zwar genügend Unterbringungsmöglichkeiten, ab Sommer brauche es aber zusätzliche Wohnräume. Die Regierung will deshalb wieder auf private Angebote zurückgreifen.

Derzeit werden über 60 Liegenschaften im Eigentum des Landes, von Gemeinden oder Privaten und Vereinen. Zu den grössten Standorten zählen der Meierhof und die im Herbst bezogene Unterkunft im Triesner Industriegebiet, wo jeweils Platz für rund 80 Menschen ist. Doch nicht nur in den grossen Liegenschaften, sondern auch in angemieteten kleineren Wohnungen und Häusern werden gemäss Walch Wohngemeinschaften für die Schutzbedürftigen gebildet.

Neben der Unterbringung spielt auch die Integration in den Arbeitsmarkt beziehungsweise das Bildungswesen eine zentrale Rolle. Von den 167 minderjährigen Schutzsuchenden aus der Ukraine sind 103 regulär eingeschult, 22 besuchen eine IK-DaZ-Klasse. Knapp 400 Geflüchtete sind in erwerbsfähigem Alter, davon arbeiten 103 Personen. «Viele der Schutzbedürftigen haben jedoch Betreuungspflichten für jüngere Kinder», erinnert Walch. Weitere 80 Personen könnten gemäss Flüchtlingshilfe aber in den Arbeitsmarkt integriert werden, sobald sie die Sprache entsprechend beherrschen.

Weitere Unterkünfte gesucht

Es besteht weiterhin Bedarf an Unterkünften für Geflüchtete. Gesucht werden insbesondere grössere Wohnungen oder Häuser ab 4,5 Zimmern. Interessierte Vermieter oder Immobilienexperten werden gebeten, sich per E-Mail an info.ahr@lv.li oder per Telefon unter der Nummer: +423 236 6990 zu melden.

Figure: In 2024, Refugee Aid Liechtenstein recorded a record 786 people receiving assistance. 321 of them from Ukraine received protection in Liechtenstein in 2024 Photo: Vaterland article from 05.02.2024

Accommodation, education and acquisition

According to the government's accountability report, over 15 new properties were made available for the accommodation of refugees in the reporting year. This means that by the end of 2024, over 75 properties were available for the accommodation of asylum seekers. Furthermore, a procedure was initiated to provide new collective accommodation for 2025. The Foreigners and Passport Office (APA) and the Refugee Aid Association (FHL) received additional resources to ensure the accommodation and care of asylum seekers and people in need of protection. In addition, various civil society initiatives were set up to support refugees, such as the SKS-Integrationshilfe association.

At the end of 2024, 147 children seeking protection were either enrolled in their own classes with intensive German as a second language courses or in regular schools. In addition, a specific offer for children and young people from Ukraine was set up with the "Learning Hub" in order to integrate them into regular classes as quickly as possible. In December 2024, 153 of all people supported by Refugee Aid were in gainful employment, 139 of whom were in need of protection from Ukraine. The employment rate for persons in need of protection from Ukraine was around 32% at the end of 2024.

Overall, the VMR considers the situation of asylum seekers and refugees in Liechtenstein to be very good. Regular exchanges with FHL, Amnesty and APA indicate no need for action with regard to accommodation or the care situation. The total of four consultations with persons with a refugee background (asylum seekers, protection seekers, recognized refugees) by the OCR did not reveal any aspects of concern in terms of human rights. No measures were necessary in any of the four cases.

In principle, the high employment rate is a positive development. It has been shown time and again that the possibility of being able to work from day one has proven its worth. On the one hand, this creates structure and, on the other hand, the people receiving support can live as autonomously as possible, as provided for in the Asylum Act. However, there are also obstacles. For example, the wage concession leads to less motivation to work. At the same time, training is sometimes not recognized. The "refugee wage" has also not yet been introduced across the board and is not widely known.

In view of the large number of people in care, the VMR considers the principle of equal treatment to be important. Asylum seekers as well as temporarily admitted persons and persons in need of protection from Ukraine are accommodated and cared for in accordance with the Asylum Act. They should therefore be

treated equally, taking into account their individual circumstances. Giving preference to a certain group of persons would violate the principle of equal treatment and could lead to problems in accommodation and care.

Representation of interests

The Liechtenstein Refugee Aid Association was founded in 1998 by Caritas Liechtenstein, the Association for an Open Church, the Justitia et Pax Foundation and individuals from various aid organizations. This was triggered by the admission of large numbers of asylum seekers in the 1990s and the need for professional coordination of accommodation and care.

Flüchtlingshilfe is a non-profit organization that is responsible for the care of asylum seekers, temporarily admitted persons and persons in need of protection in Liechtenstein on behalf of the state. The support includes accommodation, care, advice and assistance as well as support with integration, job search and preparation for return. According to its statutes, the association is also committed to the protection of refugees, the preservation of human dignity and compliance with the Geneva Refugee Convention. It represents the interests of asylum seekers vis-à-vis the authorities and the public and promotes the solidarity of the population with people on the run. Finally, it can cooperate with other recognized organizations and carry out refugee projects in Switzerland and abroad.

Refugee Aid is thus faced with the challenge of fulfilling a state mandate as a government contractor on the one hand and, as a private association, independently representing the interests of asylum seekers and refugees and guaranteeing their legal protection on the other. The compatibility of these tasks is viewed critically by the VMR. A revision of the refugee aid service agreement with the government, which has been planned for several years and also covers this issue, could once again not be concluded in the reporting year.

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Liechtenstein must:

Quickly conclude a new service agreement between the government and Refugee Aid, which also clarifies the issue of independent representation of the association's interests.

Legal representation

Art. 19 of the Asylum Act stipulates the presence of an independent aid organization representative during asylum interviews. These are private individuals who take part in the interviews of asylum seekers as neutral observers. Their presence is intended to monitor compliance with procedural rights in the asylum procedure. The aid organization representatives receive training on their task and function, but there is no quality check. Due to the high workload in the asylum system, no training courses were held from 2020 to 2023. In the reporting year, one training course was held for the aid organization representatives and one for the refugee aid staff.

The UN Refugee Agency (UNHCR) and the OCR are of the opinion that the institution of the aid organization representation is not suitable for guaranteeing the rights of asylum seekers during interviews. Although it can contribute to a fairer procedure as a neutral presence, its qualitative and professional requirements are not sufficient to effectively represent the rights of the interviewees. In order to guarantee a fair procedure, UNHCR recommends examining alternatives. For years, the UNHCR has recommended the introduction of free legal representation similar to the Swiss system.

23

Liechtenstein must:

Replace aid organization representation in asylum proceedings with free legal representation for asylum seekers.

Provisional inclusion

The definition of refugee in Liechtenstein and Switzerland is interpreted very restrictively. A person seeking asylum must credibly demonstrate that persecution was specifically directed against them personally and that their life and limb are at risk. People displaced by conflict and violence who have not been personally persecuted are therefore often not recognized as refugees in Liechtenstein.

However, people displaced by conflict and violence are also in need of protection. Due to protracted situations of conflict and violence, their need for protection is often of the same nature and duration as that of persons who are granted asylum. They cannot return to their home country because their life and limb are threatened there. Nevertheless, they receive a negative asylum decision with a removal order. However, if the person in question cannot be removed to their home country or country of origin, they are granted temporary admission. This is limited to a maximum of one year and is then extended if the conditions for its issuance are still met. As at December 31, 2024, there were 21 temporarily admitted persons in Liechtenstein. 6 temporarily admitted persons received a residence permit (B) due to their advanced integration.

Liechtenstein and Switzerland are the only countries in Europe that offer temporary admission. In contrast to the subsidiary protection known in most EU countries, it is not a residence status, but merely a substitute measure for the enforcement of deportation and is criticized by the UN Refugee Agency UNHCR. In addition, provisional admission offers poor integration prospects despite long-term residence in Liechtenstein. At the same time, no temporary admission has ever been revoked and the removal order enforced.

24

Liechtenstein must:

Create a positive protection status instead of provisional admission for persons in need of protection who are not recognized as refugees.



Flüchtlinge: Positiver Schutzstatus gefordert

Obwohl viele flüchtende Personen aus Kriegsgebieten langfristig in Liechtenstein bleiben, werden sie häufig nicht als Flüchtlinge anerkannt. Das ist laut Verein für Menschenrechte eine Missachtung der Grundrechte und fordert eine Änderung.

Manuela Schädler

Die Flüchtlingspolitik in der Schweiz und Liechtenstein ist sehr restriktiv. Der Flüchtlingsstatus wird selten vergeben. Für Flüchtende aus der Ukraine wurde eine Ausnahmeregelung erstellt, die ihnen den sogenannten Schutzstatus S ermöglicht. Asylsuchende aus anderen Konfliktländern, die ebenfalls aufgrund Gewalt geflohen sind, aber keiner persönlichen Verfolgung ausgesetzt waren, bekommen diesen Status häufig nicht und werden auch nicht als Flüchtlinge anerkannt. Da sie jedoch nicht in das Konfliktland zurückkehren können, erhalten sie eine sogenannte «vorläufige Aufnahme».

Liechtenstein und die Schweiz sind die einzigen Staaten in Europa, die diese Form kennen. Sie ist im Gegensatz zu dem in dem meisten EU-Staaten bekannten subsidiären Schutz kein Aufenthaltstatus, sondern lediglich eine Ersatzmassnahme für den Vollzug einer Wegweisung, wie es im Monitoringbericht 2023 des Liechtensteiner Vereins für Menschenrechte (VMR) heisst. Diese Vorgehensweise steht immer wieder in der Kritik. Denn die flüchtenden Personen haben sich erfahrungsgemäss langfristig in der Schweiz und Liechtenstein auf. Fromdem sind sie gegenüber anderen Schutzberechtigten in verschiedenen Grundrechten wie Bewegungsfreiheit oder Familienzusammenführung benachteiligt.

Vorläufige Aufnahme wird oft verlängert

In seinen Empfehlungen fordert der VMR in Übereinstimmung mit dem UNHCR deshalb die Schaffung eines positiven Schutzstatus anstelle der vorläufigen Aufnahme insbesondere für Konflikt- und Gewaltverschiedene, die nicht als Flüchtlinge nach der Genfer Flüchtlingskonvention anerkannt werden. «Denn ihre Schutzbedürftigkeit ist aufgrund von lang andauernden Konflikt- und Gewaltsituationen häufig von derselben Art und Dauer wie jene von Personen, die Asyl erhalten», heisst es im Bericht des VMR.

Wie dem Monitoringbericht zu entnehmen ist, ist die vorläufige Aufnahme auf ein Jahr befristet und wird anschliessend verlängert, wenn die Voraussetzungen für ihre Anordnung noch vorliegen. Laut VMR ist es noch nie der Fall gewesen, dass die vorläufige Aufnahme aufgehoben und die Wegweisung vollzogen wurde. Für die flüchtenden Personen bedeute dies schlechte Integrationsperspektiven trotz längerfristigem Aufenthalt.

Kritik: Anpassungen gefordert

Dem Ministerium für Inneres, Wirtschaft und Umwelt ist die Forderung bekannt, einen Status ähnlich dem subsidiären Schutz in der EU einzuführen. Eine Anpassung sei jedoch nicht geplant. Laut dem Ministerium liegt der Unterschied zur vorläufigen Aufnahme darin, dass die flüchtenden Personen in der EU ein Reisedokument erhalten, das ihnen Reisen in andere Länder ermöglicht. «Es ist jedoch ebenfalls nur ein befristetes Aufenthaltsrecht, das verlängert werden kann, wenn sich die Situation im Heimatstaat nicht geändert hat», hält das Ministerium fest. Trotzdem gehört beispielsweise das Reisen zu den Grundrechten, wie ein Bericht der Schweizerischen Beobachtungsstelle für Asyl- und Ausländerrecht (SBAA) aufzeigt.

Und auch in anderen Bereichen wie Familiennachzug oder Erwerbstätigkeit bestehen Nachteile. Laut der SBAA bestehe dieser Ungleichheit beim Schutzstatus S jedoch nicht. Dieser wird jedoch auch in Liechtenstein nur an Flüchtende aus der Ukraine automatisch vergeben.

Schutzstatus S soll Asylwesen entlasten

Der VMR würde sich ihn für alle Gewaltvertriebene wünschen. Weshalb sie dies nicht möglich? Das Innenministerium erklärt dies damit, dass die Zahl der Aufgenommenen von Personen aus anderen Ländern auf einem Level ist, das im Rahmen der regulärem Asylverfahren bewältigt werden kann. Dies sei auch in allen anderen europäischen Staaten der Fall. Ausserdem unterstütze Liechtenstein die Flüchtlinge in vielen Krisengebieten vor Ort im Rahmen der internationalen Flüchtlings- und Migrationshilfe.

Demgegenüber der Geflüchteten aus der Ukraine sei jedoch die Situation andere, da Liechtenstein innerhalb weniger Wochen mehrere Hundert Gesuche verzeichnen hat. «Durch die vorübergehende Schutzgewährung konnte den Personen schnell und ohne individuelle Prüfung in Rahmen eines Asylverfahrens der notwendige Schutz gewährt werden, ohne dass es zu einer zwangsläufigen Überlastung des Asylwesens gekommen ist», so das Ministerium.

Viele Flüchtlinge erhalten die «vorläufige Aufnahme» – auch wenn sie längerfristig im Land bleiben. Dadurch sind ihre Grundrechte eingeschränkt. Bild: Daniel Schwendener

Solidarität mit Ukrainern bleibt trotz Kritik hoch

Seit Kriegsbeginn im Jahr 2022 suchen Menschen aus der Ukraine Schutz in Liechtenstein. In einer Strassenumfrage äussern Bürger unterschiedliche Meinungen zum Asylstatus der Flüchtlinge.

Laut dem UN-Flüchtlingswerk (UNHCR) flüchteten seit Kriegsbeginn rund sechs Millionen Menschen aus der Ukraine. Auch in Liechtenstein langten bisher 1009 Asylgesuche ein. Bei den Asylsuchenden handelt es sich überwiegend um Frauen, Minderjährige und betagte Personen.

«Einerseits besteht viel Solidarität mit den Geflüchteten aus der Ukraine. Andererseits integrieren sich die Geflüchteten hier im Land sehr gut», sagt Julia Walch vom Ausländer- und Passamt (APA). Zunehmend seien jedoch auch kritische Stimmen zu hören. «In der öffentlichen Debatte hat sich auch die Frage gestellt, ob es nicht bereits sichere Gebiete in der Ukraine gibt, aus denen Menschen nicht flüchten müssten.»

Wie es um die Solidarität mit ukrainischen Flüchtlingen im Fürstentum Liechtenstein steht, die derzeit in Vaduz leben, zeigt eine aktuelle Strassenumfrage mit Bürgern in Vaduz.

Louis Schädler und Pia Burtscher

Zu den Autoren

Louis Schädler, 20, aus Wernher (CH) und Pia Burtscher, 25, aus Feldkirch (AT) absolvieren die 14. Medienkolumne an der Universität Liechtenstein.

