



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
6 February 2002

Original: English

**Committee on the Elimination of Discrimination
against Women**
Twentieth session

Summary record of the 411th meeting

Held at Headquarters, New York, on Monday, 25 January 1999, at 3 p.m.

Chairperson: Ms. González
later: Ms. Schöpp-Schilling (Vice-Chairperson)
later: Ms. González (Chairperson)

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The meeting was called to order at 3.10 p.m.

Consideration of reports submitted by States parties under Article 18 of the Convention *(continued)*

Initial report of Liechtenstein (CEDAW/C/LIE/1)

1. *At the invitation of the Chairperson, Ms. Willi (Liechtenstein) took a place at the Committee table.*

Article 4

2. **Ms. Ryel** said that only a fundamental change in attitudes would cause men to share responsibility for child-rearing and for household tasks. To that end, the Government should introduce temporary special measures, such as a one-month paternity leave, a quota system to improve women's participation in politics and a public-awareness campaign to encourage women to vote for women candidates.

3. **Ms. Abaka** pointed out that the prohibition of preferential treatment for women revealed a fundamental misunderstanding of article 4. Given the almost negligible participation of Liechtenstein women in political decision-making, it was essential that political parties should be encouraged to introduce a quota system. All too often, women candidates were placed in losing constituencies. Special measures were also needed to eliminate gender stereotypes in education and encourage girls and women to enter male-dominated professions.

Article 5

4. **Ms. Schöpp-Schilling** said that one of the Liechtenstein Government's major concerns must be to combat entrenched stereotypes, and the Committee would welcome information on public awareness-raising activities organized by the Government, including training programmes for journalists and teachers. It was a matter of concern that men still tended to receive the larger share of an inheritance. The Government should make the public aware of the illegality and unfairness of such treatment by publicizing relevant cases that had been brought before the courts.

5. **Ms. Regazzoli** asked the delegation to provide information on specific measures for eliminating sexism in school curricula. Appropriate cultural patterns should be inculcated in young children, since

it was very difficult to persuade adults to abandon ingrained stereotypes and prejudices.

6. **Ms. Ryel** stressed the importance of raising awareness about pernicious stereotypes in films and television advertising, and of removing the taboo on domestic violence. Clarification of the data on the occupancy and activities of the Women's House would help the Committee to ascertain the prevalence of domestic violence in Liechtenstein.

7. **Ms. Ferrer** stressed that true progress in implementing the Convention depended on a fundamental change in attitudes. In that connection, she requested information on successful activities in the area of basic school education, and on programmes for teachers at all levels of education. The public must be made aware that housework and childcare were the shared responsibility of both men and women.

8. **Ms. Kim Yung-chung** stressed the important role of teachers and parents in modifying cultural patterns and behaviour.

Article 6

9. **Ms. Hazelle** commended Liechtenstein's recognition of both marital rape and sexual harassment in the workplace as punishable statutory offences. She asked what legislation was used to prosecute domestic violence and other gender-based violence. She also wished to know whether violence against women had been incorporated into the national plan for implementing the Beijing Platform for Action.

10. *Ms. Schöpp-Schilling took the Chair.*

11. **Ms. Manalo**, referring to the situation of children born out of wedlock, asked whether the father was in any way accountable for supporting and recognizing the child, given that the mother had sole custody by law. The delegation should provide information on any provisions in the General Civil Code that discriminated against women in such areas as inheritance, freedom of movement or the exercise of a profession; the delegation should indicate whether the Government had envisaged any omnibus law for removing discrimination in the Code. The Committee would also be interested in knowing whether any consideration had been given to allowing a female progenitor to share the princely throne.

Article 7

12. **Ms. Feng Cui** said that the fact that women in Liechtenstein had not had the right to vote until 1984 was proof of the social prevalence of discrimination against women. Additional data on participation rates of women in elections would be useful. The delegation should provide details about the activities of the Equality Bureau, and describe the Government's reaction to the failure of female candidates to be elected to the *Landtag* in 1997.

13. **Ms. Manalo** said it was regrettable that Liechtenstein's political system lacked compulsory quotas for women. The delegation should provide an assessment of the effectiveness of any specific measures that had been taken to further the participation of women in political life, including details of any surveys to assess the strength of the female vote.

14. **The Chairperson**, speaking in her personal capacity, asked whether any women's organizations specialized in civil education for women, and whether the Government had provided any incentives in that regard. The Government should also indicate how many women belonged to the various parties and supply information on voting patterns with reference to gender and generation.

Article 10

15. **Ms. Ferrer** said that paragraph 143 of the report stated that "in basic school education, there is scarcely any difference between girls and boys", and she wished to know what was meant by the word "scarcely". She wondered whether there were any vocational guidance programmes or other measures to encourage girls to pursue higher education, particularly in the non-traditional fields.

