

Liechtenstein 2023 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in the Principality of Liechtenstein during the year.

There were no credible reports of significant human rights abuses.

The government had mechanisms in place to identify and punish officials who may have committed human rights abuses.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

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

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

Prison and Detention Center Conditions

There were no significant reports regarding prison or detention center conditions that raised human rights concerns.

Pursuant to bilateral treaties with Austria and Switzerland, the country's authorities accommodated its long-term prisoners in Austria and confined prisoners undergoing release procedures in detention centers in Switzerland and Austria.

Abusive Physical Conditions: Individuals undergoing pretrial detention or awaiting deportation and extradition were held in the country's only prison, which had a 20-bed capacity. According to the Liechtenstein Human Rights Association (LHRA), juveniles facing long-term imprisonment in Austrian facilities experienced limited contact with family who were far away.

Administration: There were no significant reports regarding prison or detention center conditions that raised human rights concerns.

Independent Monitoring: The government permitted monitoring by independent nongovernmental observers, including local human rights

groups, media, and the Council of Europe's Committee for the Prevention of Torture. The committee last visited the country in 2016.

d. Arbitrary Arrest or Detention

The constitution and law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

Persons were not detained without judicial authorization. According to the law, every detainee was required to be informed of the reasons for the detention at the time of detention or immediately thereafter. Within 48 hours of arrest, police were required to bring suspects before an examining magistrate, who had to either file formal charges or order the suspect's release. Authorities respected this right. The law permitted the release of suspects on personal recognizance or bail unless the examining magistrate had reason to believe the suspect represented a danger to society or would not appear for trial. Alternatives to bail included supervision by a probation officer and restrictions on movement. The law granted suspects the right to a lawyer of their own choosing during pretrial detention, and the government provided lawyers at its own expense to indigent persons.

During the investigative detention, authorities could monitor visits to prevent tampering with evidence.

e. Denial of Fair Public Trial

The constitution and law provided for an independent judiciary, and the government generally respected judicial independence and impartiality.

Trial Procedures

The constitution and law provided for the right to a fair and public trial, and an independent judiciary generally enforced this right.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

f. Transnational Repression

Not applicable.

g. Property Seizure and Restitution

Not applicable.

h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibited such actions, and there were no reports the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and law provided for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent media, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for media members.

The law prohibited public insults, including via electronic means, directed against an individual's race, language, ethnicity, religion, world view, gender, disability, age, and sexual orientation, with a possible prison sentence of up to two years.

Libel/Slander Laws: The law prohibited the disparagement of religious teachings. Anyone who publicly disparaged a person or a thing that was the object of worship of a church or religious society established within the

country or a religious doctrine, custom, or institution of such a church or a legally permissible institution in a manner that “is likely to give rise to justifiable annoyance” was liable to imprisonment not exceeding six months or a heavy fine.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provided for the freedoms of peaceful assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

e. Protection of Refugees

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

Access to Asylum: The law provided for the granting of asylum or refugee status, and the government had established a system for providing protection to refugees. The law allowed asylum seekers under deportation orders to be granted an appeal hearing if requested within five days after the decision. The law permitted persons from safe countries of origin who were ruled to be ineligible for asylum to be processed for denial of asylum within a maximum of seven days. A total of 77 applications for asylum and protection were recorded in 2022.

The LHRA expressed concern that the law did not contain hardship provisions for family reunification, especially for children. There were no reports of family separations among asylum seekers or refugees.

Temporary Protection: In March 2022, the government introduced protection status “S” for refugees fleeing Ukraine due to Russia’s full-scale invasion; 507 refugees from Ukraine applied for protection, and 385 of them were granted protection status “S.” The government provided subsidiary and humanitarian protection to individuals who may not qualify as refugees, and 12 persons remained in the country during 2022 under this protection.

Section 3. Freedom to Participate in the Political Process

The constitution and law provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: The country held its most recent parliamentary elections in 2021. National elections were widely reported to be fair and free of abuses and irregularities.

