

Introductory Statement
by Foreign Minister Aurelia Frick

Mr. President,

Madame High Commissioner,

Excellencies,

Ladies and Gentlemen,

I am very pleased to be here today. Our commitment to the protection and promotion of human rights has for many years been a priority of Liechtenstein's foreign policy and our involvement at the United Nations. The last five years have shown that the UPR can provide real added value to the UN human rights system. It is a valuable complement to the treaty body system. The treaty body system continues to be very important and Liechtenstein actively works to strengthen it. The UPR has established itself as a key instrument for monitoring the global human rights situation. At the same time, it is as an expression of universal commitment to the protection of human rights. Preserving the universality of the UPR is therefore of utmost importance. [Liechtenstein considers it an encouraging sign that this has been possible until now and we would like to call upon all member states to engage constructively with the UPR process.]

In the last approximately four years since Liechtenstein's first UPR, improvements have been made in all areas of Liechtenstein's governmental and administrative activities. The recommendations accepted by Liechtenstein within the framework of the first UPR have either already been integrated into ongoing reform processes and existing measures or separate processes have been launched for that purpose.

As a direct measure after our first UPR, we intensified **exchanges with civil society** over the past four years. At the time, Liechtenstein received the recommendation to include all stakeholders in the follow-up to the UPR. As a specific consequence of this recommendation, the Office for Foreign Affairs has organized discussion events for Liechtenstein human rights NGOs in each of the last four years. The goal of these annual events is to enter into dialogue with civil society. The dialogue offers a platform for exchanges on human rights issues between the Administration and civil society. These events have met with considerable interest. They showed us there was a real need for such an exchange. Liechtenstein has a very vibrant civil society. But many NGOs are very small and organized on a voluntary basis. Therefore an improvement of the information flow is essential for the NGOs to really have a say. Apart from these cross-thematic events, several other networks on specific human rights topics have emerged over the past four years: In 2009, a network was founded on the topic of disabilities. The special feature of this group is that it includes both various public offices as well as civil society participants. Moreover, the institutionalized consultation and participation of the foreigners living in Liechtenstein have been improved over the last four years. In addition, I would like to mention the Women's Network, which has existed for many years already.

The NGOs also had the opportunity to comment on the **draft national report** for Liechtenstein's second UPR. The Office for Foreign Affairs organized an event especially for that purpose. The NGOs expressed the view that our national report by and large expresses an accurate picture of the human rights situation in Liechtenstein. At the same time, they also noted the need for improvements in certain areas. For reasons of transparency, but also as a strong signal to the NGOs that their concerns are taken seriously, the Government has decided to integrate the NGOs' points of criticism into the national report as a separate chapter. This was also done in Liechtenstein's first UPR report four years ago.

Over the last four years, Liechtenstein has also improved its **data situation** relating to the protection of human rights and non-discrimination. Since 2010, the Government has issued an annual report on the situation of human rights in Liechtenstein. The report is updated each year by an independent research institute. Data gathering has been improved in specific fields as well. The monitoring report on right-wing extremism, which has been prepared annually since 2011, is especially noteworthy in this regard.

Also in the thematic areas, many positive developments have taken place. I would like to present a few especially relevant examples.

Many of the developments of the past years can be understood only with reference to **Liechtenstein's integration in Europe**: Liechtenstein is a small State that simultaneously belongs to two economic areas: The Customs and Currency Area of Switzerland on the one hand, and the European Economic Area (EEA) on the other hand. Liechtenstein has been a member of the EEA for 17 years now. The EEA guarantees unhindered access to the EU single market. With Liechtenstein's accession to the Schengen/Dublin area on 19 December 2011, a further integration step in Europe was taken. For about a year now, this means that Liechtenstein belongs to the European area of freedom, security and justice. The Schengen area includes 28 States so far and has no internal borders. Systematic checks on persons now only take place at the external borders of the Schengen area.

In view of its accession to Schengen, Liechtenstein reviewed its **Police Act, Foreigners Act, Asylum Act, Data Protection Act, and Nationality Certificate Act** and adjusted them to the European level. Since then, Liechtenstein has without exception applied the Schengen standards in these fields as well. The Schengen acquis is dynamic. This means that Liechtenstein must implement all new developments by the stipulated deadlines. Together with the four freedoms of the internal common market (free movement of capital, goods, services, and persons), to which Liechtenstein is committed through its membership in the EEA, the Schengen/Dublin agreements offer individuals an extensive and unmatched degree of self-realization. This is true both for Liechtenstein citizens and for foreign citizens residing in Liechtenstein. Thanks to the uniform and monitored standards, this entails a more objective and improved human rights situation, be it in regard to asylum or migration in general. The new Asylum Act entered into force on 1 June 2012. One major improvement is the inclusion of the explicit possibility of settling refugees recognized by the UN High Commissioner for refugees in Liechtenstein.