Umfrage

«Wie stehen Sie zum Asylstatus der ukrainischen Flüchtlinge in Liechtenstein?»

Werner Thöny, Rentner, Vaduz

«Das ist eine schwierige Frage. Ich habe nicht viel Kontakt zu den Flüchtlingen. Es gibt solche, die sich integrieren, das finde ich gut. Aber es gibt auch solche, die den Flüchtlingsstatus ausnutzen. Integrieren sollten sich tendenziell alle.»

Lisa Allmayer, Sprachlehrerin, Schaan

«Es läuft gut. Das ist das, was ich von ukrainischen Familien auf Spielplätzen höre. Wir haben den Flüchtlingen Möbel gespendet. Auch andere sammeln. Es gibt aber auch Leute aus anderen Staaten, die es dringender nötig haben.»

Romana Kaufmann, Rentnerin, Triesen

«Ich sehe es eher negativ. Es kommen zu viele. Die Ukraine ist gross. Der Krieg dauert schon lange und hört nicht auf. Wir nehmen Männer auf, die gar nicht in Kriegsgebieten gewohnt haben und eigentlich fit sind.»

Hermann Ospelt, Angestellter, Vaduz

«Von den Flüchtlingen kriege ich nicht viel mit. Ich weiss nicht, wie es genau abläuft, finde es aber gut, wenn man sie aufnimmt. Das ist menschlich. Wenn Leute in Not sind, sollte man helfen, aber nur bis zu einem gewissen Grad.»

Hanifa Shabani, Detailhandelsfachfrau, Ruggell

«Ich stehe ihnen positiv gegenüber. Man sollte jeden akzeptieren, egal, woher er kommt und was in der Welt passiert. Wenn das, was den Ukrainern passiert, uns passieren würde, wären wir auch froh, wenn uns Leute helfen.»

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Figure: UNHCR and VMR recommend the introduction of a positive protection status for persons not covered by the Geneva Refugee Convention instead of provisional admission. Photo: Liechtensteiner Vaterland

Vulnerable persons and unaccompanied minors (UMAS)

The Asylum Act stipulates that vulnerable persons, women and victims of torture enjoy special protection. Victims of human trafficking can also be granted asylum. Unfortunately, victims of violence do not enjoy any special protection under the Asylum Act. Even though, according to the government's fourth report under the UN Convention against Torture, they are given special protection in practice, there are still no standardized processes for recognizing and dealing with victims of violence in the asylum procedure or in the care of asylum seekers. It is a major challenge to identify and support people affected or traumatized by human trafficking in the asylum system.

Unaccompanied minor asylum seekers (UMAs) are a particularly vulnerable group. These are children and young people under the age of 18 who enter a country without their parents or other adults with an official parental obligation and apply for asylum there. In Liechtenstein, too, a small number of UMAs have regularly been in the care of refugee aid and the responsible authorities for years.

UMAs have special protection rights, which are enshrined in the Convention on the Rights of the Child and demanded by the Office of the United Nations High Commissioner for Refugees (UNHCR). The care of underage asylum seekers is regulated in Art. 12 of the Asylum Act and Art. 9 of the Asylum Ordinance. The Asylum Ordinance stipulates that UMAs aged 16 and over can be accommodated in the regular structures of the reception center for asylum seekers, provided that the Office for Social Services (ASD) does not raise any objections, and that only UMAs under the age of 16 receive a person of trust appointed by the ASD to accompany and support them in the asylum procedure. These provisions violate the rights of UMAs formulated in the Convention on the Rights of the Child, as they treat young people aged 16 and over as adults.

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Liechtenstein must:

Adapt the age limit in Art. 9 of the Asylum Ordinance to the requirements of the Convention on the Rights of the Child.

Migration and Integration



Implementation of the integration strategy

In February 2021, the government adopted a new integration strategy. It has also been available in plain language since 2022.

The implementation of the integration strategy is monitored by an inter-agency working group under the leadership of the Ministry of Society. In its annual monitoring report, it provides information on planned measures and the status of implementation. Information, communication and advice, education and training as well as law and the state have been defined as priority areas for action. In general, the VMR welcomes the consistent and transparent implementation of the strategy.



Figure: The annual integration dialog between authorities and migration communities has been an integral part of implementing the integration strategy since 2022. Photo: Ministry for Society

Since 2022, the Ministry of Society has held an annual integration dialog between migration communities, authorities and specialist agencies in order to plan implementation measures under the strategy and facilitate an exchange of information. The third Integration Dialogue in the reporting year was dedicated to the topics of political participation of foreigners, the solidarity study by the Stiftung Lebenswertes Liechtenstein and the presentation of the "integration.li" advice center.

The opening of the advice center and the further development and multilingualism of the "integration.li" website should be highlighted as significant milestones in the implementation of the integration strategy in the reporting year. Both significantly improve and simplify access to information and promote awareness of integration services. Further implementation measures such as the adaptation of relevant state websites or standardized interpreter services in the state administration are in progress. According to the government's monitoring report, in most cases where implementation has stalled, the necessary resources are lacking.

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Liechtenstein must:

Provide more resources for the implementation of the government's integration strategy.

Advice and information

The integration.li advice center opened its doors in June 2024. It offers social counseling and individual welcome talks in various languages three days a week. The center also provides advice on topics such as residence, social insurance and employment. The advice center is managed jointly by the Mintegra Foundation and infra in accordance with the service agreement with the Office for Social Services. The VMR already called for such an office when the integration strategy was being drawn up, and the resident population concerned also called for it at the 2022 Integration Dialogue. The VMR therefore very much welcomes the fact that the advice center has now started its work. At the same time, the integration.li information platform was revised, expanded and translated into several languages.

In the reporting year, the integration.li advice centre organized its first round table on integration advice in September. The aim of the event was to discuss topics such as migration, permits, work and social insurance, as well as the further development of advice for immigrants in Liechtenstein. The aim is to strengthen the integration advice network, better coordinate services and address concerns.



12

Inland

Liechtensteiner Vaterland | Freitag, 7. Juni 2024

Neue Beratungsstelle «integration.li»

Gestern fand der Tag der offenen Tür bei der neuen, landseigenen Beratungsstelle für Migrantinnen und Migranten in Schaan statt.

Sina Streule

«Hoi, Hola, Salut, Hello, Ciao, Zdravo, Merhaba», begrüsst Petra Eicheln, Geschäftsführerin der Infra (Informations- und Beratungsstelle für Frauen) die Anwesenden zum Tag der offenen Tür der neuen Beratungsstelle für Migrantinnen und Migranten. Diese kam durch eine Kooperation zwischen der Infra und der Mintegra, Buchs, zustande und soll eine niederschwellige Anlaufstelle für Unterstützung, Information sowie Beratung darstellen.

Vom Integrationsdialog zur Umsetzung

«Stellen Sie sich vor, Sie verlassen Ihr gewohntes Umfeld, Ihre Familie, Ihre Heimat. Nicht aber für einen kurzen Strandurlaub oder einen Sprachaufenthalt, sondern vielleicht für immer. Wie froh wären Sie um Unterstützung?» Mit diesem kurzen Gedankenexperiment startet Gesellschaftsminister Manuel Frick in seine Begrüssung, um die Wichtigkeit einer solchen Anlaufstelle wie der integration.li zu verdeutlichen. Denn für viele Menschen ist es schlichte Realität, an einem fremden Ort zu sein und nach Antworten und Unterstützung zu suchen. So auch hier in Liechtenstein.

Im Herbst 2022 wurden Integrationsdialoge durchgeführt, um Betroffene zu fragen, was für sie wichtig gewesen wäre, als sie hier in Liechtenstein angekommen sind. Denn für die Regierung ist es wichtig, Migrantinnen und Migranten bei der Umsetzung der Integrationsstrategie miteinzubeziehen. Sie wollen sich hier ernst genommen und willkommen fühlen. Der Wunsch einer Beratungsstelle für Menschen mit Migrationshintergrund wurde bei diesem Dialog oft angebracht und konnte nun in die Realität umgesetzt werden.

Bereits am dem 1. Juni 2024 hat die Beratungsstelle integration.li ihre Tätigkeit aufgenommen und bietet Sozialberatungen sowie individuelle Begrüssungsgespräche in diversen Sprachen an. Dadurch werden die neuen Einwohnerinnen und Einwohner in Liechtenstein willkommen geheissen und über ihre Rechte und Pflichten sowie über das Leben in Liechtenstein informiert. Ebenfalls berät die Stelle bei Themen wie Aufenthalt, Sozialversicherungen oder Arbeit. Kurzum: «Wer Hilfe sucht, wird sie hier finden», so Manuel Frick.

Zustande kam diese Beratungsstelle durch die Zusammenarbeit der Infra und der Mintegra: «Wir sind stolz, dass wir unsere Migrationsarbeit nun unter einem Dach fortsetzen können.» Beide Organisationen haben jahrzehntelange Erfahrung in diesem Gebiet und wurden vom Amt für Soziale Dienste beauftragt, eine gemeinsame Anlaufstelle zu konzipieren. «Dass wir in Liechtenstein nun diese Lücke schliessen konnten, ist richtig und wichtig», so Jakob Gähwiler, Geschäftsführer der Mintegra. Er weist zum Schluss darauf hin, dass eine gute Vernetzung zu weiteren Stellen und Behörden die Basis für zielführende Integrations- und Migrationsarbeit bildet und diese Beziehungen dennoch gut gepflegt werden. «So sind wir nicht nur Ansprechpartner für zugewanderte Personen, sondern auch für Arbeitgeber, Lehrpersonen und Fachstellen.» Die neue Beratungsstelle in Schaan kann sich für jegliche Fragen individuell Zeit nehmen und hofft so darauf, Probleme möglichst effizient aus der Welt schaffen zu können und unkomplizierte Lösungsansätze zu finden.

Manuel Frick, Petra Eicheln, Jakob Gähwiler und Heidi Gstöhl (v. l.) präsentieren «integration.li». Bild: Nils Vollmar

Figure: The opening of the integration.li advice center is an important milestone in integration policy and implements a recommendation of the Council of Europe Commission ECRI. Photo: Liechtensteiner Vaterland

On the government side, the Equal Opportunities Department of the Office for Social Services promotes integration projects and carries out public relations work. It also supports the integration services offered by the Mintegra specialist office in Buchs and the information and advice center for women (infra). Since 2022, the private association "SKS Integrationshilfe" has been advising and supporting refugees and people seeking protection in Liechtenstein with integration in the areas of social affairs, education, work, language, law, religion, culture, leisure and everyday life.

With the introduction of the integration.li advice center and the increased coordination of integration advice,

the government has reached a milestone in the implementation of the integration strategy. This has also implemented an urgent recommendation from the latest report by the European Commission against Racism and Intolerance (ECRI). However, integration takes place primarily in the municipalities. Although the advice center offers welcome talks for the municipalities, the municipal administrations should also provide information and advice services as contact points.

Interpreting services for foreign language speakers

Non-discriminatory access to healthcare services is a central human rights concern. To this end, there are also obligations to provide information for foreign-language speakers. Fulfilling this can be a major challenge in practice. Apart from language barriers, the concepts of health and illness as well as ideas of curative therapies are also culturally different. Intercultural interpreters can help to break down these barriers. They help to culturally classify symptoms, findings, treatment methods or health-related recommendations. This promotes acceptance of a treatment recommendation and its correct implementation and contributes to the success of the treatment.

Following the conclusion of a two-year pilot project "Intercultural interpreting in medical practices in Liechtenstein", which provided and financed interpreters for medical consultations, this service was incorporated into the range of services offered by the Office of Public Health for an unlimited period in April. Although the service had to be temporarily suspended between mid-June and October for financial reasons, it was subsequently resumed.

The VMR prepared a final report with an evaluation of the pilot project for the project partners and the government. In it, it made six recommendations. The first recommendation was implemented in the reporting year with the takeover of the service by the Principality of Liechtenstein. It also recommends the use of interpreting services in psychotherapy and physiotherapy as well as the expansion to other areas of society (e.g. education, social affairs). In the medium term, the funding and use of interpreting services should be harmonized throughout the entire administration, their impact measured in the long term and the services made widely known.

Some measures have already been implemented. For example, the standardized communication tool "Klapp" has been introduced in Liechtenstein schools, which can be used to communicate between teachers and the education authority as well as parents or guardians. Thanks to automatic translation into various languages, it simplifies communication and mutual understanding between foreign-language families in particular. In addition, interpreters are now available for meetings with parents. Finally, an interdepartmental working group has been set up to standardize interpreting services in the state administration.



224 Dolmetsch-Einsätze in Arztpraxen

Das Pilotprojekt des Vereins für Menschenrechte (VMR) «Interkulturelles Dolmetschen in Arztpraxen» endete am 31. Dezember. 44 Arztpraxen nahmen daran teil, das Angebot wird nun von der Landesverwaltung übernommen.

Konzepte von Gesundheit und Krankheit sind stark sprachlich und kulturell geprägt. Durch Interkulturelles Dolmetschen können Missverständnisse und Barrieren in der Arztpraxis sowie im Spital aufgedeckt und überwunden werden. Deshalb initiierte der VMR zusammen mit dem Amt für Gesundheit Anfang 2022, gestützt auf die Erfahrungen des Kantons Graubünden, das zweijährige Pilotprojekt «Interkulturelles Dolmetschen in Arztpraxen».

Dolmetscher über Gutschein-Codes

Während der Laufzeit bis Ende 2023 konnten Arztpraxen mit Gutschein-Codes des VMR kostenlos interkulturelle Dolmetscher:innen der Vermittlungsagentur Arge Verdi aufbieten. Ziel des Pilotprojekts war es kurz- bis mittelfristig, Information und Beratung im Gesundheitssystem sicherzustellen sowie Arztpraxen für das Angebot und den Mehrwert zu sensibilisieren. Langfristig sollen somit das Recht auf Gesundheit durch ein inklusives Gesundheitssystem sichergestellt und durch bessere Verständigung Kosten optimiert werden.

2022 und 2023 stellt der VMR insgesamt 358 Gutschein-Codes an Liechtensteiner Arztpraxen aus. Diese wurden für 224 Dolmetsch-Einsätze genutzt. Die am meisten nachgefragte Sprache war Ukrainisch, insbesondere für Geflüchtete aus der Ukraine. Dementsprechend war ab März 2022 auch der Verein Flüchtlingshilfe in das Projekt einbezogen. Die Kosten des Projekts beliefen sich auf insgesamt rund 40 000 Franken während der gesamten Laufzeit von zwei Jahren, rund 175 Franken pro Dolmetsch-Einsatz.

Arztpraxen zufrieden mit Angebot

Nach einem etwas verhaltenen Start des Projekts wurde das Angebot rege genutzt und geschätzt. In einer Online-Umfrage des VMR war die überwiegende Mehrheit der teilnehmenden Arztpraxen sehr zufrieden oder zufrieden mit den Übersetzungsdienstleistungen. Das Pilotprojekt erfuhr auch internationale Anerkennung und erhielt 2023 einen Anerkennungspreis der Internationalen Bodensee-Konferenz (IBK) für Gesundheitsförderung und Prävention in der Kategorie Nachhaltigkeit. Dementsprechend hat das Land Liechtenstein beschlossen, das Angebot in die Regelstrukturen zu übernehmen.