Participation of Women and Members of Marginalized or Vulnerable Groups: As a hereditary monarchy, the country’s line of succession was

restricted to male descendants of the country's princely family. In 2020, the Women's Network, an umbrella organization of women's nongovernmental organizations (NGOs) in the country, criticized the male line of succession as undermining the constitution's principles.

Section 4. Corruption in Government

The law provided criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were no reports of government corruption.

Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction to monitor or investigate human rights conditions or cases and publish their findings. On May 9, Minister of Foreign Affairs Dominique Hasler presented a national report to the UN Human Rights Council Working Group on the nation's fourth Universal Periodic Review. The government reported it engaged with NGOs as part of the process.

Government officials were cooperative and responsive to the views of human rights groups and supported them financially.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Rape of a person, regardless of gender, including spousal rape, was a criminal offense. Penalties for rape and sexual violence varied between six months' and 15 years' imprisonment, depending on the degree of violence and humiliation of the survivor, and between 10 years and lifetime in prison if the victim was killed. The penalties for rape of a person, regardless of gender, were the same. The government effectively prosecuted individuals accused of such crimes.

The law prohibited all forms of domestic violence and provided for restraining orders against violent family members and non-familiar living partners. Police could prohibit an abuser from returning to the survivor's home where the violence was committed. Penalties for domestic violence ranged from fines to lifetime imprisonment if the victim was killed.

According to the law, those who immigrated to the country and who had been married to a citizen for less than five years were required to prove their survivor status or sufficient integration into the country's society to avoid losing their marriage-based residence permits, in the event of a divorce. The government enforced the law effectively.

Discrimination: The law provided the same legal status and rights for women as for men, including under family, religious, personal status, and

nationality laws as well as laws related to labor, property, inheritance, employment, access to credit, and owning or managing businesses or property. The government's enforcement of labor contract, equal opportunity, and discrimination law was not entirely effective. In October 2021 the Department for Equal Opportunity published a new guideline on gender-sensitive language and received an increase in human resources. Violations of the labor law could result in the award of compensation to a prospective or dismissed employee equal to at least three months' salary in the case of gender discrimination. According to the Office of Statistics, women earned a median income 15 percent less than that of men. The wage gap between women and men rose with increasing age. NGOs also reported Muslim women with headscarves faced difficulty with being hired for jobs.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

The government provided access to sexual and reproductive health services for survivors of sexual violence. Safe, effective, and affordable methods of family planning or contraception were available, and information was easily accessible. Emergency contraception and postexposure prophylaxis was available as part of clinical management of rape. Abortion was only legal if the life of the mother was in danger, if the child was a result of rape, or if the mother was underage. Parental authorization or notification was required in cases where the mother was underage. Health care for the

management of complications arising from abortion was available in all cases.

Systemic Racial or Ethnic Violence and Discrimination

The law prohibited acts of discrimination based on racist, xenophobic, or other reasons, with violators subject to up to two years of imprisonment.

The law explicitly covered acts of spreading hatred or calls for violence against members of racial, ethnic, or religious minority groups. The government generally enforced the law effectively.

The LHRA reported that wearing a headscarf still led to discrimination in the labor market, which was not punishable under the law against discrimination. While acts of discrimination in the public sphere were covered by the criminal code, the private sphere, which included employment, housing, and education, had no protection against discrimination.

The government did not condone or carry out violence or discrimination against members of racial, ethnic, or religious minority groups.

Children

Child Abuse: The law protected children against sexual exploitation and sexual and child abuse, including inside the family, and this was enforced effectively by the government. The law stipulated a reporting obligation for

the Office of Social Services if it learned of or suspected sexual abuse of children and adolescents. There was an Ombudsman Office for Children and Young People. The Victims Assistance Office, which specialized in assistance and support for individuals who had been affected directly in their physical, psychological, or sexual integrity, also aided children. An interdisciplinary Expert Group against the Sexual Abuse of Children and Young People facilitated the protection of children against sexual exploitation and sexual abuse.

Child, Early, and Forced Marriage: The legal minimum age of marriage for both girls and boys was 18, and this was effectively enforced by the government.