About one third of Liechtenstein's resident population is composed of **foreign citizens**. Because of the many commuters from abroad, their share in the workplace is even two thirds. This development is due to the economic growth of the past decades, which has led to a high level of immigration. The best possible promotion of the **integration** of the foreign

population, the promotion of mutual understanding, and **the fight against racism and xenophobia** therefore have a very high priority for the Government. Integration is understood as a reciprocal process that demands mutual respect and accommodation by both the host society and immigrants. It is based on the principle of "demanding and promoting". In December 2010, the Government adopted a comprehensive integration concept entitled "Liechtenstein – Strength through Diversity". This contains a plan of measures for the years 2011 to 2013. The integration concept emphasizes the advantages and opportunities of diversity, interculturality, and multilingualism. Diversity should not only be appreciated, but also encouraged. Additionally, the potential of all people living in Liechtenstein should be given the opportunity to unfold. With regard to the fight against racism and xenophobia, Liechtenstein has in recent years emphasized efforts against right-wing extremism. In 2009, a sociological study on the phenomenon of right-wing extremism and its causes in Liechtenstein was published. This study had been commissioned by the Government and was conducted by an independent institute. Building on the results of the study, the Government identified necessary measures to prevent right-wing extremism. For the years 2010 to 2015, the Government adopted a plan of measures for this purpose. This plan is currently in the midst of its implementation phase.

A further notable improvement in the last four years has been the **considerable strengthening of the rights of accused persons and suspects in the Code of Criminal Procedure**. This revision of the Code of Criminal Procedure in 2011 provides new rules especially governing the right of access to documents, the right to translation assistance, the right to request measures of enquiry, the right to free choice of counsel with the ability to contact a lawyer already during police investigations, the right to legal aid, the right to consult defence counsel during questioning, and the right to participate and be present. These improvements complement the strengthening of victims' rights in recent years.

Now please allow me to address the **equality of women and men**. Women in Liechtenstein are now able to achieve everything in principle: they enjoy equal rights under the law, and girls often perform better in school than boys. Nevertheless, women are still underrepresented in many areas. The challenge we must face today is to make *de facto* equality possible. An important area in this regard is equal opportunity in the labour market. The Government attaches the utmost importance especially to the compatibility of family

and work. The network of childcare options outside the family has been steadily expanded in recent years and will be further optimized in the coming years after a detailed analysis. In cooperation with various partners, including the business associations, the Government has launched an additional project to improve the compatibility of family and work. This project aims to raise the awareness of employers concerning their employees' need for family-friendly structures, as well as opportunities these structures create for businesses as well. The launch event for this project was successfully held on 5 November 2012. Further events will follow this year. Also in political bodies, Liechtenstein has not yet achieved a balanced representation of women and men. Parliamentary elections will take place in Liechtenstein next weekend. In preparation for these elections, the Gender Equality Commission of the Government has undertaken various campaigns to improve the election chances of women. Particularly worth mentioning are an Internet platform for female candidates, public discussion rounds with female candidates, and awareness-raising measures in the newspapers. In this regard, I would also like to mention the ongoing measures taken by the Government against domestic violence, since domestic violence constitutes a fundamental violation of the human rights of those affected. It is also of note in this context that the category of criminal offences that must be prosecuted *ex officio* has been expanded. The prevention of human trafficking has also been strengthened with a new prevention programme.