Es zeigt sich, dass die Nachfrage diesen Schritt rechtfertigt: Für 2024 haben bei der Bedarfserhebung der Ärztekammer und direkt beim VMR 13 Arztpraxen bereits wieder 130 Gutschein-Codes bestellt. Während einer Übergangsfrist bis April 2024 wird der VMR weiterhin die Administration übernehmen, bevor das Projekt endgültig dem Amt für Gesundheit übergeben wird. *(eingesandt)*

Silvia Dehler vom Amt für Gesundheit und Christian Blank vom Verein für Menschenrechte nehmen den IBK-Anerkennungspreis für Gesundheitsförderung und Prävention entgegen. Bild: VMR

Figure: After a two-year VMR pilot, the Office of Public Health is making the interpreting service permanent—a key step for health rights and integration. Photo: Liechtensteiner Vaterland

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Liechtenstein must:

Extend the range of interpreting services in doctors' surgeries to all healthcare services and other areas of society. Standardize funding and make the service better known.

Right to family in the context of migration

Liechtenstein has made reservations to certain articles in the European Convention on Human Rights (ECHR) and the Convention on the Rights of the Child (UNCRC). One reservation concerns Art. 10 of the Convention on the Rights of the Child, which states that applications for family reunification concerning the best interests of the child and family unity should be treated by States in a benevolent, humane and expeditious manner.

As family reunification is regulated very restrictively in the Foreign Nationals Act (FNA), the Ombudsman's Office for Children and Adolescents (OACY) has been recommending to the government since 2019 that a hardship provision be introduced in the FNA that prioritizes the best interests of the child and that the reservation to the Convention on the Rights of the Child be withdrawn. In 2023, the UN Committee on the Rights of the Child again recommended that Liechtenstein take the necessary legal and other steps to create a family reunification and naturalization practice that is compatible with the principles and provisions of the Convention on the Rights of the Child and to consider withdrawing the corresponding reservations in the near future. In 2019, the Ministry of the Interior responded to a specific request to amend the law with a negative response. It saw no need and referred to the legal process for those affected.

28

Liechtenstein must:

Introduce a hardship provision for family reunification in the Foreign Nationals Act and withdraw the reservation to Art. 10 of the Convention on the Rights of the Child.

Care migrants in private households

Elderly people are increasingly being looked after and cared for at home. Domestic 24-hour care in Liechtenstein is mainly provided by women from Eastern European countries. They live with the elderly person on a weekly basis and take on a wide range of care, everyday and household tasks. The caregivers work for a low salary and in conditions that are unclear in terms of employment and residence law, as private households are not subject to the Labor Act and there is no binding standard employment contract for this form of work. The caregivers are registered as cross-border commuters, even though they live in the household of the person receiving care in Liechtenstein for several weeks. The legal and institutional framework conditions for 24-hour care were comprehensively analyzed in a 2020 study commissioned by the VMR, the Liechtenstein Employees' Association (LANV) and the Information and Advice Center for Women (infra).

Based on the results of the study, the commissioning organizations recommended various measures to

improve the situation of those affected, including the development of a standard employment contract that is geared towards 24-hour care and is regularly reviewed. In the reporting year, negotiations between the LANV and the Office of Economic Affairs on the draft standard employment contract were continued. The consultation process and entry into force are planned for 2025.

Since autumn 2022, the Information and Advice Center for Women (infra), the Liechtenstein Employees' Association (LANV) and the VMR have been offering careforum.li, an advice platform for people in 24-hour care in Liechtenstein. Both the platform and the Liechtenstein Patient Organization noted a sharp increase in complaints from caregivers in the reporting year.

29

Liechtenstein must:

Urgently introduce a standard employment contract for 24-hour care in private households.

Agricultural interns and trainees

According to the Association of Farmers' Organizations (VBO), around 65 agricultural interns were employed on around 30 Liechtenstein farms in the reporting year as part of an agricultural vocational training programme. The interns mainly come from Brazil or Ukraine and usually stay in Liechtenstein for one to a maximum of two years. They are placed by the VBO on behalf of the country. The aim of the agricultural vocational training program is to provide training and further education for third-country nationals in the agricultural sector on a farm in Liechtenstein, so that they are enabled or supported to pursue such an activity in their home country or country of origin. The framework conditions are set out in detail in regulations.

However, the Labor Act does not apply to these employment and training relationships. The 1997 standard employment contract (NAV) for agricultural interns provides for weekly working hours of up to 60 hours, with the option of increasing this by a further 12 hours if necessary. However, this regulation has been criticized as it exceeds the upper limit of 48 hours set by EU Directive 2003/88/EC and is therefore not in line with European working time regulations. The minimum wages in the NAV have also not been adjusted since 2006, which raises concerns about the appropriateness of the remuneration. Interns should not be used as low-cost labor without sufficient training.

In order to meet these challenges, the VBO introduced various measures in the reporting year. In close cooperation with the responsible ministry and the APA, the regulations on the granting of permits to foreign interns as part of the agricultural vocational training program are currently being revised. At the same time, an advisory expert commission on vocational training (vocational training program) is to be convened, which will have the task of advising the VBO board on training and development as well as reviewing and ensuring the quality of the vocational training program. In addition, an independent ombudsman's office is to be set up to which interns and internship companies can turn in the event of any legal questions or conflicts. A mediation procedure is to be set up for this purpose. The regulations are to be published after completion in fall 2025.

The VBO is planning to develop a training structure for internships in 2025. In addition, all processes, contracts, company audits and company agreements are to be revised in order to ensure that the professional development program can be properly fulfilled by all parties as a training and further education offer in accordance with the mandate. Overall, the planned changes should ensure greater clarity, control and quality in training.

In the area of working conditions, however, the current framework is being maintained: the VBO does not consider a working time model of less than 55 hours per week to be realistic in the agricultural sector and the minimum wage directive is also not currently in focus. The Liechtenstein Employees' Association sees a need for action here - it is calling for a collective labor agreement.

Health and social rights



Health insurance

Premium reduction

According to Art. 24b of the Health Insurance Act, low-income insured persons are entitled to state premium reduction contributions. Since 2023, these support benefits from the state are no longer paid to the insured persons, but directly to the health insurance companies. The health insurance companies offset the support benefits against the health insurance premiums so that the people receiving support receive reduced premium bills. Previously, all eligible insured persons had to pay the full premiums and received the amount retrospectively on application through the premium reductions.

In the reporting year, 7,266 applications for premium reductions were submitted. Since 2024, it has been possible to apply via an online form. Compared to the previous year (6,575), the number of applications has risen again. As at February 5, 2025, there were 5,984 recipients of a premium reduction (previous year: 5,535).

	2016	2017	2018	2019	2020*	2021	2022	2023	2024
Anträge	~3'500	~3'500	3'647	3'907	4'788	5'903	5'723	6'575	7'266
Bezüger:innen	2'848	2'783	2'857	2'937	4'143	4'876	4'907	5'535	5'984

*Unterschiedliche Angaben in den Rechenschaftsberichten 2020 und 2021 (für das Vorjahr). Es wurde daher in Absprache mit dem ASD der Wert aus dem Rechenschaftsbericht 2021 für das Vorjahr herangezogen.

Figure: The number of recipients of premium reductions has increased again as a result of the new legal provisions. Source: Government reports. Evaluation VMR

Deferral of benefits for outstanding premium payments

If people do not pay their health insurance premiums, the health insurance companies can suspend their benefits in accordance with the Health Insurance Act (KVG) and impose a deferral of benefits. The persons concerned will not receive any cost coverage for healthcare services from the health insurance companies. Despite the easing of premium reductions, the number of insured persons who were excluded from health insurance benefits practically doubled between 2017 and 2023: according to the Health Insurance Association, 167 people were affected by benefit deferrals at the end of 2017, rising to around 320 people in 2023. However, the number of people affected fell again slightly in the reporting year. As at December 31, 2024, 253 people were still affected. However, this figure is based on an extrapolation by the health insurance association, as not all health insurance companies were able to provide corresponding statistics.

The OCR considers the deferral of benefits to be questionable in terms of human rights because the design of this measure does not differentiate between people who are unable to pay health insurance contributions due to their economic or health situation and those who - without existential or health restrictions - show no willingness or cooperation to pay contributions. The imposition of a deferral of benefits in the first case violates the right to health, which is protected in the United Nations International Covenant on Economic,

Social and Cultural Rights (UN Covenant I).

Furthermore, it is incomprehensible that the full health insurance premium continues to be charged during the deferral of benefits, even though the person concerned is not entitled to any benefits during this period apart from emergency treatment. Finally, the VMR notes with concern that the definition of emergency treatment is not precise and that the goodwill regulations of the health insurers differ, which is contrary to the equal treatment of all persons. A clear implementation ordinance is therefore needed.

30

Liechtenstein must:

Revise the Ordinance to the Health Insurance Act (KVV) so that emergency treatments are defined and benefits not available during the deferral period are not counted as debts through full premiums.

Disability insurance

In summer 2020, the VMR commissioned a legal opinion on the compatibility of Liechtenstein's disability insurance legislation with the European Convention on Human Rights (ECHR). The opinion came to the conclusion that Liechtenstein's IV legislation is compliant with the ECHR in all points examined. However, the report points out that the method used to determine the degree of disability by comparing incomes only takes into account the loss of income and not the type or extent of the disability. This could lead to injustices and raise questions about the conclusiveness of the result. The VMR has held various discussions with the IV office, the IV case managers, the disability association and those affected. However, no systemic changes have been made to date.

Reproductive Medicine Act

The regulation of reproductive medicine is relevant to human rights because it intervenes in questions of reproductive self-determination, the protection of unborn life and non-discrimination - especially of people with disabilities - and must reconcile sometimes contradictory rights. Children's rights and the personal rights of parents are affected, in particular from the ECHR, the UN Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities. Non-discrimination, reproductive self-determination and the protection of people with disabilities are key.
Liechtenstein does not yet have a law on medically assisted reproduction. In 2016, there was a draft based on Swiss law and EU Directive 2004/23/EC, which focused on the best interests of the child, provided for protection and counseling obligations and required approvals for certain procedures. Sperm donation, insemination, in vitro fertilization, gamete transfer and the preservation of gametes would have been regulated; PGD, embryo research, egg and embryo donation, embryo preservation and surrogacy would have been prohibited. Due to strongly opposing feedback, the law was not pursued further after the consultation process.
After the ban on same-sex couples was lifted, the topic was taken up again. A new bill was announced for the end of the last legislative period in spring 2025. According to the responsible Ministry of Society and Culture, the ministry is currently looking into the issue, but no date can be given for the submission of a new consultation report. The lack of a legal regulation for reproductive medicine means that those affected do not have secure access to medical procedures, existing inequalities persist and there are no binding regulations on ethically problematic practices. A legislative process also offers the opportunity to conduct a social discourse on this complex topic.

31

Liechtenstein must:

Create a Reproductive Medicine Act and consider ratifying the Council of Europe's Biomedicine Convention.

Combating poverty

Poverty prevents people from exercising their rights. Securing material resources and complying with strict requirements from the authorities drastically restricts the lives and freedom of choice of those affected. People living in poverty therefore often feel powerless. In the International Covenant on Economic, Social and Cultural Rights (UN Covenant I), states undertake to guarantee all people on their territory a minimum standard of living worthy of human dignity, an adequate standard of living and opportunities to continuously improve their living conditions. The eradication of poverty by 2030 is also the first of the 17 UN Sustainable Development Goals.



ASD: Workshop zum Projekt «Gemeinsam gegen Armut»

Mit der Veröffentlichung des Armutsberichtes im Mai 2023 wurden erste statistische Grundlagen geschaffen, um das Phänomen Armut in Liechtenstein zu fassen. Im Auftrag des Ministeriums für Gesellschaft und Kultur initiierte das Amt für Soziale Dienste ein Projekt zur Eruierung von Massnahmen zur Reduzierung von Armut in Liechtenstein.

Im Frühjahr 2024 startete das Amt für Soziale Dienste das Projekt «Gemeinsam gegen Armut». Dafür wurden in einem ersten Schritt in unterschiedlichen Erhebungen die zentralen Herausforderungen und geeignete Lösungsansätze erhoben. Neben einer Onlinebefragung wurden auch Einzel- und Gruppeninterviews durchgeführt. Besonders im Fokus standen neben den Fachpersonen, welche seit Jahren in diesem Bereich tätig sind, die Betroffenen. Ihre Einschätzung zur jetzigen Situation und zu zukünftigen Lösungsansätzen wurde als zentral angesehen.

Auf Basis dieser Ergebnisse folgte Ende Juni ein Workshop mit Interessierten und Fachpersonen. An der Veranstaltung nahmen insgesamt 30 Personen teil, darunter Vertreterinnen und Vertreter aus Zivilgesellschaft, Politik, Wissenschaft und Behörden. Sie setzten sich intensiv mit möglichen Massnahmen zur Verbesserung der Armutssituation in Liechtenstein auseinander.

Die im Workshop definierten Massnahmen finden Einzug in den Schlussbericht, der bis Ende des Jahres veröffentlicht wird. *(ikr)*

Workshop bringt interessante Erkenntnisse. Bild: Amt für Soziale Dienste

Figure: The Office for Social Services identified three measures to combat poverty in surveys and workshops with specialist departments from the administration and civil society. Photo: Liechtensteiner Vaterland

In 2023, a national poverty report was published for the first time in 15 years. For 2020, it shows an at-risk-of-poverty rate of 14.1%, a poverty rate of 3.1% and a combined income and asset poverty rate of 0.9%. Single-person and single-parent households, older people and migrants are particularly at risk. The report provides key financial figures. However, it does not take into account human rights dimensions such as social participation, education or health, nor does it provide any information on the structural causes or consequences of poverty.

In the reporting year, the Office for Social Services carried out the "Together against poverty" project to

develop measures to combat poverty with the involvement of civil society. Following a survey of affected organizations and specialists and a workshop, three measures were identified in the final report: The further development and repositioning of the Poverty Round Table during 2025, the planning and implementation of a prevention campaign by the Office of Social Services in 2025-2026 and the planning and implementation of a project to increase the transparency of services offered by the state.

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Liechtenstein must:

Examine the causes, risk factors and consequences of poverty in greater depth in order to develop a national action plan against it.

Ageing strategy

In February, the government published the first national ageing strategy, which takes account of increasing life expectancy and the demographic challenges facing society, politics and the economy and aims to ensure a high quality of life and active participation into old age. The strategy was developed with the broad participation of senior citizens, the administration, municipalities, political parties and specialist organizations. The starting point was a broad-based future workshop with around 80 participants, followed by specialist workshops and a public consultation.

The strategy is based on the vision of a country with a high quality of life, in which people can participate actively, independently and self-determinedly in social life into old age, and in which different generations support each other. It defines nine guiding principles and eight central fields of action - including education and acquisition, old-age provision, medical care and nursing/care, health promotion and prevention, social integration and volunteering, advice and information, mobility and public space, and housing in old age - supplemented by three cross-cutting themes: Skilled workers, digitalization and financing.