16. **Ms. Manalo** asked whether the ongoing curriculum review involved the introduction of measures to change boys' and girls' images of traditional gender roles. The delegation had stated that far fewer girls than boys opted for an apprenticeship or other forms of job training. In that connection, she wondered whether there was a specific programme to encourage girls from the *Realschule* or *Oberschule* to select apprenticeships and to induce employers to promote apprenticeships for girls.

17. **Ms. Kim Yung-chung** asked whether vocational counsellors and public authorities received training in gender sensitivity, without which they would be of little use in promoting non-traditional careers for girls, and what other measures had been taken to encourage girls to pursue higher education and to increase the number of women in high-level posts.

18. **Ms. Myakayaka-Manzini** said that the gender disparity in technical training courses and universities demonstrated that the vocational guidance services were inadequate. The delegation of Liechtenstein should comment on that problem.

19. **Ms. Ouedraogo** asked whether the fact that few women opted for higher education was due in part to the fact that Liechtenstein had no universities and that parents were unwilling to allow their daughters to study abroad. She supported Ms. Abaka's suggestion that correspondence courses should be offered. The Government should also consider providing substantial scholarships for women who wished to attend foreign universities. Studies should be undertaken and a dialogue established at the level of civil society in order to promote higher education for women.

20. She enquired whether children of foreigners, who accounted for 39.9 per cent of Liechtenstein's population, had the same educational advantages as children of nationals. Lastly, she asked whether the Convention was widely disseminated and taught in the schools.

Article 11

21. **Ms. Ryel** asked the delegation for further information on flexible work schedules and stressed that, unless such options were available to both men and women, they would only perpetuate existing gender stereotypes. She also requested an explanation of the statement that 36.9 per cent of men were employed in companies in which part-time work was not possible for men. If it was true that part-time work was permitted for women but not for men, that practice constituted gender discrimination and should be abolished. Article 33 of the Employment Act prohibited the assignment of female employees to certain types of work; unless that provision applied only to pregnant women, it constituted discrimination insofar as it restricted women's access to the job market.

22. **Ms. Corti** said that the high concentration of women in the service sector and their under-representation in industry was disturbing. While she commended Liechtenstein for holding an exhibition to motivate girls to expand their choice of occupations, additional action was necessary. She drew the delegation's attention to article 4 of the Convention, which provided for temporary special measures aimed at accelerating de facto equality between men and women.

23. Although the Labour Contract Act provided for equal pay for equal work or work of equal value, women in Liechtenstein still earned less than men. She emphasized the need to ensure not only equal remuneration but also women's placement in high-paying jobs. The delegation should provide further information on that issue.

24. While she welcomed Liechtenstein's generous maternity benefits, she wondered whether single mothers were as well protected as married ones. There seemed to be a general tendency to value women for their reproductive capacity rather than as individuals. Lastly, she asked what further measures the Government planned to take in order to discourage girls from dropping out of school and to encourage them to pursue higher education and professional training, particularly in non-traditional fields.

25. **Ms. Manalo** noted that the delegation had stated that the Government had yet to consider drafting legislation for parental leave, including a guarantee of the right of parents to return to their jobs, and she wondered whether, in the absence of such a guarantee, women were routinely dismissed at the end of their maternity leave and left with only the one-time tax-free maternity allowance.

26. **Ms. Regazzoli** asked whether voting was compulsory or merely an option, and what percentage of women actually voted in national elections. Until women became aware of the power they exercised by voting and standing for office, social change would be impossible. She enquired whether men and women really received equal pay for equal work, and why so few women pursued higher education or professional training.

27. *Ms. González (Chairperson) resumed the Chair.*

28. **Ms. Kim Yung-chung** asked whether part-time workers were entitled to pensions and other benefits, including maternity leave.

29. **Ms. Schöpp-Schilling** welcomed the Government's efforts to eliminate gender discrimination at the legislative level, which included the possibility of banning sexual harassment in the workplace. She asked whether the draft Equal Rights Act covered only employment-related matters or whether it also guaranteed equality in other areas, such as housing. The delegation should explain what legislation guaranteed equality in the areas of employment, recruitment and contracts, and what penalties were established for violations in that regard. It was important that the burden of proof should not be placed on the person who claimed to be a victim of discrimination.

30. She asked whether there was any specific legislation on part-time workers, and expressed concern that the new social security legislation might unintentionally discriminate against such workers, particularly in areas of employment where women predominated. She suggested that the draft legislation should require trade unions and employers to develop plans for the achievement of gender parity, even without the establishment of quotas.