Sexual Exploitation of Children: The law prohibited the commercial sexual exploitation of children, sale, and grooming, including child sex trafficking. Penalties for the sexual exploitation of children ranged from one to 10 years' imprisonment. Possession or distribution of child pornography was a criminal offense, with penalties including up to three years in prison. Authorities effectively enforced these prohibitions. The law set the minimum age for consensual sex at 14.

Under an agreement with the government, the Institute for Social Services' section for child protection in Dornbirn, Austria, provided counseling for survivors of sexual abuse in the country.

Antisemitism

The Jewish community consisted of fewer than 25 individuals. This year there was one conviction for subversive associations and the offense of discrimination, including the distribution of antisemitic ideology online.

For further information on incidents in the country of antisemitism, whether or not those incidents were motivated by religion, and for reporting on the ability of Jews to exercise freedom of religion or belief, please see the Department of State's *International Religious Freedom Report* at <http://www.state.gov/religiousfreedomreport/>.

Trafficking in Persons

There were no confirmed reports during the year that traffickers exploited domestic or foreign victims in the country or that traffickers exploited victims from abroad.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: No laws criminalized consensual same-sex sexual conduct between adults, cross-dressing, or other sexual or gender characteristic-related behaviors. Seemingly neutral laws, such as laws covering

debauchery, immorality, loitering, or other activities were not disproportionately applied to lesbian, gay, bisexual, transexual, queer, or intersex (LGBTQI+) persons.

Violence and Harassment: There were no reports of violence or harassment against LGBTQI+ individuals.

Discrimination: The law prohibited discrimination by state and nonstate actors based on gender and sexual orientation or sex characteristics. The law recognized LGBTQI+ individuals, couples, and their families, particularly with respect to essential goods and services such as housing, employment, and access to government services such as health care. It also prohibited debasement, slander, and incitement to hate based on an individual's gender and sexual orientation and prohibited the refusal of public or governmental services based on an individual's gender and sexual orientation. The government generally enforced the law. LHRA reported that this law could not be invoked in case of access to work, education, and housing as they legally belonged to the private sphere, which was not protected by the law against discrimination. The constitution granted equality before the law to all citizens, but there was no legal precedent addressing whether it would provide protection in a discrimination case. Citizens also had the option to bring a case to the European Court of Human Rights. While there were no reports of social or employment discrimination, LHRA noted online hate speech was a concern.

In May 2022, the Austrian Health ministry eliminated additional restrictions on blood donation applied to LGBTQI+ donors, which also applied to Liechtenstein where blood donations were carried out by the Austrian Red Cross.

Same-sex couples gained the right to adoption on June 1. While same-sex partnerships were legal, same-sex marriage was not permitted.

Availability of Legal Gender Recognition: Legal gender recognition, including non-assignment or registering a third gender, was not available.

Involuntary or Coercive Medical or Psychological Practices: There were no reports of so-called conversion therapy being practiced, but it was legally permitted. Involuntary medical or psychological practices were punishable under criminal law.

There were no reports of surgeries being performed on nonconsenting intersex adult persons.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

There were no laws or other restrictions on individuals speaking or media reporting on LGBTQI+ matters, on the ability of LGBTQI+ individuals to assemble in public or private or to form associations, or on the ability of LGBTQI+ organizations to legally register or convene events.

Persons with Disabilities

There were laws and programs requiring that persons with disabilities had access to education, employment, public buildings, information, health services, the judicial system, transport, and communications, but enforcement and implementation was not entirely effective. Government information and communication on disability concerns was provided in accessible format. Civil society organizations noted that persons with disabilities were well taken care of but lacked opportunities to participate in society and were not sufficiently integrated into the labor market and education systems.

The law mandated that public kindergartens and schools, as well as public transportation systems built after 2006, be accessible to persons with disabilities. Children with disabilities were able to attend public schools or a segregated school established by the country's remedial center. The Liechtenstein Association for Persons with Disabilities noted that there was still a shortage of barrier-free, affordable housing for families with children with disabilities.