In the area of **children and young people**, the entry into force of the completely revised Children and Youth Act at the beginning of 2009 was a milestone. Not only does this law enshrine the participation of children and young people as an important principle; ample opportunity for participation was already given during the legislative process. The new law creates two new independent institutions. They are called the Children and Youth Advisory Council and the Ombuds Office for Children and Young People. The Ombuds Office is a neutral, generally accessible contact office that receives questions, concerns, and complaints. It also mediates with public offices and authorities where difficulties arise. The first Ombudsperson was elected for a term of four years by the Liechtenstein Parliament in October 2009, and she began her work the beginning of 2010. In the first two years of their work, both the elected Ombudsperson and the other new institution I mentioned initiated numerous activities. Important improvements over the last four years were also achieved by expanding the protection of children from sexual abuse and other forms of sexual violence

through a revision of the sexual criminal law in 2010. This revision was an important step for the domestic implementation of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. The Liechtenstein Parliament approved ratification of this instrument last December. And I am happy that I can announce you that the instrument of ratification will be deposited in New York this very afternoon. I would also like to mention that the Government is planning a reform of family law. The draft law governing parent-child relationships has already been circulated for consultations. The focus of the reform is on the new rules governing custody of children of separated and divorced parents. The draft law envisages a new normal case, in which the parents will have joint custody. The Government is convinced that the relationship of the child to both parents as guardians is important for the development of the child. To prevent conflicts arising in custody proceedings, the draft provides that courts will make greater use of mediation. The welfare of the child is always the top priority and is expressly enshrined in the law. Other elements of the planned reform of the law governing parent-child relationships include the elimination of the discriminatory term "illegitimate", as well as a reform of the law of descent in order to strengthen the rights of the child and the rights of the biological father.

Because of the demographic developments in Liechtenstein, the focus of policy in recent years has increasingly also been on **older persons**. The share of elderly and very elderly people in Liechtenstein has risen and will continue to do so. Other trends such as increasing individualization and immigration mean that the needs of older persons have changed considerably. To respond in an appropriate way to these developments and challenges, the Government defined the goals of its future old-age policy in 2007. According to these guidelines, structures have been steadily improved and adjusted over the past years, so that old-age policy in Liechtenstein is now an area with model character. In particular, the structures have been strengthened in recent years to support caretaking relatives and people in need of care at home. An Information and Counselling Office for Elderly Persons has been created, and an Advisory Council for Seniors has been appointed as a consultative body for the Government to improve the participation of older persons.

In the area of **disabilities**, the Law on the Equality of Persons with Disabilities from the year 2007 constitutes the most important legal foundation. The purpose of this law is to eliminate

or prevent discrimination of people with disabilities, thereby securing the equal participation of people with disabilities in the life of society and making it possible for them to lead their lives autonomously. Already when the law was adopted in 2007, it was clear that stronger practical measures would be necessary to supplement the new law. This is especially true in regard to access of people with disabilities to the labour market. The Government therefore elaborated a concept to improve the integration of people with disabilities in the labour process. This concept is now planned to be implemented as part of the administrative reform currently underway. The idea is to create a new contact office specifically concerned with the integration of people with disabilities, ensuring comprehensive know-how. The ball is now in Parliament's court, which is expected to consider the Government's proposal in the first half of 2013. These domestic measures will also help the Government in its implementation of the relevant international standards.

As a true milestone in the last four years, I would also like to mention the new law on the registered partnership of **same-sex couples**, which entered into force on 1 September 2011. Registered couples are now treated virtually equally to married couples. This has made an important contribution to overcoming the discrimination and social taboos regarding homosexuality.

Mr. President, Madame High Commissioner, Excellencies, Ladies and Gentlemen:

I am now coming to the end of my introductory statement. I have emphasized several important measures and improvements over the past few years. I hope I have been able to underscore that the Liechtenstein Government considers the promotion and protection of human rights to be a permanent task. Liechtenstein's commitment is not limited to domestic issues in this regard. I am proud that, despite the small size of our country and the limited resources of our diplomatic service, we also make a contribution internationally. We are especially active in the fields of women's rights and children's rights. Liechtenstein has also achieved special visibility through its many years of extremely active and successful work on behalf of the International Criminal Court. Liechtenstein promotes universal ratification of the Rome Statute and of the amendments agreed in Kampala. Our participation in the UPR also focuses on these three topics. Our commitment shows that even a small State is able to make a valuable contribution to the progressive development of international law. The

contribution that a country can make to the international community does not depend only on the size of the State. It especially also depends on the substance of its contribution. Solidarity with countries that are less wealthy is another important component of Liechtenstein's foreign policy. With an ODA share of 0.62% in 2010, Liechtenstein has nearly achieved the international target of 0.7%. In accordance with our political priorities, Liechtenstein's development cooperation likewise pays special attention to strengthening human rights and the advancement of women.

My delegation, which is composed of competent experts from various specialized offices, and I now look forward to interventions from the plenary and a stimulating interactive discussion.

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