31. Many industrial countries had moved beyond the concept of equal pay for equal work or work of equal value to the concept of comparable value, which better reflected the fact that men and women did not always do the same types of work. She asked whether that development had been reflected in the discussion and preparation of Liechtenstein's draft legislation on discrimination.

32. She wondered whether any claims of wage discrimination had been brought before the courts. It would be useful to know whether the national authorities or the Equality Bureau encouraged women to lodge complaints in cases of wage discrimination and whether non-governmental organizations could file class-action suits on such matters.

33. Most of the guarantees established under International Labour Organization conventions had been incorporated into the 1993 Labour Contract Act. The Government should consider ratifying ILO Convention No. 156 on workers with family responsibilities, or incorporating its provisions into domestic legislation.

34. She asked whether Liechtenstein's system of taxation favoured families with only one breadwinner. She welcomed the new social security legislation and, in particular, the establishment of individual pensions. She enquired how the new legislation dealt with the large numbers of unemployed women, the rising divorce rate and the fact that older women had not benefited from the new system. She wondered whether women who chose to remain at home for a few years to care for their young children received some sort of allowance. She asked whether pension benefits were calculated by averaging a couple's combined income or on the basis of the wife's income alone. The delegation should also state whether widows' pensions had been abolished and, if not, explain how they were calculated. Lastly, she wished to know how benefits for divorced couples were determined and when the new legislation on that subject would go into effect.

35. **Ms. Manalo** said that, since the service sector formed the backbone of small and medium-sized enterprises in all countries, it would be useful to learn whether the Ministry of Trade or the Ministry of Employment had implemented any human resources development programmes to strengthen women's participation in the service sector. Information should also be provided on government assistance to women in the area of networking and client-linking, programmes to train women in science and technology, and government assistance in making market opportunities available to women.

Article 12

36. **Ms. Abaka** said that it was essential for States parties to take steps to improve women's physical and mental health. She was therefore concerned that the report devoted only a quarter of a page to article 12 and that no information on the subject had been provided in the oral report.

37. Table 9 in the report was confusing: under "Senior positions (total)", it stated that information on the proportion of women employed in health care was not available; however, in the "Skilled employees" section, that proportion was listed as 50 per cent. Table 12 also needed clarification, as the proportion of women who were part-time employees was listed as 81.3 per cent, while the following paragraph stated that almost 20 per cent of part-time employees were women.

38. Under article 12 of the Convention, States parties were required to inform the Committee of the measures they had taken to ensure access by women to health-care services, including family planning, and on any legal or medical obstacles impeding such access; however, no such information had been provided in Liechtenstein's report. The Committee would appreciate data on whether termination of pregnancy was legal and, if so, whether the cost of the procedure was covered by medical insurance or social security. If abortion was illegal, the delegation should indicate whether it was being practised clandestinely and whether women who had undergone incomplete abortions were entitled to medical services. Details should also be provided on the incidence of elective sterilization, if it was available.

39. The reporting State should be more specific about programmes that had been implemented to raise public awareness of the risks of sexually transmitted diseases, including HIV/AIDS, and whether such programmes were targeted specifically to women and girls. In that connection, she drew attention to the Committee's general recommendation 14, which urged States parties to intensify their efforts to increase public awareness of the risks of sexually transmitted diseases. She would welcome additional information on substance abuse and on drug and alcohol rehabilitation programmes.

40. It would be useful to have a full account of any programmes that had been developed to prepare women for the physical and mental effects of ageing, including menopause, and to ensure that women had access to adequate and affordable primary health care. It would also be interesting to learn whether any tax incentives had been established to assist younger women who were caring for ageing parents.

Article 13

41. **Ms. Regazzoli** asked whether there were any programmes to encourage adult women to participate in sports. It would be interesting to have a full account of the cultural fields in which Liechtenstein women had achieved distinction. In view of the strength of Liechtenstein's banking sector, she would appreciate additional information on whether women had access to housing loans and mortgages.

42. **Ms. Hazelle** enquired what services were available to single-parent households, since single mothers faced a higher risk of poverty. She requested

clarification as to whether women who chose to have children out of wedlock were solely responsible for their economic well-being, since the report did not specify whether any legislation was in place to assist single mothers in securing financial support from the children's fathers.

43. The reporting State should indicate whether family allowances were subject to a means test and whether the amounts allocated were for each child or for each household. Lastly, she wished to know what had prompted the Government to consider the introduction of a special child allowance for single parents.

Article 14

44. **Ms. Ouedraogo** said that she wondered whether Liechtenstein had properly understood the spirit of article 14 of the Convention, which referred not only to equality of women in rural areas but also to equality of access to services for all women. Perhaps there were no differences among Liechtenstein's 11 communes in terms of economic development or in such fields as education, health care, planning, social security and credit. If discrepancies did exist, however, then some communes must be regarded as economically disadvantaged. Since the Government was reporting for the first time, it would have been useful for the Committee to have been provided with statistics on school enrolment, female literacy rates, and so on, to support the Government's claim that no discrimination against women existed in Liechtenstein.

