



PERMANENT MISSION OF THE PRINCIPALITY OF LIECHTENSTEIN  
TO THE UNITED NATIONS

**THIRTY-NINTH SESSION OF THE  
COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN**

**CONSIDERATION OF THE 2<sup>ND</sup> AND 3<sup>RD</sup> PERIODIC REPORT OF LIECHTENSTEIN  
SUBMITTED UNDER ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF  
ALL FORMS OF DISCRIMINATION AGAINST WOMEN**

**INTRODUCTORY STATEMENT**

**BY**

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**CHECK AGAINST DELIVERY**

Madame Chair, Honorable Members of the Committee

My delegation is pleased to be meeting here in New York with the Committee on the Elimination of Discrimination against Women. We welcome the opportunity to discuss with you today the second and third periodic report of Liechtenstein under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women and are looking forward to a fruitful dialogue. This dialogue is highly valuable since your committee assembles outstanding international expertise in the issues at hand.

Liechtenstein considers all human rights to be universal, indivisible and interdependent and interrelated, and attaches great importance to the international and regional human rights agreements and their implementation, and it therefore strives to fulfill its reporting requirements in a timely and substantive manner – even if this is not always easy for a small country with limited human resources. At the same time, Liechtenstein is committed to strengthening the system of human rights protection within the framework of the UN. The treaty bodies are an important pillar of this system. Liechtenstein is therefore following the reform of the treaty bodies with great interest and was honored to make an active contribution to this reform debate as host of the two expert seminars on treaty body reform in 2003 and 2006 (Malbun I and II).

Since the legal equality of women and men was enshrined in the Liechtenstein Constitution in 1992 and since Liechtenstein ratified the Convention on the Elimination of All Forms of Discrimination against Women in 1996, Liechtenstein has engaged in vigorous efforts to realize the principle of equality. In the last 15 years this principle has been established in the legal framework governing such diverse areas as education, employment, politics and social security, and a change in awareness among women themselves has been brought about at the same time. Young women in particular are now taking advantage of the opportunities available to them with self-assurance and as a matter of course, contributing to the development of a democratic and egalitarian society.

During the period under review, additional steps have been taken at the legal level as part of Liechtenstein's equality policy. In December 2004, the Liechtenstein Parliament decided to incorporate EU Directive 2002/73/EC, the goal of which is to realize the equal treatment of men and women in the workplace, and to amend the Gender Equality Act accordingly, which entered into force in 1999. The new legal provisions on parental leave promote the compatibility of career and family, while the revision of occupational pension schemes has improved the situation of part-time employees. In 2002, Liechtenstein also ratified the Optional Protocol to CEDAW and has since accepted the authority of the CEDAW Committee to review alleged violations of the Convention.

Thanks to these new legal foundations, which supplement the equality principle in the Constitution and its previous legal implementation as cornerstones of equality policy, the equality of women and men at the legal level has almost been completely achieved. However, some action is still needed as regards de facto equality. For this reason, Liechtenstein continues to promote measures aimed at better reconciling family obligations and employment, as well as enhancing women's participation in political and economic decision-making. Because of the strong linkages between these areas and traditional gender roles, a change of awareness among the population in order to eliminate these gender stereotypes is being actively promoted through Liechtenstein's policy on women. Effecting a change in awareness is a process which takes on over a relatively long period of time, and to which the Government is lending its active support. In the end, however, it is the people - in particular women themselves - who must promote and bring about such a change of general awareness. Women's organizations in Liechtenstein have already made a considerable contribution in this regard.