Figure: The ageing strategy is an indispensable basis for a sustainable ageing policy that includes the implementation of human rights principles such as dignity, self-determination and participation. Photo: Eddy Risch

The strategy is a successful and indispensable basis for a sustainable and human rights-based ageing policy. By focusing on self-determined ageing, social participation, barrier-free housing and care as well as

comprehensive advice and integration, the ageing strategy explicitly strengthens the human rights of older people and enshrines their dignity, autonomy and participation as central concerns of social policy. The VMR suggests that, when implementing the ageing strategy, attention be paid to the particular challenges faced by vulnerable groups such as older people with a migration background and that sufficient financial and human resources be made available for the implementation of the strategy.

An internal steering committee will coordinate the implementation of the ageing strategy and report annually on progress. It has set priorities in the areas of education, old-age provision, care, health promotion and advice and information. In December, the first implementation measure under the strategy was introduced with the optimization of the care and nursing allowance in parliament. The optimization concerns the payment of money for inpatient stays abroad. The government had already previously decided to increase the care and nursing allowance and adjust it for inflation in the corresponding ordinance.

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Liechtenstein must:

When implementing the ageing strategy, pay particular attention to the challenges faced by vulnerable groups, such as older people with a migration background. In addition, provide sufficient financial and human resources for implementation.

Children's rights



Implementation of the UN recommendations on the rights of the child

In September 2023, the UN Committee on the Rights of the Child published its first report on Liechtenstein in 17 years. In its concluding observations on the report, the Committee formulated 45 recommendations for Liechtenstein to improve the implementation of children's rights in the country. It called for urgent measures to respect the views of children, to protect them from abuse and neglect, to protect the rights of children with disabilities, to promote mental health and to address the special protection needs of asylum-seeking and refugee children.

The Committee notes that the Children and Youth Service is responsible for the coordination of activities and for the implementation of children's rights, but that there is no information on how and how effectively the Children and Youth Service carries out this work. It recommends that Liechtenstein establish a coordination office for the implementation of children's rights at the interministerial level and give it a clear mandate to implement the Convention on the Rights of the Child. Only in this way can the implementation of the Convention be coordinated across society, nationally and locally. The coordination office must be provided with the necessary human, technical and financial resources. A coordination group has been in place since 2019 in the form of the inter-agency working group on human rights. However, it has not yet implemented any overarching children's rights measures.

The Committee calls on Liechtenstein to create various strategic foundations, including a strategy for the inclusion of children with disabilities and a strategy and action plan to combat violence against children. All cases of violence against children should be collected and evaluated in a national database. This should include the extent, causes and type of violence. The Ombudsman's Office for Children and Young People (OSKJ) had already called for a national action plan and a strategy for the prevention of violence in 2021 and 2022 as part of the nationwide campaign "Gewalt-FREI erziehen" (Raising children free from violence). To date, this recommendation has not been taken up.

34

Liechtenstein must:

Implement the urgent recommendations of the Committee on the Rights of the Child in a coordinated manner, in particular the creation of strategies for the prevention of violence and the inclusion of children with disabilities.



7

Inland

Liechtensteiner Vaterland | Mittwoch, 20. November 2024

Kinderrechte: Es gibt Handlungsbedarf

Tag der Kinderrechte: Der UNO-Kinderrechtsausschuss hat erstmals seit 17 Jahren konkrete Empfehlungen für Liechtenstein formuliert.

Manuela Schädler

Grundsätzlich erteilt der UNO-Kinderrechtsausschuss Liechtenstein gute Noten für die Umsetzung der Kinderrechte. Vergangenes Jahr hat Liechtenstein trotzdem 45 konkrete Empfehlungen für Verbesserungen erhalten – erstmals wieder seit 17 Jahren. Eine der Stellen, welche sich für die Umsetzung der Empfehlungen einsetzt, ist die weisungsunabhängige Ombudsstelle für Kinder und Jugendliche (OSKJ), welche im Verein für Menschenrechte in Schaan (VMR) angesiedelt ist. Helen Konzett, Ombudsperson der OSKJ, überwacht die Kinderrechte in Liechtenstein und setzt sich für deren Weiterentwicklung ein. Sie begrüsst die Arbeit des UNO-Kinderrechtsausschusses, dessen Empfehlungen auf der Kinderrechtskonvention basieren. Liechtenstein hat diese Konvention im Jahr 1995 ratifiziert. Damit gilt sie in Liechtenstein seit 29 Jahren und betrifft Kinder und Jugendliche bis 18 Jahre direkt.

Von den aktuellen Empfehlungen des UNO-Kinderrechtsausschusses an Liechtenstein sind einige als «dringlich» deklariert: die Meinung des Kindes verstärkt zu berücksichtigen, eine Strategie für die Inklusion von Kindern mit Behinderung zu entwickeln und auch die Bemühungen gegen Misshandlung und Vernachlässigung voranzutreiben. Das «Vaterland» fasst zum Tag der Kinderrechte die wichtigsten Empfehlungen zusammen:

Ombudsperson Helen Konzett überwacht und setzt sich für die Kinderrechte in Liechtenstein ein. Bild: Archiv

Recht des Kindes auf Gehör

Der Ausschuss der UNO-Kinderrechtskonvention empfiehlt Liechtenstein dringend Massnahmen für Verbesserungen bei der Achtung der Meinung des Kindes. «Generell soll Liechtenstein die eigenverantwortliche Beteiligung aller Kinder, insbesondere jüngerer Kinder, in der Familie, Gemeinschaft und Schule besser fördern, um das Mitspracherecht bei Familienentscheidungen umzusetzen», sagt Helen Konzett. In diesem Rahmen fordert die OSKJ eine Revision des Kindschaftsrechts bei Familienstreitigkeiten, also eine Verbesserung in Form einer rechtlichen Vertretung bei Behördenentscheiden in Zivilverfahren. Das können etwa belastende Scheidungsverfahren der Eltern sein. Sogenannte Kinderanwälte oder Kinderbeistände könnten Kinder in Behördenverfahren, deren Entscheide ihr Leben direkt betreffen, begleiten, stärken und entlasten. Funktionierende Praxisbeispiele der umliegenden Länder zeigen: Die Interessen und das Vertrauen der beteiligten Kinder und Jugendlichen werden gestärkt. «Das Kind steht bei hoch strittigen Scheidungen zwischen den Eltern und braucht eine Stimme», weiss Helen Konzett und fügt an: «Die OSKJ will sich im nächsten Jahr mittels eines eigenen Projekts diesem Thema widmen».

Gewalt gegen Kinder

Das Kinder- und Jugendgesetz in Liechtenstein verbietet körperliche Züchtigung und stellt Gewalt gegen Kinder unter Strafe. Trotzdem kann das Land für den Schutz der Kinder mehr unternehmen, und es soll Sensibilisierungs- und Bildungskampagnen zu dem Thema durchführen. Der Ausschuss fordert eine nationale Strategie und einen Aktionsplan zur Bekämpfung von Gewalt gegen Kinder und möchte, dass Liechtenstein Daten über die Häufigkeit solcher Übergriffe erhebt. «Dabei sollen das Ausmass, die Ursachen und die Art der Gewalt einbezogen werden», sagt Helen Konzett.

Sexuelle Ausbeutung und Missbrauch

Laut der OSKJ ist die neue Zusammenarbeit mit dem Institut für Sozialdienste Vorarlberg im Bereich Kinderschutz ein guter Schritt, um sexuelle Ausbeutung und Missbrauch an Kindern und Jugendlichen zu bekämpfen. Seit dem vergangenem Jahr sind ausserdem in Liechtenstein die strafrechtlichen Bestimmungen bei Missbrauch von Minderjährigen verschärft worden. Trotzdem sieht der UNO-Kinderrechtsausschuss ein Präventionsprogramm mit wirkungsvollen Massnahmen als notwendig an. «Zusammen mit dem Verein für Menschenrechte empfiehlt die OSKJ, diese Forderung umzusetzen, möglichst im Rahmen einer übergeordneten Gewaltschutzstrategie», so die Ombudsperson Helen Konzett.

Mobbing und Cybermobbing

Auch das Cybermobbing gehört in den Bereich «Gewalt gegen Kinder» und ist ein grosses Thema. Anlässlich einer Unicef-Studie geben 21 Prozent der befragten Kinder aus Liechtenstein an, von anderen Schülern ausgegrenzt und gemobbt zu werden. Oft finde das Mobbing im digitalen Raum statt. Der Kinderrechtsausschuss empfiehlt Liechtenstein verstärkte Bemühungen zur Bekämpfung von Mobbing in der Schule. Das empfiehlt auch die OSKJ, anknüpfend an bereits etablierte Massnahmen: «Es braucht eine Enttabuisierung und ein klares und geeintes Vorgehen gegen alle Formen von Mobbing unter Kindern und Jugendlichen. Dabei helfen auch Verfahren zur systematischen Datenerhebung».

Kinder mit Behinderungen

«Eine dringliche Aufforderung betrifft die Erarbeitung einer umfassenden Strategie für die Inklusion von Kindern und Jugendlichen mit Behinderung», sagt Helen Konzett. Auch hier fehlt dem UNO-Kinderrechtsausschuss die Datenerhebung. Er empfiehlt ausserdem, die Bemühungen fortzusetzen, Kindern mit Behinderungen Zugang zum Unterricht in der Regelschule zu ermöglichen. «Angemessene Vorkehrungen und individuelle Unterstützung sollten dabei gewährt werden», heisst es im Bericht des Ausschusses.

Psychische Gesundheit

Der UNO-Ausschuss zeigt sich im Bericht besorgt über die steigende Zahl von Depressionen und Angstzuständen unter Jugendlichen in Liechtenstein. Er richtet den Blick auf Präventionsprogramme und empfiehlt, zusammen mit den Anbietern der Primärversorgung und durch ausreichende Ressourcen eine frühzeitige Erkennung und Behandlung zu ermöglichen. «Präventionsprogramme sind besonders erfolgreich, wenn sie an die Bedürfnisse von Kindern angepasst sind und insbesondere auch benachteiligte Kinder erreichen», erklärt Helen Konzett.

Unterbringung von Flüchtlingskindern

Der UN-Ausschuss begrüsst, dass Liechtenstein 2021 eine Integrationsstrategie verabschiedet hat. Er fordert Liechtenstein jedoch auf, die Rechtsvorschriften zum Umgang mit unbegleiteten, von ihren Eltern getrennten asylsuchenden Jugendlichen zwischen 16 und 18 Jahren den Anforderungen der Kinderrechtskonvention anzupassen. Dies fordert auch die OSKJ im Verein für Menschenrechte: «In der Praxis werden Jugendliche diesen Alters hierzulande zwar kinderrechtskonform untergebracht, dies ist bisher aber in der zugehörigen Asylverordnung für 16- bis 18-jährige Jugendliche noch nicht explizit nachvollzogen worden», so Helen Konzett.

Figure: The UN Committee on the Rights of the Child outlines Liechtenstein measures for child protection - including ensuring the right to be heard, protection against violence and inclusion. Photo: Liechtensteiner Vaterland

Right to be heard and child-friendly justice

In 2023, the UN Committee on the Rights of the Child urged Liechtenstein to take measures to respect the views of children and to ensure that they are heard. This includes better consultation in family decisions and effective and autonomous participation of all children, especially younger children, in the family, community, school and justice system.



Figure: The Council of Europe and the UN set concrete guidelines for a child-friendly hearing and a child-friendly justice system. Photo: German Institute for Human Rights

All children have the right to be heard and to participate in the legal system in matters that affect them. This is regulated in Article 12 of the UN Convention on the Rights of the Child. This applies, for example, in divorce or custody proceedings, guardianship or adoption proceedings, but also in criminal proceedings in which children and young people are involved. To implement these participation rights, the Council of Ministers of the Council of Europe developed guidelines for child-friendly justice in 2010. According to these guidelines, child-friendly justice must be designed in such a way that the rights, needs and welfare of children are given special consideration in all legal proceedings. It must be ensured that children are heard in court proceedings, are accompanied and informed in an age-appropriate manner and are protected from further burdens. This also includes ensuring that proceedings are child-friendly, for example through understandable language, protection of privacy and specialized professionals. To this end, courts, lawyers and social workers must be trained and courtrooms and hearing rooms must be set up in a child-friendly manner. The aim is to ensure that children and young people can express themselves freely and that the justice system does not have an intimidating, threatening or traumatizing effect on them.

The Ombudsman's Office for Children and Adolescents has been dealing with the right to be heard of children and adolescents for years through its case work, the coordination of the working group on the topic of custody and its involvement in the evaluation of child custody law. In the reporting year, she worked on ways to systematically investigate and improve the participation rights of children and adolescents in legal proceedings and developed the basis for a scientific study. At the same time, together with the Liechtenstein Chamber of Lawyers, it initiated a pilot project to establish a children's advocacy office in Liechtenstein. The implementation work is scheduled for 2025.

Child welfare risks in separation conflicts

Divorce, custody, maintenance and visiting rights disputes can lead to considerable stress and endanger the welfare of children. This is shown by the often years-long proceedings at the guardianship court, but also by the case work of OSKJ and other advice centers. Child custody law offers no effective means of protecting affected children, especially in highly contentious divorce proceedings. The introduction of joint custody as a rule in 2015 has not changed this. The aim of the reform at the time, to strengthen parental cooperation in the event of separation or divorce in order to protect the best interests of the child, does not work in the case of highly contentious separations and divorces. On the contrary, in these cases the risks to the child are greater and more serious.

The expert committee under the Istanbul Convention GREVIO has established in various countries that existing conflicts do not end after a separation or divorce, but can even intensify. Judicial contact and custody arrangements can exacerbate this if they are made without sufficient consideration of the children's safety needs. The UN Committee on the Rights of the Child emphasizes in its General Comments that separation or divorce situations can be traumatizing for children, especially when they are confronted with conflict or violence. The Committee therefore calls for such situations to be recognized as forms of violence against children and treated accordingly.

Since 2019, the OSKJ has convened six inter-agency and inter-organizational "round tables on custody" to discuss possible solutions. In 2021, the working group on custody emerged from the round table under the leadership of the OSKJ. The working group, made up of official and private experts, drew up various recommendations to improve the situation. In particular, it saw the need for mandatory parental counseling in the run-up to judicial separation or divorce and, if necessary, mandatory parental counseling during the divorce proceedings. The working group also recommended the introduction of a child guardianship service, which can be used by the Children and Youth Service in particularly stressful proceedings to represent the interests of the child.

At the end of 2023, the working group suggested to the Minister of Justice that the recommendations of the working group should also be included in the revision of the law as part of the introduction of marriage for all and offered its support. In the reporting year, there was no political will to implement the recommendations of the working group on custody. Their demands remain pending.

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Liechtenstein must:

Implement the recommendations of the 2023 custody working group on the revision of child custody law. In particular, the introduction of mandatory and ordered parental counseling and greater consideration of the best interests and will of the child in proceedings relating to divorce, custody and visitation rights.

