U.S. DEPARTMENT of STATE

Liechtenstein

Country Reports on Human Rights Practices - 2007
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The Principality of Liechtenstein, with a population of approximately 35,200, is a constitutional monarchy with a parliamentary government. The unicameral Landtag (parliament) nominates, and the monarch appoints, the members of the government. A two-party coalition government was formed after free and fair parliamentary elections in 2005. The civilian authorities generally maintained effective control of the security forces.

The government generally respected the human rights of its citizens, and the law and judiciary provided effective means of addressing individual instances of abuse. There were reports of violence against women, including spousal abuse, and reports of child abuse. The authorities dealt effectively with these matters.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

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

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

Prison and Detention Center Conditions

Prison conditions generally met international standards, and the government permitted visits by independent human rights observers.

On September 20, parliament passed a law, effective January 1, 2008, that renews the legal basis for the penitentiary system and establishes an independent body to monitor prison conditions.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

Civilian authorities maintained effective control over the regular and auxiliary police, and the government has effective mechanisms to investigate and punish abuse and corruption.

Arrest and Detention

Police arrest a suspect based on an arrest warrant issued by the national court. Within 48 hours of arrest, police must bring suspects before an examining magistrate who must either file formal charges or order release; authorities respected this right in practice. Release on personal recognizance or bail is permitted unless the examining magistrate has reason to believe that the suspect is a danger to society or would not appear for trial. The law grants suspects the right to legal counsel of their own choosing during pretrial detention, and counsel was provided at government expense to indigent persons. However, the law grants the suspect access to a lawyer only after an examining magistrate has filed formal charges. During police detention, visits are commonly not allowed, although in practice suspects may contact family members. During investigative detention, visits can be monitored to prevent tampering with evidence.

On September 20, parliament revised the code of criminal procedure's regulations on investigative detention to introduce a system of strict time limits and tight judicial review and grant detainees improved access to legal counsel. The new code was scheduled to enter into force on January 1, 2008.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence in practice.

Trial Procedures

The constitution and law provide for the right to a fair trial, and an independent judiciary generally enforced this right. Trials involving minor offenses are heard by a single judge, more serious or complex cases by a panel of judges, and the most serious cases, including murder, by a public jury. The law grants defendants the right during trial to legal counsel of their own choosing, and counsel was provided at government expense to indigent persons. Defendants may challenge witnesses or evidence and present witnesses or evidence on their own behalf. Defendants are presumed innocent and have access to government-held evidence relevant to their cases. Those convicted have the right to appeal, ultimately to the Supreme Court.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters.

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

The constitution and law prohibit such actions, and the government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and of the press, and the government generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. Over 80 percent of households had broadband access to the Internet.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The constitution and law provide for freedom of assembly and association, and the government generally respected these rights in practice.

c. Freedom of Religion

The constitution and law provide for freedom of religion, and the government generally respected this right in practice.

The Roman Catholic Church is the official state church; its finances are integrated directly into the budgets of the national and local governments. The government also provided financial support to the Protestant, Christian Orthodox, and Muslim communities. Smaller religious groups are eligible to apply for grants as associations of foreigners or for specific projects.

Roman Catholic or Protestant religious education was compulsory in all primary schools, but the authorities routinely granted individual exemptions for children whose parents requested them. At the secondary school level, parents and pupils chose between traditional confessional religious education and the nonconfessional subject "Religion and Culture." During the year the government introduced Muslim religious education classes in public primary schools. Some 70 pupils enrolled for these classes.

Both the Council of Europe's (COE) commissioner for human rights and the UN Human Rights Committee in the past criticized the standing policy that favored the Catholic Church over other religious communities in the distribution of state subsidies, and urged the government to review its policies to ensure an equitable distribution of funds.

Societal Abuses and Discrimination

On March 8, the UN Committee on the Elimination of Racial Discrimination expressed concern about the rise in xenophobic and right-wing tendencies among youths and that a core group of local right-wing extremists were becoming increasingly networked with similar groups abroad.

There were no reports of anti-Semitic acts. The Jewish community in the country is small and does not have formal organizational structures of its own.

For a more detailed discussion, see the 2007 *International Religious Freedom Report*.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

The law does not prohibit forced exile, but the government did not employ it.

Protection of Refugees

The laws provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. The government granted refugee status or asylum to two persons during the year. In practice the government provided protection against "refoulement," the return of persons to a country where there is reason to believe they feared persecution.

The government provided temporary protection to individuals who may not qualify as refugees under the 1951 convention and the 1967 protocol, and provided it to eight

persons during the year. The government also provided four residency permits on humanitarian grounds.

The government cooperated with the Office of the UNHCR and other humanitarian organizations in assisting refugees and asylum seekers.