### Regional cooperation

As already mentioned in the report, regional cooperation in the field of gender equality is of the utmost importance to Liechtenstein. The Office of Equal Opportunity has established a wide range of contacts with organizations working on gender equality in Switzerland and the neighboring Austrian province of Vorarlberg. These cross-border networks have the advantage that they constitute a valuable working and communication medium for officials, thereby facilitating their work and improving its quality, and the resulting contacts also generate new projects or make existing offerings more easily accessible. The social circumstances in Liechtenstein and its neighboring countries of Austria and Switzerland, especially in the border regions, are similar and largely comparable. In the case of Liechtenstein statistical data is often very volatile. Because of the low absolute numbers, merely a few cases can already trigger dramatic fluctuations. The regional cooperation offers a valuable forum for exchange of information in comparable social circumstances and therefore enables to assess and compare the effectiveness of certain measures in a more general perspective. Important projects that were realized in this framework in the last years include the three-year Interreg project entitled "Crossing boundaries – Setting boundaries". The objective of this project was to compile cross-border data on violence in marriages and partnerships and to educate and raise awareness by providing information. The project was jointly run by the Liechtenstein Office of Equal Opportunity, the Austrian province of Vorarlberg, and the Swiss canton of Graubünden and was concluded in July 2004. The planned measures – a campaign for general awareness-raising of the public, a survey and study on forms of violence and perceptions of violence in the domestic environment, and an information campaign to specifically raise the awareness of multipliers – were successfully implemented. Since 2004 the Gender Equality Commission, the Office of Equal Opportunity, and the Vorarlberg Women's Department have hosted three cross-border politics courses. The aim of the politics course is to prepare women for contributing their abilities in political bodies and in public. They learn basic political knowledge and the rules of the daily political game. The participants are given support in their socio-political engagement or their political work. Their self-confidence is strengthened and they learn the techniques of leading a discussion.

### Violence against women

With respect to violence against women and girls, both the revision of the Code of Criminal Procedure, which enhances the protection of victims, and the development of a Victims Assistance Act have contributed to the progress made. The goal of the amendment to the Criminal Procedure Code was to improve the legal standing of victims in criminal proceedings by establishing a procedural right to respectful treatment and the greatest possible protection. In particular, the interests of young victims and victims of sexual offenses will be better taken into account. One of the most important achievements of the legislative revision is protective questioning, in which the witness subject to protection is questioned in a separate room from the perpetrator, so that the witness is not forced to face the perpetrator. In connection with the expanded right to refuse statements, this ensures that victims who are in particular need of protection must in general only appear before court once and are accordingly protected to the extent possible. In addition, the questioning especially of young witnesses will be transferred to experts who, by virtue of their training and professional experience, are able to keep the psychological burden on witnesses during questioning to a minimum. Other legislative amendments in the interest of victims protection include the introduction of assistance to witnesses, which grants each witness contact with a confidant, the protection of privacy through explicit confidentiality requirements and prohibitions of publication, a more detailed specification of the content of the official duty to report crimes, and special aid, instruction, and information requirements, such as the possibilities of informing victims and their relatives of a release of a suspect from pretrial detention. In addition, the legislative revision includes detailed provisions on the exclusion of the public and the inadmissibility of television, radio, film, and photographic recordings in court.

On 21 June 2007 the Liechtenstein Parliament adopted the Victims Assistance Act. It will enter into force on 1 April 2008. The creation of the Victims Assistance Act concludes a three-phase overall project, which began with the amendment of sexual criminal law and was continued in the revision of the Code of Criminal Procedure with respect to victims' protection. Since most of the victims of the offenses to which these amendments are relevant are women or girls, the focus of this package of measures on improving the situation of victims constitutes an important step toward the actual realization of the principle of equality. The goal of the Victims Assistance Act, namely the best possible support for victims, will be achieved on the basis of the two pillars of "counseling" and "financial assistance". The appropriate care of victims and their families is the most important objective of victims' assistance. For this purpose, a Victims Counseling Office is being created. The Office will be staffed with the equivalent of one full-time position. Currently, concepts are being developed for the practical implementation of counseling services, which will take into account the needs of victims of criminal offences, along with the efficient use of existing resources and available know-how. The time period of nine months until the entry into force of the Victims Assistance will allow for thorough preparations to set up this new Office.

In the area of financial assistance, both comprehensive legal aid and rights of compensation are provided for. Legal aid covers the actual cost of the proceedings for victims, such as court fees and expert fees, as well as free legal counsel, depending on the victim's financial situation. This is intended to help victims assert their claims against perpetrators as well as insurance companies, for instance.

In addition, these provisions are intended to enable victims to receive compensation from the State for material and non-material injury suffered, to the extent that no or only insufficient compensation is given by third parties. The compensation of non-material injuries is intended to express society's recognition of the difficult situation of the victim as part of comprehensive victims' protection, and especially to take into account the situation of victims of sexual offenses, who as a rule suffer hardly any material injuries, but usually grave non-material injuries. In contrast to compensation for loss of assets, non-material compensation should not be dependent on the income of the victim. Maximum amounts are specified for both forms of compensation.