Data protection and youth protection on digital school devices

The OSKJ welcomes the use of digital devices in schools and the associated goal of promoting pupils' media skills. However, the OSKJ criticizes the fact that the terms of use on the devices provided by the schools do not fully comply with child and youth protection regulations and age restrictions as well as data protection regulations, and that the school authorities do not take responsibility for this.

Between 2020 and 2024, several orders were issued by the data protection authority to the education authority to ensure the data protection of pupils on the digital devices introduced in 2021. Some data protection issues have since been rectified or resolved by the education authority, while others continue to exist, as do all youth protection issues of which the education authority has been aware for years. The OSKJ has been demanding for years that school devices may only be used by persons under the age of 18 under supervision as long as the requirements for the protection of children and young people are not fully met. As teaching aids, the devices and applications are the responsibility of the school authorities and not the parents. To date, this recommendation has not been implemented.

It is also incomprehensible that the education authority has contested the rulings of the data protection authority instead of complying with the instructions to rectify the data protection deficiencies. In its decision of October 30, 2023, the Administrative Appeals Commission confirmed the rulings of the Data Protection Authority.

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Liechtenstein must:

Take immediate measures to ensure the protection of children and young people in the unaccompanied use of digital school devices.

Equal opportunities for vocational training places

Article 28 of the UN Convention on the Rights of the Child obliges Liechtenstein to promote education in a way that is accessible and equal to all children. Article 23 CRC additionally strengthens the right of children with disabilities to an education that promotes their abilities and enables their participation in society. This also

includes the obligation to ensure equal opportunities for all children and young people to have access to appropriate vocational training. In its 2023 report on Liechtenstein, the UN Committee on the Rights of the Child specifically calls on Liechtenstein to specifically promote the acquisition of skills and abilities of children and young people with disabilities in order to improve their employment opportunities and facilitate the transition from school to working life. Particular attention should be paid to ensuring that appropriate educational opportunities are also provided close to home in order to guarantee accessibility and strengthen the social participation of these young people in the long term.

The UN Convention on the Rights of Persons with Disabilities, which has been in force in Liechtenstein since the reporting year, also contains the specific obligation to guarantee people with disabilities equal access to education at all levels. This also includes vocational training. It requires states to take measures to promote the acquisition of skills and thus enable the participation in working life of adolescents and young adults with disabilities. This also means that vocational education and training programs must be made accessible so that all children and young people have opportunities on the labour market. The convention thus underlines the right to self-determination and equal participation in education and employment. Finally, the Liechtenstein Disability Equality Act also aims to shape social participation in such a way that people with disabilities are included and given equal rights. This also applies to the labor market. It prohibits discrimination against people with disabilities in working life and obliges public bodies to ensure accessibility. However, it does not contain any requirements for the private sector

As the advisory practice of the Ombudsman's Office for Children and Young People (OSKJ) shows, there are gaps in Liechtenstein despite existing approaches, including in the range of two-year BA vocational apprenticeships (BA = Berufsattest). These are aimed in particular at young people who are talented in practical skills but have less potential for strong school-based theoretical content. Compared to the three- to four-year FC apprenticeships (FC = certificate of proficiency), they offer practical training with a reduced academic requirement. They teach basic technical, methodological and social skills that are necessary for qualified work in the respective profession. They are also suitable for young people with disabilities.

The range of BA apprenticeships in Liechtenstein is very limited. In 2025, a total of 385 apprenticeships were advertised in over 120 different apprenticeships in 22 occupational fields. Only 31 of these were BA apprenticeships, which are limited to just 10 occupational fields. The limited occupational fields and lack of public training companies do not guarantee equal access to training for young people with the above-mentioned profile. This is not in line with children's rights. It is particularly problematic that neither the state nor the municipalities offer BA apprenticeships and that public sector companies or large companies do not offer them either. Overall, the number of BA apprenticeships is therefore continuing to fall.

To ensure that all young people have an equal choice of apprenticeships, concrete government efforts are needed to increase the number of BA apprenticeships on offer. The potential for BA apprenticeships in various economic and administrative sectors is certainly there. The state and municipal administrations already offer various inclusive jobs and could also take on a pioneering role for BA apprenticeships. They could win over state-related companies and organizations that perform certain state tasks via service agreements as partners for the creation of such apprenticeships. The private sector should be motivated to create BA apprenticeships with targeted incentives or support measures.

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Liechtenstein must:

Take targeted measures to increase the number of BA apprenticeships. In doing so, the state administration, municipalities and state-affiliated companies should lead the way.

Mental health

In May, the government published the psychiatry concept for comprehensive psychiatric care for the population, which had been planned for years and had long been called for by the state parliament and various specialist agencies. The background to this was the increasing mental stress in the population, which has risen sharply as a result of the Covid pandemic. Following a postulate submitted in the December 2023 session of Parliament, which called for the rapid completion of the concept and the implementation of immediate measures, the concept was developed in close cooperation with specialists, organizations and interest groups.

The psychiatry concept also included substantial measures for children and adolescents, such as the expansion of outpatient services, better use of existing capacities, cooperation with foreign providers, the creation of intermediate services as well as prevention and early detection. The Ombudsman's Office for Children and Adolescents (OSKJ) assessed the measures for children and adolescents envisaged in the concept as positive overall and welcomed the publication of the psychiatry concept as a basis for improvements, which it had set out in its 2023 position paper to the government.

In the reporting year, no significant progress was made on some of the OSKJ's key demands. There is still a need for the expansion of therapy places and bridging structures, the establishment of emergency management for child and adolescent psychiatric crises and comprehensive prevention programs.

The need for early detection and prevention of mental health problems in children and adolescents is also an urgent recommendation of the UN Committee on the Rights of the Child in its current report to Liechtenstein in 2023. It recommends establishing needs-oriented programs that reach disadvantaged children in particular.

38

Liechtenstein must:

Develop prevention programs to strengthen the mental health of children and young people, with a focus on disadvantaged children and young people.

Protection from sexual abuse and violence

The stricter criminal law provisions on the abuse of minors have been in force in Liechtenstein since March 1, 2023. They were introduced by the Act on the Amendment of the Criminal Code of December 1, 2022 (LGBl. 2023 No. 48). The minimum sentence for sexual abuse of minors was thus increased from six months to one year and from one to two years for serious sexual abuse. Possession of child pornographic material can now result in a prison sentence of up to three years. Anyone who produces a pornographic image using serious violence, makes the material accessible to others or offers it to others can face a prison sentence of up to 15 years, depending on the offense. In addition, the possibility of a "conditional remission" by the court is excluded in cases of serious sexual abuse. This change in the law has yet to be reflected in case law. However, tougher penalties are no substitute for prevention work, which is essential.

The United Nations Children's Fund (UNICEF) recommends a comprehensive approach to the prevention of sexual abuse that takes several levels into account on the basis of children's rights: The focus is on empowering the children themselves: They should be empowered to develop self-confidence, draw clear personal boundaries and be able to communicate openly in an environment of trust. In addition to this, educational work is of central importance in order to dispel existing myths about sexual abuse, such as that abuse is only carried out by strangers. Finally, institutional precautions must also be taken, such as mandatory training for professionals and clear and reliable reporting structures.

In Liechtenstein's alternative report to the UN Committee on the Rights of the Child in 2023, various civil society organizations call for a comprehensive national strategy to protect children from violence, including abuse. Awareness-raising and education programs and the establishment of a national database on cases of violence against children are recommended. This is in line with the general UNICEF principles, which recommend a holistic strategy for prevention, intervention and education.

Juvenile crime and juvenile detention

In the reporting year, the national police investigated 45 juvenile suspects (previous year: 44), mostly for bodily harm, followed by dangerous threats and damage to property. A clear majority of the suspects - 36 out of 45 - were male. The proportion of suspects below the age of criminal responsibility increased compared to the previous year. While in 2023 almost half of the suspects (21 persons) were under 14 years of age, this proportion fell to a third (15 persons) in the reporting year. Two thirds of the suspects were Liechtenstein nationals. Overall, the national police reported significantly fewer violent offenses (35) than in the previous year (61). This put last year's increase in juvenile crime and concerns about young offenders who are not of age to commit crimes into perspective. As far as convictions are concerned, the conviction statistics from the Swiss Federal Statistical Office show a long-term decrease, even if there are short-term fluctuations.

As in the two previous years, no minors were imprisoned in Liechtenstein in 2024. Young first-time offenders are often given a second chance or a suspended sentence. According to the prison administration, Liechtenstein is currently unable to guarantee a prison system that complies with children's rights - even in pre-trial detention. There is an intergovernmental agreement between Liechtenstein and Austria for the detention of Liechtenstein nationals in Austria. However, there is often a lack of places for the execution of measures (i.e. forms of detention with therapy options) for juveniles. It is not possible to accommodate juveniles in Swiss prisons, e.g. in the Eastern Switzerland Concordat, as Switzerland itself has too few places. Accordingly, there is no willingness to accept juvenile prisoners from Liechtenstein on the basis of an intergovernmental agreement.

Imprisonment abroad causes particular difficulties for juveniles in terms of maintaining their family and social contacts. For the past two years, a working group chaired by the Children and Youth Service has been developing a procedure for juveniles in detention. Among other things, the Austrian model of a social network conference is being examined as a procedure for young people in custody. This would provide for all relevant persons in the social environment of juveniles in custody (parents, relatives, neighbors, teachers, social workers, trainers and employers, child and youth services, probation services) to agree in writing who can make what contribution to improving the situation so that juveniles subsequently remain crime-free.

Juvenile detention in connection with Articles 58-59a of the Foreign Nationals Act (FNA) is possible in principle. However, as in previous years, the authorities did not impose any detention pending deportation or detention under the Dublin procedure on juveniles between the ages of 15 and 18 in the reporting year. This means that no person under the age of 18 was detained under the Foreign Nationals Act. However, the detention of juveniles aged 15 and over under immigration law, as provided for in Art. 60 para. 2 AuG, is contrary to the Convention on the Rights of the Child. This is stated by the UN Committee on the Rights of the Child in its General Comments: even if the Convention permits such detention as a last resort, persons under the age of 18 may not generally be detained in accordance with the principle of the best interests of the child (Art. 3 CRC), regardless of whether they are accompanied by an adult or not. However, there are currently no plans to amend this provision in the Foreign Nationals Act and the demand remains pending.

39

Liechtenstein must:

Swiftly complete work on a concept for the implementation of a juvenile penal system in Switzerland and abolish detention under immigration law for persons under the age of 18.

People with disabilities



Implementation of the UN Convention on the Rights of Persons with Disabilities

The UN Convention on the Rights of Persons with Disabilities came into force for Liechtenstein on January 17, 2024. It represents a fundamental change in perspective: disability is no longer primarily understood as an individual deficit, but rather as the result of barriers in society and the environment that must be jointly dismantled to enable equal participation. The enactment therefore marks the starting signal for a far-reaching reform of disability policy towards comprehensive legal protection and participation of people with disabilities in all areas of life. The existing legal bases such as the Disability Equality Act (2006), the Disability Insurance Act, the Education Act with inclusion ordinances and various state service agreements with organizations will also be adapted to the requirements of the Convention.

This means that major implementation work will be required in the coming years, which must be coordinated by the Equal Opportunities Department of the Office of Social Services and monitored by the VMR. The VMR received additional resources for the expansion of the office. However, no additional resources were allocated to the Equal Opportunities Department for the coordination of implementation. From 2025, an increase of 30 full-time equivalents is planned for this task. The VMR already pointed out in the consultation process that the obligations arising from the Convention cannot be fulfilled without sufficient additional resources. Progress in the coordination of implementation therefore largely failed to materialize in 2024. On the initiative of and with the cooperation of the Disabled Persons' Association and the VMR, the specialist area was able to start taking stock. At the same time, the VMR prepared the establishment of the necessary participatory monitoring mechanism for 2025. In June, Liechtenstein attended the 17th Conference of the Parties in New York for the first time as a State Party. The first reporting under the Convention is expected in 2026 - no additional resources have been earmarked for this either.

40

Liechtenstein must:

Rapidly draw up an action plan to implement the Convention on the Rights of Persons with Disabilities.



Gar nicht erst Barrieren schaffen

Für Lisa Hermann vom VMR gilt: «Wir alle müssen die Gesellschaft inklusiver für Menschen mit Behinderung gestalten.»

Politische, wirtschaftliche, soziale und kulturelle Inklusion und Teilhabe

«Menschen mit Behinderung wissen selbst am besten, wie es um die Umsetzung der Konvention steht.»

«Es ist wichtig, dass Menschen mit Behinderung nicht als hilfsbedürftig oder eingeschränkt wahrgenommen werden.»

Figure: The Convention on the Rights of Persons with Disabilities came into force on January 17. The VMR is now the monitoring body responsible for monitoring progress in its implementation. Photo: Liechtensteiner Vaterland

Statistical data

Liechtenstein lacks statistical data on people with disabilities and issues affecting people with disabilities. Without reliable data, the actual needs of people with disabilities cannot be identified and effective measures cannot be planned. The UN Convention on the Rights of Persons with Disabilities obliges states parties to collect data in order to measure progress and reduce discrimination. The data must be collected, published and made accessible without barriers and be internationally comparable. The aim is to find a way to collect aggregated data while ensuring the protection of individuals. Finally, reliable reporting under the Convention is not possible without a data basis.

41

Liechtenstein must:

Quickly tackle the collection and publication of internationally comparable data and make it accessible to all.

Barrier-free access to information and assistance

Accessibility of websites and mobile applications

The central principle of the UN Convention on the Rights of Persons with Disabilities is barrier-free access to information - not only in terms of technical and design criteria, but also in terms of content. In January, the amendments to the Statistics and Information Act came into force in accordance with the requirements of EU Directive 2016/2102 and the Disability Equality Act. These stipulate that all websites and mobile applications of public bodies and administrations at provincial and municipal level must be designed in such a way that they are "perceptible, operable and understandable" for people with disabilities. In addition, accessibility must be monitored on an ongoing basis. Public bodies and administrations must issue a declaration on accessibility and publicly report on its implementation every three years. These measures are intended to ensure that people with disabilities are not disadvantaged in terms of information and are fully informed. New websites must implement this directive with immediate effect, existing websites have a deadline of 2026.

42

Liechtenstein must:

Consistently drive forward the implementation of accessible websites and mobile applications.

Silent and barrier-free emergency call



Figure: Access to knowledge and information is fundamental for participation in society and the exercise of one's own rights. Inclusive reading at the BuchBar on Disability Day. Photo: Nils Vollmar

Various vulnerable people are unable to use the existing emergency call systems in Liechtenstein. This affects people with hearing or speech impairments, people with little knowledge of German, but also people who are acutely affected by domestic violence or are struggling with mental illness or addiction issues. This was also noted by the Commission of Experts under the Istanbul Convention (GREVIO) in its 2023 report. As a result, all of these groups are disadvantaged or completely excluded from access to assistance.