A trilateral agreement with Switzerland and Austria requires the government to return persons to the respective authorities if they have made unauthorized entry from those countries, unless they are granted refugee status or are recognized as stateless.

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

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

The monarchy is hereditary in the male line. Prince Hans Adam II is the head of state. Since 2004 Hereditary Prince Alois has taken on the duties of head of state, exercising the rights of office on behalf of the reigning prince. All legislation enacted by the parliament must have the concurrence of the monarch and the prime minister.

Elections and Political Participation

Parliamentary elections, considered free and fair, were held in March 2005; the center−right Progressive Citizens' Party won 12 seats, the center−left Fatherland Union won 10 seats, and the green−alternative Free List won three seats in the 25−member parliament.

Individuals and parties could freely declare their candidacy and stand for election.

There were six women in the parliament and one woman in the five−seat cabinet.

There were no known members of minorities in the government.

Government Corruption and Transparency

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. There were no reports of government corruption during the year.

Public officials were not subject to financial disclosure laws. The police and the prosecutor's office, respectively, are responsible for investigating and prosecuting official corruption. The police have an organizationally independent special investigative unit for corruption cases. An interdepartmental working group chaired by the Foreign Ministry coordinates measures to prevent and combat corruption.

The law requires the government to inform the public of its activities, and government information was freely available to all persons living in the country, including domestic and foreign media.

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

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

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination on the basis of race, gender, language, or social status. The law also prohibits public incitement to violence or public agitation or insult directed against a race, people, or ethnic group. The government generally enforced these prohibitions effectively.

Women

Rape, including spousal rape, is a criminal offense, and the government effectively prosecuted those accused of such crimes. Spousal rape has the same penalties as rape under other circumstances. The sentence may be reduced if the victim decides to remain with the abusive spouse. There were four investigations for rape during the year; two were closed without charges being brought, and two remained pending at year's end. Police statistics do not separately record spousal rape.

The law prohibits all forms of domestic violence and provides for restraining orders against violent family members. However, there were reports of violence against women, including spousal abuse. According to police, there were 49 police interventions in cases of domestic violence during the year; 10 aggressors (nine men and one woman) were prevented from reentering the family home for 10 days and seven for a further period of three months. The government may file charges without a complaint from the victim. In 2006, 15 women and 18 children spent a total of 1,235 nights at Frauenhaus, a women's shelter. An additional 13 battered women contacted that nongovernmental organization (NGO) for help but decided not to seek refuge there. Frauenhaus reported conducting a total of 96 counseling sessions related to domestic violence. Frauenhaus provided both counseling and refuge for battered women (including nonresidents) and dependent children.

On August 30, a new provision of the penal code entered into force making stalking a criminal offense.

Prostitution is illegal; however, police tolerated it in the country's few nightclubs, as long as it did not cause public offense. Leading a person into prostitution is punishable by up to six months in prison, heavy fines, or both, and up to three years in prison if the victim was under 18. There were no arrests or prosecutions during the year.

Sexual harassment is illegal and punishable by up to six months in prison or a fine, and the government effectively enforced these prohibitions. Employers are required to take reasonable measures to prevent sexual harassment; failing to do so may entail damages to a victim of up to $35,300 (40,000 Swiss francs). There were two investigations for sexual harassment during the year; no charges were brought because of insufficient evidence.

Women enjoy the same legal rights as men, including rights under family law, property law, and in the judicial system. The Equal Opportunity Office and the Commission on Equality between Women and Men worked to eliminate all forms of gender discrimination. However, societal discrimination continued to limit opportunities for women

in fields traditionally dominated by men. Men earned more than women, and women generally did not receive equal pay for equal work. Implementing a European Union directive, parliament in May 2006 unanimously adopted amendments to the labor contract law and the equal opportunity law to combat gender discrimination in the workplace, which became effective in July 2006.

Children

The government was committed to children's rights and welfare and amply funded a system of public education and health care. Education is universal and compulsory until the ninth grade; it is free through the end of high school. Virtually all school-age children attend school. Approximately 50 percent complete professional, vocational, or technical training, with another 30 percent going on to earn higher-level specialized or university degrees.

The government provided free health care for all children under the age of 16.

There were some reports of abuse of children. During the year there were six prosecutions and two convictions for child abuse**.** In 2005 the commission for the coordination of professionals in cases of sexual offenses against children published a brochure for professionals likely to be confronted with child abuse; it included best-practice guidelines to facilitate the exchange of information among all parties. The commission is contacted concerning 12 to 14 cases of suspected sexual abuse each year.

Possession of child pornographic material is a criminal offense. The Code of Criminal Procedure takes special account of the protective needs of young victims of sexual crimes.