The law required public buildings constructed before 2002 to be barrier free by 2019 and public buildings constructed between 2002 and 2007 to be barrier free by 2027. NGOs reported that the 2019 deadline was not met, and many old public buildings still lacked the necessary renovations. One cause was that renovations on historic buildings were subject to strict

building codes. The law did not contain a penalty for noncompliance, but noncompliant building owners could be sued.

The law prohibited discrimination against persons with physical, sensory, intellectual, or mental disabilities. There were no reports of laws or government actions or inactions limiting the rights of persons with disabilities to participate in civic life.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provided for the rights of all workers to form and join independent unions of their choice and to bargain collectively. The law provided for freedom of assembly but was silent on the right to strike. The law neither prohibited antiunion discrimination nor required reinstatement of workers fired for union activity.

The government adequately enforced applicable laws, and the government and employers respected freedom of association and collective bargaining in practice. Penalties in the form of fines were commensurate with those for similar crimes, and inspection was sufficient to enforce compliance.

Penalties were regularly applied against violators.

b. Prohibition of Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibited all of the worst forms of child labor and set the minimum age for employment at 16, with exceptions for limited employment of children from age 14 to 16. Children from age 14 to 16 could engage in certain categories of light work, but those of compulsory school age (through age 15) could work no more than nine hours per week during the school year and 35 hours per week during school vacations. Children younger than 15 could be employed for the purposes of cultural, artistic, athletic, and advertising events. Working hours for youths from age 15 to 18 were not to exceed 40 hours a week. The law prohibited children younger than 17 from working overtime and prohibited children through age 18 from engaging in night work or Sunday shifts. The law stipulated that an employer was required to consider the health of children and provide them a proper moral environment within the workplace. The law also stipulated that employers could not overexert children and that employers were required to protect the child from “negative influences” within the workplace.

The Office for Worker Safety of the Department of National Economy effectively enforced child labor laws and devoted adequate resources and oversight to child labor policies. Legal penalties were commensurate with those for similar crimes, and inspections by trained inspectors were adequate to enforce compliance.

There were no confirmed reports of the worst forms of child labor.

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: The law did not provide for a national minimum wage, but minimum wages were set annually in a wage and protocol agreement. The Liechtenstein Workers Association, a labor union, negotiated voluntary collective bargaining agreements with the Chamber of Commerce on a sector-by-sector basis.

The law set the maximum workweek at 45 hours for professional workers, employees of industrial firms, and sales personnel and 48 hours for other workers. Separate provisions applied to children. Overtime could not exceed an average workweek of 48 hours over a period of four consecutive months. Some exceptions to overtime limits were authorized, for example, in the area of medical treatment.

In 2020 the Liechtenstein Institute published a study on employment relationships in the private home-care sector, where work was often performed by migrant women. The study made no allegations of compulsory labor but noted that employment relationships in home care were subject to the Labor Protection Act, the General Civil Code, and the standard employment contract for domestic workers but not the Labor Law. The LHRA, the women's resource and counseling NGO Infra, and the labor union Liechtenstein Workers Association have called for parliament to bring home care under the jurisdiction of national labor law.

Occupational Safety and Health: The law set occupational safety and health (OSH) standards that were appropriate for the main industries in the country. The labor standards also covered the thousands of workers who commuted daily from neighboring countries. There were additional safeguards for youths, pregnant and breastfeeding women, and employees with children. OSH experts proactively identified unsafe conditions and workers could remove themselves from situations that endangered health or safety without jeopardy to their employment. There were no media reports of major industrial accidents that caused the death or serious injury of workers.

Infra noted the working conditions of domestic workers and nurses employed in private homes were not subject to inspections or official labor contracts, as they were legally self-employed.

Wage, Hour, and OSH Enforcement: The Office of Labor Inspection, a part of the Department of National Economy, effectively enforced minimum wage, overtime, and OSH laws. Penalties for violations were commensurate with those for similar crimes and penalties were regularly applied against violators. Wages exceeded the poverty level. The agency had two labor inspectors authorized to make unannounced inspections and levy sanctions to enforce the law effectively. Data regarding the size and enforcement of the informal sector was unavailable.