A total of 13 non-governmental organizations from the fields of protection against violence, health or disability see this as a serious protection gap and a violation of the human rights of vulnerable groups. In November 2024, they made an urgent appeal to the government to prioritize the project of a barrier-free and silent emergency call system for the national police and implement it as soon as possible. As early as 2023, the Disabled Persons' Association submitted a request to the government to introduce a similar solution in Liechtenstein. The government did not see any possibility of prioritizing the implementation of the emergency call due to the current technical infrastructure.

In 2020, Austria introduced an app ("DEC 112") that provides vulnerable groups with direct access to help in an emergency, thus ensuring safety, participation and equal treatment based on the obligations of the UN Convention on the Rights of Persons with Disabilities and the Istanbul Convention against Domestic Violence.

43

Liechtenstein must:

Quickly introduce a silent and barrier-free emergency call for people at risk.

Revision of the law on guardians

The first concrete implementations of the UN Convention on the Rights of Persons with Disabilities were initiated in the reporting year through the consultation process on the law on guardians. This aims to take account of the requirements of the UN Convention on the Rights of Persons with Disabilities and gradually relax the previous model of externally determined care and strengthen the autonomy of the persons concerned. According to the government's proposal, corresponding changes to supported decision-making, the regulation of legal capacity and the restriction of testamentary capacity will be implemented in accordance with the UN Convention on the Rights of Persons with Disabilities. The restriction on marital capacity will also be removed or adapted.

The Trustees' Association, the Disabled Persons' Association and the VMR welcome the planned amendments. The Association of Guardians also calls for a concrete and practicably formulated qualification of the tasks involved in the appointment of guardians. A general guardianship for all matters should be abolished. All three organizations also point out that the planned strengthening of autonomy and self-determination will require additional services in the outpatient sector. These could include, for example, the use of assistance models or support from social workers in the area of housing and living. The Disabled Persons' Association and the VMR are also calling for inclusive participation and barrier-free information for those affected, as well as targeted training courses for those affected and specialist agencies and additional resources for the guardians' association. The report and proposal for the revision is due to be published in the first half of 2025.

Voting and election rights

With the entry into force of the Convention on the Rights of Persons with Disabilities, the provisions on voting rights in the Non-Contentious Proceedings Act were amended. The capacity to vote must now be regularly reviewed by the court and the person administering the case is obliged to notify the court of any changes in capacity. Nevertheless, it should be noted that the procedure for assessing the capacity to vote must be

adapted. For example, uniform and transparent criteria must be established on the basis of which the respective expert opinions grant or deny the right to vote. The assessment in the reports must be comprehensibly justified.

However, further measures are necessary in order to implement the right to vote for people with disabilities. Voting documents must be accessible without barriers - for example in Braille, sign language or plain language. Support and assistance services must enable people with disabilities to make informed decisions and exercise their democratic right to co-determination.

44

Liechtenstein must:

Make voting documents and electoral processes accessible and inclusive. Adapt the procedures for exclusion from voting and electoral rights to the requirements of the Convention on the Rights of Persons with Disabilities.

Equality between women and men



Legal and strategic foundations

The Gender Equality Act of March 10, 1999 requires the promotion of equality between women and men and protection against discrimination on the basis of gender in professional life and in access to goods and services. It thus lays down important principles, but by no means covers all social equality issues. For example, the areas of political participation, unpaid care work, gender-sensitive education and protection against multiple discrimination are missing. This is why the Committee under the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and national advisory organizations and specialist agencies have been recommending the development of a gender equality strategy for years.



Figure: In the shadow report to the Committee of Experts of the UN Convention on the Status of Women, 11 NGOs called for concrete improvements in gender equality policy - including a national gender equality strategy. Photo: Nils Vollmar

In the reporting year, the draft for the first national gender equality strategy was developed with the involvement of various interest groups, with the aim of advancing gender equality policy systematically, across departments and with clearly measurable goals. In their report to the UN Convention on the Elimination of Discrimination against Women (CEDAW) at the beginning of the year, various civil society organizations called for sufficient human and financial resources to implement gender equality, effective measures to close the pay gap, better political participation of women and sustainable prevention and protection systems against violence against women. The consultation on the strategy will take place in spring 2025. Implementation is planned for 2026.

In addition to the sixth country report under the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the OCR and 11 non-governmental organizations submitted a shadow report on the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) at the end of 2024. The CEDAW is the central instrument for promoting gender equality in Liechtenstein and obliges the state to implement effective gender equality policies, such as measures to combat wage inequality, strengthen the political representation of women and protect against gender-based violence. A national gender equality strategy with sufficient human and financial resources was also part of the demands in the CEDAW Shadow Report_2024.

Domestic and gender-based violence

Domestic violence

The Threat Management Unit of the Provincial Police, which was established in 2019, is the internal police coordination office for domestic violence. In 2024, 16 (26) cases were registered in which three police removals and one prohibition order were issued. The police received a total of 195 reports of domestic violence or conflicts. Due to an adjusted definition (since 2023), comparisons with the previous year are only possible to a limited extent. In 2024, 51 cases of domestic violence were reported (2023: 69).

In the reporting year, the Liechtenstein Women's Shelter provided inpatient care for 19 (previous year: 17) women and 23 (15) children due to domestic violence. The number of occupancy days increased significantly. In addition, 72 telephone consultations took place. The outpatient advice center, which has been fully staffed during opening hours since November 2024, provided short-, medium- and long-term support to 27 clients. The information and advice center for women (infra) recorded 10 contacts due to violence against women, including physical, sexual, psychological or economic violence.

Victim support registered 56 (45) new counseling cases, including 8 (11) cases of domestic violence, 11 (10) cases of sexual violence and 2 (3) cases of sexual violence against minors. The Association for Men's Issues counseled 3 victims of violence and one perpetrator of violence.

Gender-specific homicides
In 2024, Europe continued to record worrying numbers of targeted homicides against women within close social relationships (femicides), although the number of unreported cases is probably higher due to incomplete or non-standardized data collection. A total of 27 femicides were registered in Austria in 2024, with more than half of the victims being over 60 years old. The majority of the crimes took place in a family or partnership environment. According to the Federal Statistical Office, 26 completed domestic homicides were recorded in Switzerland in 2024 (2023: 25), accounting for 57.8% of all completed homicides registered by the police in Switzerland (total: 45). Of the 26 victims, 19 were killed within a current or former partnership (17 women and 2 men). One minor and 6 adults (one woman, 5 men) were killed within a family or other kinship relationship. The above figures from Switzerland show that there are also homicides of men within close social relationships (androcides).

In the case of domestic violence, a high number of unreported cases can be assumed, as many victims do not seek help due to shame or fear of stigmatization. Current developments underline the need to recognize domestic and gender-specific violence as a worrying social problem and to take countermeasures. Further research and awareness-raising is needed in order to provide the necessary support to those affected.

Istanbul Convention

Liechtenstein ratified the Council of Europe's Istanbul Convention on Violence against Women and Domestic Violence in 2021. On 31 May of the reporting year, the Commission of Experts (GREVIO) made its first recommendations to Liechtenstein, the implementation of which must be reported to the government by the end of May 2027 at the latest.

The recommendations include the creation of a national implementation plan with clear objectives, timetables and responsibilities in order to implement measures in a strategic and binding manner. They also call for a clear legal definition of domestic violence so that those affected, authorities and courts have a uniform basis and gaps in legal protection are avoided. Further recommendations concern the expansion of specific support services for particularly vulnerable groups such as victims of forced marriage and female genital mutilation, as well as the expansion of state coordination structures to ensure that prevention, protective measures and prosecution are permanently secured. For the current year, the government has prioritized the GREVIO recommendation to create a mandatory six-hour violence prevention counselling service and the introduction of alternative judicial measures to prevent offenders from reoffending. Legal implementation is planned for spring 2025.
Non-governmental specialist agencies such as the women's shelter, infra and the VMR support the planned measures. However, in addition to counseling perpetrators, they are also calling for stronger victim protection. In particular, there must be earlier and more systematic intervention in cases of repeated violence. To this end, the procedure for removal and prohibition of entry must be simplified and regulated more restrictively in order to consistently implement the principle of "if you hit someone, you leave". Furthermore, the collection of data and the recording of relevant risk factors must be expanded in order to recognize developments and develop targeted measures.

In addition, the Convention is generally not well enough known among authorities and advice centers - especially with regard to the definition of violence, legal obligation and scope. Broad-based further training is needed here in order to create a common understanding, define clear processes and responsibilities and ensure a uniform attitude on the part of all agencies involved.

In order to implement these and other measures effectively, the responsible coordinating body needs to be staffed. Implementation is currently being coordinated by a working group that has been mandated without additional resources. It is not possible to implement the convention in this way.

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Liechtenstein must:

Provide more resources and a national violence protection strategy to implement the Istanbul Convention. Revise the procedure for removal and prohibition of entry in cases of domestic violence. Carry out broad-based further training on the Istanbul Convention for the judiciary, police and governmental and non-governmental specialist agencies.



Inland

Sexismus hinterlässt tiefe Wunden

Vielen ist das Ausmass von Frauenhass in Sozialen Medien nicht bewusst. Die Folgen sind erschreckend, doch in Liechtenstein wird gehandelt.

Figure: The Equal Opportunities Department drew attention to gender-based violence with the film "Backlash" and a panel discussion. Photo: Liechtensteiner Vaterland

Family and employment

A better work-life balance is a key social and gender equality policy issue. The promotion of work-life balance is emphasized as an important concern in the 2021-2025 government programme. According to the latest salary statistics from the Office for Statistics for 2022, the pay gap between men and women has increased by 0.1 percentage points to 14.1 percent since 2020. The pay gap between women and men remains high and cannot be explained objectively in some cases. Calls for comprehensive wage analyses and targeted measures to reduce pay inequality have not yet been implemented.

Women in management positions

According to a specific evaluation of sustainability indicators by the Office for Statistics on July 1, 2022, the proportion of women in management positions increased by 3.6 percent. However, the shadow report on the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) continues to reveal structural disadvantages in the workplace. Women are disproportionately often employed in the low-wage segment and are less frequently represented in management positions. State childcare is insufficiently developed and often unaffordable. In consultations with infra or LANV, for example, women also report discrimination when returning to work after maternity leave. In the area of education, there are calls for gender equality, violence prevention and modern role models to be more consistently anchored in lessons.

As part of the consultation process on the implementation of EU Directive 2022/2381 to ensure a more balanced representation of women and men in management positions, the VMR called for voluntary measures to promote gender equality in Liechtenstein to bemeasures to promote gender equality in Liechtenstein have not yet had the desired effect and that a binding quota for women should be introduced for all management positions in the national administration, public institutions and commissions. It proposed extending the directive not only to listed companies, but to all companies with more than 250 employees in Liechtenstein.

Distribution of care work

Care work - i.e. unpaid activities such as running a household or looking after children and people in need of care - is still predominantly carried out by women. A survey conducted by the Lucerne University of Applied Sciences and Arts in 2021 shows that women in Switzerland not only perform the majority of this work, but are also more likely to reduce their working hours to do so. Many would like social recognition and financial compensation for this. At the same time, the 2018 survey on family policy showed that men would like to be more committed to their families and work more flexible hours in order to be more involved in family care. There are no official statistics on unpaid care work in Liechtenstein. However, the AHV-IV-FAK annual reports give an indication of the increase: the number of recipients of care and nursing allowances rose from 244 in 2010 to 759 in 2024.

As part of the development of Liechtenstein's gender equality strategy in October 2024, the Round Table on Gender Equality, a civil society network, is calling for the introduction of a care barometer to systematically survey unpaid care work with the aim of making the distribution between the genders visible and counteracting structural disadvantages for women - such as multiple burdens, career breaks and lower pensions. In addition, the "unpaid work" module from the Swiss Labor Force Survey (SLFS) is to be methodically adopted by the Office for Statistics in order to strengthen the data basis for the gender equality strategy.

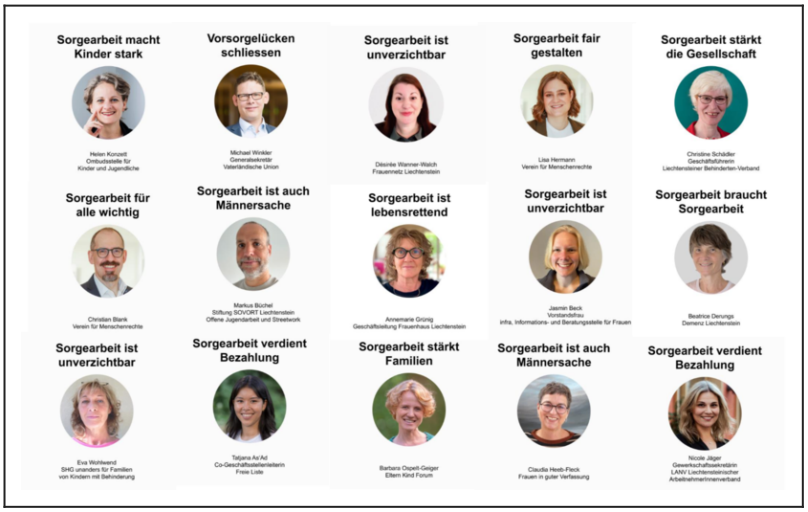


Figure: The Round Table on Gender Equality raised awareness with an advertising campaign on the topic of care work and the associated role models. Photo: VMR

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Liechtenstein must:

Carry out a statistical survey of care work and its distribution.

Paid parental leave

After several years of waiting and preparation, Parliament passed the law introducing paid parental leave in the fall. The EU had already adopted a directive on paid parental leave in 2019 (EUR 2019/1158), which must also be implemented in Liechtenstein. Parental leave is a key element for the more equal distribution of paid and unpaid work between both genders and is therefore an important prerequisite for equal rights and gender equality.

Although only from 2026 - but retroactively to the reporting year - each parent is now entitled to a total of four months of parental leave. Two of these months are remunerated at 80% of the average relevant monthly salary (capped at a maximum of CHF 4,760 per month). Parental leave must be taken until the child is three years old. The entitlement can be claimed flexibly in the form of hours, days, weeks or months, and there is also an entitlement to up to five unpaid care days per year for the care of relatives.

Parliament and various civil society organizations took the opportunity to revise the financing of maternity leave with the upcoming revision of the law on the introduction of paid parental leave. This is covered by health insurance, which leads to an additional financial burden for companies with pregnant women. As a result, it can lead to discrimination against women in employment, which in the opinion of the VMR is a potential violation of the Gender Equality Act.

In the second reading of the law on paid parental leave, Parliament therefore also spoke out in favor of financing maternity leave via the Family Compensation Fund and instructed the government to implement this accordingly. The government has granted itself two years for the preparatory work, meaning that the new regulations will come into force in January 2026, with retroactive effect for two years.



Hermann: «Wir hoffen, dass viele Männer von der Elternzeit Gebrauch machen

Die Vorlage zur Elternzeit ist ein erster wichtiger Schritt. In einigen Punkten sieht der Verein für Menschenrechte aber noch Nachholbedarf.