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

Trafficking in Persons

The law prohibits all forms of trafficking in persons and provides for extraterritorial jurisdiction. There were no reports that persons were trafficked to, from, or within the country; however, some NGOs believed that trafficking in women occurred but was not reported.

Trafficking in persons is punishable by a prison sentence of up to three years, or up to five years if the trafficker used or threatened violence. If the victim is a minor or the trafficker belongs to a criminal organization, uses excessive violence, or jeopardizes the life of the victim, the sentence may be up to 10 years. There were no arrests or prosecutions for trafficking offenses during the year.

In 2005 the COE's commissioner for human rights expressed concern that the temporary immigration status, together with the precarious economic situation, of the majority of foreign cabaret dancers increased their risk of falling prey to trafficking networks. The commissioner called on authorities to be vigilant in monitoring respect of contractual obligations by nightclub owners.

In December 2006 the government's law enforcement, immigration, foreign affairs, and social welfare authorities, together with the NGO Frauenhaus, established a consultation process and subsequently formalized a referral mechanism for victims of trafficking.

Persons with Disabilities

The new Equal Opportunity Law for Persons with Disabilities, effective January 1, prohibits discrimination against persons with physical or mental disabilities in employment, education, access to health care, or in the provision of other state services, and the government effectively enforced these provisions. The new law mandates that all public kindergartens and schools as well as public transportation systems be accessible to persons with disabilities within five years. Recently constructed public buildings must become barrier-free within 20 years; older public buildings within a period of 12 years.

National/Racial/Ethnic Minorities

A government report on the integration of the foreign population published in August found that immigrants who speak foreign (non-German) languages were on average less skilled and more likely to fall below the poverty line, whereas native German speakers were as well off as the native population. Almost simultaneously, the government announced a program to offer subsidized German language classes for foreign residents. A government white paper adopted on February 27 declared the goal of integration policy to be co-existence of all social groups on the basis of mutual respect and tolerance, to be achieved by promoting the equality of opportunities for all country residents.

The government continued to monitor right-wing groups. In February it established the Commission for Protection from Violence (CPV) to develop strategies against right-wing extremism. Police estimated the number of such extremists, including skinheads, to be not more than 30 to 40. There were some reports during the year of skinhead incidents, but none involved racially motivated assaults on foreigners or ethnic minorities.

Other Societal Abuses and Discrimination

A government-contracted study published in December found evidence of discrimination based on sexual orientation. In a poll 71 percent of homosexuals who responded said that discrimination was widespread in the country; 58 percent of the overall population expressed the view that homosexuality remained a taboo. There also were some reports of discrimination against persons with HIV/AIDS.

Section 6 Worker Rights

a. The Right of Association

The law provides that all workers, including foreigners, are free to associate, join unions of their choice, and select their own union representatives, and workers exercised these rights in practice. Due to the country's small size and population, there was only one trade union, which represented approximately 3 percent of the work force. The law does not prohibit antiunion discrimination, but there were no reports that antiunion discrimination occurred.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the government protected this right in practice. The law provides for the right of workers to organize and bargain collectively, and approximately 25 percent of workers were covered by collective bargaining agreements. However, the right to strike is not explicitly

recognized in the constitution and labor law. Civil servants are prohibited from going on strike. No strikes occurred during the year.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

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

d. Prohibition of Child Labor and Minimum Age for Employment

There are laws and policies to protect children from exploitation in the workplace. The law prohibits the employment of children younger than 16 years of age; exceptions may be made for the limited employment of children age 14 and over and for those who leave school after completing nine years of compulsory education. Children age 14 and older may be employed in light duties for not more than nine hours per week during the school year and 15 hours per week at other times.

The law prohibits labor that subjects children to physical, psychological, moral, or sexual abuse. There are no reports that any cases were brought under the law in 2007.

The government devoted adequate resources and oversight to child labor policies, and the Department for Worker Safety of the Office of the National Economy effectively supervised compliance with the law. The department completed 244 onsite inspections during the year and found no major violations of the law.

e. Acceptable Conditions of Work

There is no national minimum wage; however, the average daily wage provided a decent standard of living for a worker and family.

The law sets the maximum workweek at 45 hours for white-collar workers and employees of industrial firms and sales personnel, and 48 hours for all other workers. The law provides for a daily mandatory one-hour break and an 11-hour rest period for full-time workers; with few exceptions, Sunday work is not allowed. Pay for overtime is required to be at least 25 percent higher than the standard rate and overtime is generally restricted to two hours per day. The average work week including overtime may not exceed 48 hours over a period of four months.

The law sets occupational health and safety standards, and the Department for Worker Safety generally enforced these provisions effectively. The law provides for the right of workers to remove themselves from work situations that endanger health or safety without jeopardy to their continued employment, and workers exercised this right in practice.

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