Also in its June session the Parliament approved the introduction of a new explicit criminal provision on stalking (§ 107a of the Penal Code "Beharrliche Verfolgung", "persistent pursuit"), thus making an explicit statement that this form of psychological pressure is not tolerated. By way of this new criminal offence such persistent harassment likely to infringe upon the private life of the victim is penalized. Accordingly, it will be a criminal offence to harass a person persistently and for a prolonged period in a way that is likely to seriously disrupt their way of life, namely:

- (a) entering into close proximity of the victim;
- (b) phone calls to the victim or similar such contact using other means of electronic communication or third parties;
- (c) ordering goods or services for the victim using their personal data; or
- (d) prompting others to make contact with the victim through the use of their personal data.

The new provision will enter into force in the next few weeks and make an important contribution to the prevention of violence against women since it will enable the police to intervene already at a very early stage and to prevent the threatening behavior from resulting in an act of violence.

#### Significance of EEA membership for the promotion of the rights guaranteed by the Convention

Liechtenstein has been a member of the European Economic Area (EEA) since 1995, with the consequence that approximately two thirds of EU law also applies in Liechtenstein. These regulations implement the four basic freedoms (goods, persons, services, capital), but also encompass so-called

horizontal and flanking measures in the areas of social security, education, environmental protection, gender equality, consumer protection, and worker protection. In all these areas, Liechtenstein has been adopting and implementing the same standards as the 27 EU member states. In the last 10 years, over 4400 EU legal acts have been adopted by Liechtenstein or implemented into Liechtenstein law. Important acts that Liechtenstein has adopted in the last two years in the area of gender equality include the directives on part-time work<sup>1</sup> the directive on the burden of proof in cases of discrimination based on sex<sup>2</sup> and the directive on parental leave<sup>3</sup>.

Within the framework of the EEA, Liechtenstein also participates on equal terms in about 30 EU programs in education, research and development, culture, emergency management, public health, equal opportunity, etc. In 2007, Liechtenstein participates in the "European Year of Equal Opportunities for All" under the motto: "For Diversity! Against Discrimination!" with a series of activities throughout the year – e.g.: awareness raising with regard to the right of equality and non-discrimination as well as the problem of multiple discrimination; incentives for a debate on the possibilities of better integration of victims of discrimination as well as a well-balanced participation of men and women; facilitation and appreciation of diversity and equal treatment; promotion of a tolerant society. By the end of the year 2007, results on the following studies and surveys conducted by the Office of Social Affairs and the Office of Equal Opportunity are expected: poverty study, survey on age discrimination, study on social discrimination against people with disabilities, survey on discrimination against homosexuals. A meeting on the topic of gender medicine and equal opportunity in the workplace is also planned by the Office of Equal Opportunity.

The surveys will contribute to improve the availability of statistical data in different areas. Since women are particular vulnerable to multiple discrimination the different studies and surveys will also deliver valuable results with regard to the situation of women. For example the first study on poverty in Liechtenstein conducted in 1996, found that absolute poverty as such does not exist in Liechtenstein, even though there are people who are comparatively disadvantaged and require State assistance. The study indicated that apart from the unemployed, single parents – which in most cases are women - are particularly dependent on social assistance. Since 1996 different measures have been introduced to improve the situation of single parents. The single-parent allowance and the rental subsidies, which single parents may also claim, were a specific reaction to the financial dangers single-parent families face. Upon introducing the rental subsidy in April 2001, the situation eased considerably. The percentage of single parents receiving income support decreased by 16 per cent in comparison to the previous year. Thanks to the rental subsidy, a number of single parents no longer required income support, or their support requirements decreased. The introduction of the rental subsidy also eased the burden of single parents and families with low incomes and helped some of them become independent of income support. This example shows that such studies can give importance guidance for new measures to be taken.

Since all the studies and surveys are still in the preparatory stage or have just started, it is too early to inform on any trends or results. However, the Liechtenstein Government will be happy to include the outcome of the relevant studies in the next report to the Committee.

I thank you.

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<sup>1</sup> Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC - Annex : Framework agreement on part-time work (OJL L 14, 20. 1. 1998, p. 9).

<sup>2</sup> Council Directive 97/80/EC of 15 December 1997 on the burden of proof in cases of discrimination based on sex (OJL L 14, 20. 1. 1998, p. 6).

<sup>3</sup> Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC (OJL L 145, 19. 6. 1996, p. 4).