Interview: Daniela Fritz

In einem zweiten Anlauf hat die Regierung ihren Vorschlag zu einer bezahlten Elternzeit und Vaterschaftszeit, die Liechtenstein aufgrund einer EU-Richtlinie umsetzen muss, nochmals deutlich nachgebessert. Lisa Hermann vom Fachbereich Gleichstellung des Vereins für Menschenrechte (VMR), begrüsst den Kompromiss. Nichtsdestotrotz bleiben Kritikpunkte, wie sie im Gespräch mit dem «Vaterland» aufzeigt. Nächste Woche wird sich der Landtag damit befassen.

Ziel der EU-Richtlinie war es insbesondere, mehr Gleichstellung zwischen Frauen und Männern auf dem Arbeitsmarkt zu schaffen. Glauben Sie, dass mit der vorgeschlagenen Lösung tatsächlich mehr Männer in Elternzeit gehen und sich am Familienleben beteiligen werden?

Lisa Hermann: Die Umsetzung der bezahlten Elternzeit ist eine sehr wichtige Voraussetzung für eine bessere Verteilung der Erwerbsarbeit und der Familienarbeit zwischen Frauen und Männern. Aber sie ist natürlich nur ein Baustein. Der «Runde Tisch Gleichstellung», den wir 2022 mit Familien, Frauen- und Männerorganisationen zum Thema Elternzeit durchgeführt haben, hat klar gezeigt, dass sich Mütter wie Väter wünschen, die Arbeit und das Familienleben besser vereinen zu können. Mit der bezahlten Elternzeit wird hierzu eine Möglichkeit geschaffen. Zusammen mit der bezahlten Vaterschaftszeit ist dies für Männer die erstmalige Möglichkeit, bezahlte Erwerbsunterbrüche für die Familie einzusetzen. Wir hoffen, dass viele Väter davon Gebrauch machen und dann im Nachgang vielleicht ihr Pensum reduzieren, um sich auch langfristig mehr in die Familienarbeit einzubringen. Dies wäre ein wichtiger Schritt für die Geschlechtergleichstellung.

Ich frage deshalb, weil in der Familienumfrage 2018 39 Prozent der Männer angaben, den bis dato unbezahlten Elternurlaub nicht zu beziehen, weil es die Arbeit nicht zuliess. Weitere 8 Prozent meinten ausserdem, dass dies karrierehinderlich sein könnte. Das Geld war hingegen bei 22 Prozent ausschlaggebend.

Das Geld ist wichtig, damit sich eine Familie wirtschaftlich erhalten kann. Gerade mit Kindern steigen die Ausgaben, da macht man sich als Familie natürlich Gedanken, wie man das stemmen kann. Auf der anderen Seite findet in der Gesellschaft ein Umdenken statt. Männer hinterfragen ihre Rolle in der Erziehung, aber auch die Arbeitswelt verändert sich. Je mehr Männer in Teilzeit arbeiten und je mehr Frauen erwerbstätig sind, desto stärker verändert sich die Arbeitskultur – und es ergeben sich Chancen für die Unternehmen. Das ist ein längerer Prozess, aber mit den neuen Rahmenbedingungen kann dieser Prozess zumindest starten.

Der VMR hat kritisiert, dass eine zu geringe Vergütung wenig vermögende oder geringverdienende Familien diskriminiert. Wird mit der nun vorliegenden Lösung aus Ihrer Sicht das Ziel erreicht, dass insbesondere einkommensschwache Familien die Möglichkeit zur Elternzeit haben?

Die Maximalvergütung im ersten Vorschlag lag bei 2380 Franken, jetzt entspricht sie mit 4760 Franken dem Doppelten der AHV-Rente. Dies ist tiefer, als der von uns angestrebte Medianlohn, sollte aber ausreichen.

Allerdings sind weiterhin nur zwei der vier Monate vergütet, wie der VMR bereits in der Vernehmlassung kritisierte.

Ja, wir haben uns für mindestens je vier bezahlte Monate pro Elternteil ausgesprochen. Mit nur zwei bezahlten Monaten sind die Wahlmöglichkeiten der Familien und die Chancen, dass sich längerfristig Änderungen in der Gleichstellung bei der Vereinbarkeit von Familie und Beruf einstellen, beschränkt. Eine zentrale Forderung aus Sicht der Kinderrechte und der Entwicklung des Kindes ist aber mit der jetzigen Lösung erfüllt: Wenn alle Betreuungszeiten (Mutterschaft, Vaterschaft und Elternzeit) sowie die Ferien bezogen werden, belaufen sie sich auf ein Jahr. Damit können arbeitende Eltern ihre Kinder grundsätzlich während des ersten Lebensjahrs selbst betreuen.

Die Freie Liste hat bereits angekündigt, dass sie sich im Landtag für eine viermonatige bezahlte Elternzeit einsetzen will. Wie schätzen Sie die Chancen dafür ein?

Wir hoffen natürlich, dass der Landtag mindestens je vier Monate bezahlte Elternzeit für beide Elternteile einführt. Das würde den Familien mehr Freiraum geben und die Kinderrechte weiter stärken, und es wäre ein wichtiger Schritt, um die Vereinbarkeit von Beruf und Familie und damit die Geschlechtergleichstellung voranzubringen. Aber der Vorschlag der Regierung ist zumindest eine Verbesserung zu heute.

«Bei der jetzigen Lösung tragen jene Unternehmen die Last, die Väter und Mütter beschäftigen – ein falscher gesellschaftspolitischer Anreiz.»

Lisa Hermann
Verein für Menschenrechte

Welche Punkte sind noch verbesserungswürdig?

Wie der Krankenkassenverband und der LANV haben auch wir in der Vernehmlassung gefordert, dass Mutterschafts- und Vaterschaftszeit – gleich wie die neue Elternzeit – über die Familienausgleichskasse (FAK) finanziert werden soll. Dies mit der Umgestaltung, dass neu auch Arbeitnehmende in die FAK einzahlen sollen. Wenn diese Familienleistungen über die Krankenversicherung finanziert werden, erhöhen sich für Firmen bei Mutterschaft und Vaterschaft in der Beitragshaft die Versicherungsbeiträge. Zu den organisatorischen Belastungen, welche Unternehmen beim Ausfall von Arbeitnehmenden tragen, kommt damit noch eine finanzielle Belastung durch zusätzliche Krankentaggeldprämien dazu. Daneben wünschen wir uns auch eine bezahlte Pflegezeit.

Die Regierung argumentiert, dass nicht nur die Mutterschaftszeit, sondern neu auch die Vaterschaftszeit über die Krankenkassen abgewickelt wird und sich das Ausfallrisiko zwischen den Geschlechtern etwas angleiche. Zudem wolle man die Vorlage nicht überfrachten.

Die Vaterschaftszeit beträgt neu zwei Wochen, die Mutterschaftszeit dauert 20 Wochen. Damit ist das Ausfallrisiko natürlich nicht angeglichen und die Gefahr, dass Frauen in Familiengründungsalter nicht angestellt werden, bleibt deutlich höher.

Wenn alle Familienleistungen über die FAK laufen würden, müsste wohl auch der geplante Arbeitnehmerbeitrag von 0,1 Prozent deutlich höher ausfallen, um dies alles zu finanzieren. Wäre dies für Sie vertretbar?

Es soll eine faire Lösung für alle sein. Dazu gehört auch, dass Arbeitnehmende einen Teil der Finanzierung übernehmen. Mit einer Finanzierung über die FAK wird die Elternschaft gesamtgesellschaftlich verantwortet: alle Arbeitgebenden und alle Arbeitnehmenden finanzieren sie mit. Bei der jetzigen Regelung tragen jene Unternehmen die Last, welche Väter und Mütter beschäftigen – auch mit Blick auf die Demografie ein falscher gesellschaftspolitischer Anreiz. Familienfreundliche Unternehmen sollten begünstigt, nicht benachteiligt werden.

Hat der VMR öfter mit Personen zu tun, die aufgrund ihrer Elternschaft oder einer potenziellen Elternschaft vom Arbeitgeber diskriminiert werden?

Solche Fälle landen meist bei niederschwelligen Stellen wie der Infra oder dem Liechtensteinischen Arbeitnehmerinnenverband (LANV). Das Problem ist aber, Diskriminierung nachzuweisen. Es wird in den meisten Fällen nicht offengelegt, dass eine Anstellung oder eine Beförderung nicht erfolgt, weil eine Familiengründung oder Pensenreduktionen anstehen könnte. Aber wir wissen von solchen Situationen, das ist durchaus ein Thema.

Ein Viertel aller Frauen in einem Paarhaushalt mit Kindern bleibt zu Hause und betreut die Kinder. Der Vater ist also Alleinverdiener. Reicht in solchen Fällen das Elterngeld, um eine Familienzeit für den Vater ebenfalls attraktiv und leistbar zu machen?

Wichtig ist, dass die Familien entscheiden können, wie sie ihre Erziehungsaufgaben aufteilen. Es ist toll, wenn Familien die finanziellen Möglichkeiten haben, dass ein Elternteil zu Hause bleibt. Die Frage ist, ob dann noch ein finanzieller Einschnitt möglich ist, wenn der Vater Elternzeit nehmen würde. Wichtig ist, dass für berufstätige Eltern nun Wahlfreiheit geschaffen wird. Es wäre sehr wünschenswert, wenn Männer dank einer bezahlten Elternzeit Familienarbeit übernehmen und Arbeitgeber das auch mittragen. Das wäre wichtig für die Gleichstellung.

Die Richtlinie wird Liechtenstein als EWR-Mitglied ohnehin umsetzen müssen. Wie stehen aus Ihrer Sicht die Chancen, dass der Landtag darüber hinaus noch Verbesserungen einbringt?

Wir empfinden die Vorlage als sehr ausgewogen und sind zuversichtlich, dass der Landtag dieser zustimmen wird.

Einige Organisationen haben im Vorfeld der Landtagsdebatte eine Aktion geplant, was können Sie uns darüber verraten?

Einige Organisationen aus dem «Runden Tisch Gleichstellung» und die Kinderlobby möchten dem Thema vor dem Landtag Sichtbarkeit verleihen. Sie treffen sich deshalb am Freitag, 8. März, zwischen 8.30 und 9 Uhr vor dem Landtagsgebäude und wollen mit ihrer Präsenz beleuchtigen, dass die Einführung der bezahlten Elternzeit ein gesellschaftlich wichtiges Anliegen ist. Alle, die sich eine bezahlte Elternzeit wünschen, sind eingeladen, an der Zusammenkunft teilzunehmen.

Aktion vor dem Landtag

Die Vorlage zur Elternzeit wird der Landtag am Freitag, 8. März, in Erster Lesung behandeln. Einige Organisationen, darunter der Verein für Menschenrechte, die Infra, die Kinderlobby, die Ombudsstelle für Kinder und Jugendliche, das Frauennetz, der Verein für Männerfragen und der LANV, treffen sich vor der Sitzung von 8.30 bis 9 Uhr vor dem Landtagsgebäude. Sie möchten mit ihrer Präsenz zum Ausdruck bringen, dass die Einführung der bezahlten Elternzeit und der zweiwöchigen Vaterschaftszeit ein gesellschaftlich wichtiges Anliegen sei. Interessierte sind eingeladen, sich an der Aktion auf dem Peter-Kaiser-Platz zu beteiligen. (red)

Eine zentrale Forderung aus Sicht der Kinderrechte und der Entwicklung des Kindes sei nun erfüllt, meint Lisa Hermann vom Verein für Menschenrechte: Berufstätige Eltern können ihre Kinder grundsätzlich während des ersten Lebensjahrs selbst betreuen. Bild: D. Schwendener

Figure: Paid parental leave is an essential element in protecting children's rights and gender equality. Photo: Liechtensteiner Vaterland

Equality in politics

In the reporting year, Liechtenstein celebrated 40 years of women's suffrage. With the special exhibition "From half to the whole electorate" at the National Museum, the introduction of women's suffrage was historically reappraised and made public with a comprehensive accompanying program of lectures, discussions with contemporary witnesses and materials from the Women's Archive. On International Women's Day, the Department for Equal Opportunities launched a ceremony and the Women's Archive, which was set up by the "Women in good shape" association, was handed over to the National Museum.

However, even 40 years after the introduction of women's suffrage, women are still significantly underrepresented in politics. The unequal representation of women in government, parliament and municipalities is relevant in terms of human rights because it violates the right to equal treatment and political participation. The underrepresentation is also evident in commissions and advisory boards: as of December 2023, the proportion of men was 72.8 percent and no women were represented in 16 of 51 committees. The draft gender equality strategy includes measures to increase the participation of women in political offices and committees. However, no targets have been set.

The "Diversity in Politics"(ViP) project founded by the Women's Network in 2019 has shown impressive success in mobilizing women for political work. It developed processes that are suitable for maintaining a more balanced ratio of women and men in political bodies in the long term. In the reporting year, the project prepared for the state elections in spring 2025. The project will end after the state elections. In order to achieve a long-term gender balance in political bodies, the project's findings and successful measures must be continued as part of the gender equality strategy.

47

Liechtenstein must:

Integrate the successful measures of the "Diversity in politics" project for the balanced representation of women and men in political bodies into the national gender equality strategy.



Figure: The Diversity in Politics project has been campaigning for the political representation of women with targeted measures since 2019 - here the networking of female state parliament candidates for the 2025 elections. Photo: Diversity in Politics

Abortion

Abortion is prohibited in Liechtenstein. Although women who have an abortion abroad are not liable to prosecution, there is no official data on the number of abortions performed by women living in Liechtenstein. The advice center of the schwanger.li foundation recorded 16 consultations on pregnancy conflicts in 2024. Comparable figures from Switzerland suggest that around ... abortions are performed in relation to the resident population.

The Federal Statistical Office has published figures for 2024, which currently indicate 12,205 abortions in Switzerland. The current figures result in a rate of 7.3 abortions per 1,000 women who have an abortion. Assuming a similar rate and a similar population composition in Liechtenstein, this results in approximately 20 potential abortions in Liechtenstein per year. In Austria, the figures are significantly higher again, with around 12 abortions per 1000 women.

In Liechtenstein, abortion is generally prohibited under §§ 96-98a StGB. Anyone who performs an abortion, whether on themselves or on a pregnant woman, including medical staff, can be punished with a prison

sentence of up to three years. If the abortion is carried out without the consent of the pregnant woman, the penalty is also up to three years in prison; if the abortion results in the death of the pregnant woman, the penalty can be up to five years. However, impunity exists in certain cases. In addition to the ban on abortion, the law also prohibits public information about abortion options and services. This means that no comprehensive information and counseling on abortion may be provided in Liechtenstein. According to Art. 12 CEDAW, women have the right to access health services, including sexual and reproductive health services, without discrimination. In Liechtenstein, this means that those affected would be entitled to comprehensive information and counseling on abortion in order to make informed decisions. However, such counseling is currently not allowed to be offered comprehensively. Yet they are essential in order to provide women in an often stressful situation with confidential, low-threshold information on medical, legal and psychosocial aspects.