Article 16

45. **Ms. Ryel**, referring to the statement that a legislative amendment would soon enter into force to make 18 the marriageable age of both men and women, said she failed to understand why there were no plans to equalize the minimum age for adoptive fathers and adoptive mothers.

46. **Ms. Aouij** said that the constitutional amendments of 1992 had established de jure equality between women and men as a prerequisite for de facto equality and the adoption of other measures. Education and awareness-raising campaigns for both women and men were essential in order to ensure a smooth transition from a patriarchal system to one based on partnership between the sexes. A profound change in

attitudes was required if women's new equality, particularly within the family, was to be accepted.

47. It would be interesting to learn whether the apparent trend towards women choosing to live alone with their children was due to the lack of a real sharing of responsibilities within the family. That inference was supported by the fact that part-time work was much in demand among married women, which proved that family responsibilities were still women's exclusive burden. The Ministry for Family Affairs and Equality between Men and Women, the Equality Bureau and women's organizations had a very important role to play in educating women about their legal rights.

48. The Committee would be grateful for further information on the role of women in the judicial system. Details should be provided on any appeals addressed by women to the European Court of Human Rights concerning violations of their rights. With regard to divorce, it would be useful to learn about any laws that protected divorced women with children and ensured that custody was shared equally by the two parents. The reporting State should indicate whether fathers were required by law to pay child support.

49. The delegation had stated that property acquired during marriage was shared equally by the spouses in the event of divorce, and she wished to know whether that was true in practice. In particular, she enquired whether women really demanded their share of the property, and whether they received it automatically or had to institute legal proceedings to claim it. Lastly, the statement in paragraph 185 of the report that a marriage could be declared annulled on the grounds of "justified fear" needed clarification, particularly with regard to the consequences of such annulment for the children. The reporting State should be more specific about the terms in which the Marriage Act described marriage as a partnership.

50. **Ms. Regazzoli** said that she shared the views expressed by the two previous speakers. She would be grateful for information on any appeals addressed by women to the European Court of Human Rights or to the Ombudsman.

51. **Ms. Willi** (Liechtenstein) said that detailed replies to the questions raised would be provided at a later date. She wished, however, to make some additional remarks with regard to the comments made at the previous meeting.

52. The reporting obligations under United Nations human rights instruments constituted a heavy burden, particularly for small countries. In recent years, the Government of Liechtenstein had ratified the Convention on the Rights of the Child and the international human rights covenants, all of which entailed reporting obligations. Nevertheless, Liechtenstein remained committed to the goal of becoming a party to all six core human rights instruments and was very interested in the ongoing efforts to streamline the reporting procedures. She expressed appreciation to the members of the Committee who had suggested ways of improving the presentation of future reports and assured them that those suggestions would be taken into account.

53. While she was unable to provide a full explanation of why the right to vote had been introduced in Liechtenstein only in the 1980s, she reiterated that Liechtenstein society had long been characterized by traditional views. While the country's economic development had been unusually rapid as compared with other European countries, the social changes related to such development had been delayed, and not only in the field of women's rights. She wished to correct the misapprehension that progress in the area of women's rights was based solely on government policies, without the substantial involvement of civil society. On the contrary, non-governmental organizations had been instrumental in establishing women's right to vote and to be elected to public office; those organizations remained very active.

54. She concurred with Ms. Ryel's view that the Agreement on the European Economic Area and European Union policies on women's rights in general had had a positive impact on the situation of women in Liechtenstein. Given the historic linkage between women's rights and international treaties, the merging of the Ministry of Foreign Affairs with the Ministry for Family Affairs and Equality between Men and Women had been a favourable development.

55. With regard to the situation of single mothers, a ratio of 38 out of 340 children born out of wedlock every year was not unheard of in Europe, and her delegation had been surprised by the concern expressed in that regard. While Liechtenstein had traditionally been and remained a predominantly Catholic country, it was also a modern democratic State, whose policies were not based on particular religious beliefs.

56. With regard to the need to amend the Constitution, she said that a commission of the *Landtag* was considering several constitutional provisions to that end. However, no comprehensive revision process had been contemplated, and the experience of other countries had shown that attempts to undertake a comprehensive review could lead to very limited results or even to a deadlock.

57. Prince Hans Adam II had never annulled a criminal proceeding in progress, and the independence of the judiciary was guaranteed.

58. As indicated in paragraph 34 of the report, her Government was composed of five members. Four members, including herself, held three portfolios, while one member was responsible for one ministry. No changes in the current composition were planned.

The meeting rose at 5.15 p.m.