From a human rights perspective, abortion is primarily protected by a woman's right to self-determination, health and privacy. International standards such as the UDHR, ICCPR, ICESCR, CEDAW, CRC and CRPD emphasize access to safe and legal abortions, especially for adolescents and women with disabilities. The legal protection of the foetus is regulated nationally, with the ECtHR stating that the foetus has no independent legal personality. Decriminalization and barrier-free access to reproductive health services are considered key prerequisites for the protection of human rights.

Accordingly, the Monitoring Committee under the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) urgently called for the legalization of abortion and the lifting of the information ban back in 2018. In its combined third and fourth report of 2023, the UN Committee on the Rights of the Child also recommended decriminalizing abortion in all circumstances and ensuring access to safe abortion and aftercare services for adolescent girls. The aim is to ensure that their views are always heard and given due consideration in the decision-making process (recommendation no. 33 b). None of these recommendations have yet been addressed.

48

Liechtenstein must:

Decriminalize abortion and provide access to safe abortion and aftercare services for women and girls. Abolish the information ban on abortion.

Sexual orientation and gender identity



LGBTIQA+ situation

Being able to determine and live one's own sexual orientation and gender identity is a human right. According to a representative survey conducted by the Dalia market research institute in 2017, around six percent of the European population belong to the heterogeneous group of LGBTIQA+ (lesbian, gay, bisexual, trans, intersex, queer and asexual). Converted to Liechtenstein, this would be around 2,300 people.

There are no figures or surveys on the situation of LGBTIQA+ in Liechtenstein. Back in 2018, the Council of Europe's Commission against Racism and Intolerance (ECRI) urgently recommended that the Liechtenstein authorities commission a study on the situation of LGBTIQA+ people. This has been pending ever since. In the reporting year, preliminary conceptual work was carried out in accordance with the responsible department for equal opportunities. The implementation of the study is scheduled for 2025 in the department's action plan. Due to years of postponements, the Flay association conducted a non-representative survey on the state of the queer community with a focus on mental health in fall 2024. The results of the survey are expected in spring 2025.

49

Liechtenstein must:

Implement the ECRI recommendation on the scientific survey of the situation of LGBTIQA+ in Liechtenstein.

Marriage for all

Across Europe, 17 countries recognize marriage for all, including Germany, Austria and Switzerland. The law introducing marriage for all was passed by parliament in March. Marriage is not only a legal contract, but also a social symbol of recognition and equality. Opening up marriage signals that love and partnership are of equal value regardless of sexual orientation. It strengthens the visibility of LGBTIQA+ rights and reduces discrimination. Children of same-sex couples receive legally secure family stability and parental rights, and inheritance and pension entitlements are guaranteed. Following the lifting of the adoption ban and the ban on access to reproductive medicine, another milestone has been reached for the legal equality of homosexual people. The law introducing marriage for all will come into force in Liechtenstein from January 2025.

Gender identities

In Liechtenstein, it is currently not possible to enter a third gender that differs from the binary gender categories (male/female) in official documents and forms. This violates the human rights of non-binary and

intersex persons. The VMR therefore calls for the legal requirements to be created for the introduction of a third gender category "diverse" in the Central Register of Persons and in all other registers and documents with gender information. This requires amendments to personal and company law as well as the introduction of a modern civil status law.

Transpersons who wish to change their gender entry currently only have limited legal options. Back in 2020, the VMR submitted recommendations to the government to strengthen the rights of LGBTIQA+, including the creation of a modern civil status law to ensure legal certainty for gender reassignment. Following a joint initiative by the VMR and the Flay association, the civil status office developed a guideline that ensures a uniform and human rights-compliant procedure, facilitates the application for a change of gender entry and makes the regulation more transparent. However, a legal basis is still required to ensure complete legal certainty for trans people.

50

Liechtenstein must:

Introduce a modern civil status law that makes it possible to enter a third gender category in the civil register and other official documents.

There is no data on children born intersex [refers to people who are born with physical sex characteristics (chromosomes, hormones, internal or external sex organs) that do not correspond to the medical or social norms of "male" or "female"]. Neither the number nor the availability of standardized medical advice for parents or treatment. International human rights bodies such as the UN Committee against Torture (CAT) and the UN Committee on the Rights of the Child (CRC) criticize gender reassignment surgery that is carried out without medical necessity and without the free, informed consent of the persons concerned - including minors - as a serious interference with physical integrity and the right to self-determination. Such interventions violate, among other things, Art. 3 and Art. 8 of the European Convention on Human Rights and Art. 12 and 16 of the UN Convention on the Rights of the Child. In order to assess the situation and develop human rights-compliant standards, the study on the situation of LGBTQIA+ in Liechtenstein recommended by the Council of Europe's Commission against Racism and Intolerance (ECRI) since 2018 should be urgently implemented and explicitly include the treatment of intersex people.

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Liechtenstein must:

Prohibit sex reassignment surgery for children born intersex without medical necessity and without an informed decision and investigate the medical counseling and treatment practice of children born intersex as part of the planned study on the situation of LGBTIQA+.

Rehabilitation of homosexual persons

In Liechtenstein, homosexual acts were partially prosecuted until 2001. The corresponding criminal provisions - initially § 129 of the Criminal Code of 1859 ("Fornication against nature") and later §§ 208, 209, 220 and 221

of the Criminal Code as amended in 1989 - meant that same-sex lovers were subject to state repression. This criminal prosecution not only represented a serious intrusion into the privacy of those affected, but also violated fundamental human rights principles such as the right to respect for private and family life and the right to a fair trial in accordance with Art. 8 and Art. 6 of the European Convention on Human Rights, as well as the right to equal treatment in accordance with Art. 31 of the Constitution.

Despite the subsequent decriminalization of homosexual acts, Liechtenstein still lacks a legal basis for the rehabilitation and compensation of people who were persecuted, charged or convicted by the police because of their sexual orientation. As a result, the human rights violations of the past remain largely unaddressed in legal and social terms. There has also been no symbolic recognition of the injustice inflicted in the form of an official apology.

Against this backdrop, the VMR approached the responsible ministry in the reporting year with the recommendation that the historical cases be dealt with through a systematic review of relevant court files and the drafting of a rehabilitation law based on the Austrian model. This would ensure justice for the victims and their families and distance themselves from past discrimination. The government stated that it currently had no evidence of possible cases in Liechtenstein and was therefore not initiating any rehabilitation measures.

52

Liechtenstein must:

Examine rehabilitation and compensation for persons who were prosecuted in Liechtenstein in the past on account of their sexual orientation.

Human rights and sustainability



Agenda 2030

The UN 2030 Agenda with its 17 Sustainable Development Goals (SDGs) was adopted in 2015. The goals are based, among other things, on the Universal Declaration of Human Rights and the international human rights treaties. The preamble to the agenda formulates the goal of "realizing human rights for all" and creating a world "in which human rights and human dignity, the rule of law, justice, equality and non-discrimination are universally respected". Liechtenstein committed to implementing the 17 SDGs by 2030. In the foreword to the 2021-2025 government program, the government reaffirms the sustainability goals as an international obligation and a national necessity that must be broadly supported and implemented with the involvement of all constructive forces from society, business and institutions.

With the Education Strategy 2025+ (SDG 4), the Energy Roadmap 2030 (SDG 7) and the Mobility Concept 2030 (SDG 9), various important implementation strategies have been adopted in recent years. The government monitors the development of all sustainability goals using 55 indicators in the annually published sustainability report "Indicators for Sustainable Development". For the reporting year, the report illustrates that development in six of the ten subject areas (health, social cohesion, education and culture, work, energy and climate as well as natural resources) was positive or slightly positive. In contrast, the area of mobility showed a slightly negative trend. No significant changes were identified in the areas of living conditions, international cooperation and the economy. Overall, the report identifies positive trends for 34 indicators, negative trends for 14 and neutral trends for 7.

Unfortunately, the report cannot provide an assessment of the sustainability indicators in this form. In order to be able to do this, target values for 2030 would have to be defined for all indicators. In addition, the existing indicators are not adapted to the 2030 Agenda. A project to adapt the indicators to the SDGs has long been planned in the annual programs of the Office for Statistics, but was again not tackled in the reporting year due to other priorities.

Under the leadership of the SDG Alliance, around 60 private individuals and civil society organizations also campaigned for the Sustainable Development Goals with various activities in the reporting year. Through the SDG Alliance, they pool their diverse knowledge and coordinate projects to promote sustainability in Liechtenstein. In the reporting year, the Alliance developed a draft for the establishment of an organizational and political SDG structure in Liechtenstein, which - located within the government - will steer the implementation of the Sustainable Development Goals throughout society. Finally, together with over 450 European civil society organizations, the Alliance is calling for the right to a clean, healthy and sustainable environment to be protected by an additional protocol to the European Convention on Human Rights.



Figure: With the annual campaign 2023-24 "Zemma handla" by the Liechtenstein Children's Lobby, children and young people developed joint solutions to the climate crisis. Graphic: Children's lobby/OSKJ

The Liechtenstein Children's Lobby, a network of 33 organizations from the family and children's sector, continued to address children's rights affected by the climate crisis in the reporting year as part of its "Zemma handla - for a healthy and sustainable future" campaign in the form of various participatory projects with children and young people.

The VMR is a partner organization of the SDG Alliance and coordinates the children's lobby through the Ombuds Office for Children and Young People (OSKJ). It is calling for the government to significantly strengthen its leadership role in the implementation of the Sustainable Development Goals. In view of this, the government should be more determined and committed to sustainability and involve the expertise of civil society in the development of strategic guidelines and implementation programs. In addition, the establishment of a government funding and financing program is suggested in order to provide targeted support for projects that promote sustainable development.

53

Liechtenstein must:

Align sustainability indicators with the UN Sustainable Development Goals and set concrete targets for 2030 and show greater determination and commitment to implementing the goals. Involve civil society in the development of implementation plans and through funding programs for sustainability projects.

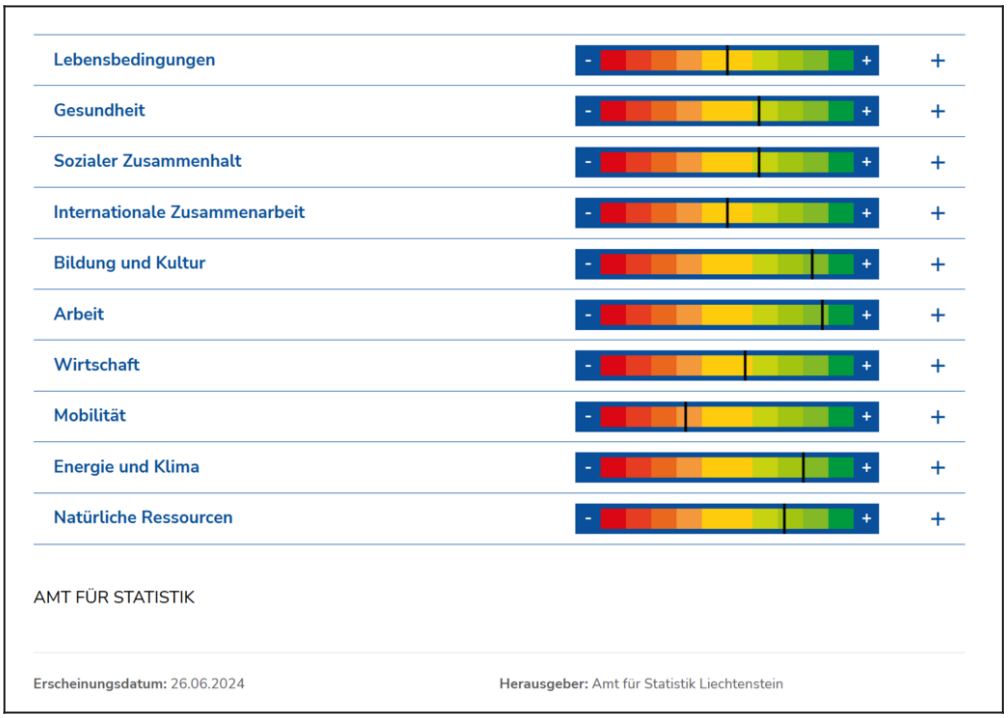


Figure: Liechtenstein measures sustainability with 55 indicators. The VMR calls for their alignment with the UN goals and more determination in their implementation. Graphic: Office for Statistics

Climate protection as a human right

On April 9, 2024, the European Court of Human Rights (ECtHR) handed down a landmark ruling: it found that Switzerland had violated the right to respect for private and family life (Art. 8 ECHR) due to an inadequate climate policy. The decision was made in the case of the Swiss Climate Seniors, who had already sued the state in 2016 with the support of Greenpeace. In their complaint, they argued that Switzerland was neglecting its obligations to reduce global warming, thereby endangering the lives and health of older people. This was the first time that a state failure to protect the climate had been considered as a possible violation of the European Convention on Human Rights.

Switzerland argued that the Court was not authorized to review other international treaties such as the Paris Climate Agreement and that its national contribution to global warming was too small to violate individual rights. The Swiss parliament rejected the ruling on June 12, 2024, arguing that it did not need to be implemented as Switzerland already had an effective climate policy in place. On 28 August 2024, the Federal Council argued that Switzerland met the requirements of the ruling, in particular via the revised CO_2 Act of 15 March 2024. At the same time, it criticized the Court's "broad interpretation" of the ECHR.



Figure: Climate seniors after the landmark ruling of the European Court of Human Rights on April 9, 2024, which defines climate protection as a human right. Photo: Miriam Künzli / Greenpeace

The Swiss Institute for Human Rights (SHRI) expressed its concern about this stance. It emphasized that the Federal Council should not relativize the ruling and called for constructive implementation with concrete measures, in particular to protect vulnerable population groups from the consequences of global warming. Merely referring to existing laws is not enough, he said. The Committee of Ministers of the Council of Europe also rated Switzerland's implementation as not entirely successful. Although progress was recognized, further concrete information (e.g. protection of vulnerable groups, carbon budget calculations) was requested; further reviews are planned for September 2025.
Overall, the ruling is considered a significant precedent for the establishment of climate protection as a state human rights obligation. Similar lawsuits have already been launched in other European countries such as Ireland. It can be assumed that this ruling will have a lasting impact on future legislation and case law in Europe.

International developments



International convention on mutual legal assistance for serious human rights crimes

On February 14, Liechtenstein signed the new Ljubljana-The Hague Convention on Mutual Legal Assistance in The Hague. The aim of the so-called "Ljubljana-The Hague Convention" is to improve international legal assistance for particularly serious crimes such as genocide, crimes against humanity, war crimes and crimes of aggression. This closes an important legal gap, as the agreement significantly facilitates international cooperation in investigations, the gathering of evidence, the questioning of witnesses and extraditions. Liechtenstein played an active role in the negotiations and successfully lobbied with its partners for the crime of aggression to be included in the agreement. After twelve years of negotiations, the convention was adopted on May 26, 2023 and signed by a total of 37 states by the end of 2024.

"Freedom of expression is
the foundation of human rights,
the source of humanity
and the mother of truth.
Those who stifle freedom of expression
trample on human rights,
humanity and truth."

Liu Xiaobo (1955 - 2017) Writer,
human rights activist and Nobel Prize winner, China

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