



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

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

**Pre-session working group**

**Thirty-ninth session**

23 July-10 August 2007

**Responses to the list of issues and questions with  
regard to the consideration of the second and the  
third periodic reports**

**Liechtenstein**



## General

**1. Please provide information about the preparation of the second and third periodic reports, including which Government offices were involved, the extent of their participation and whether the reports had been presented to the Parliament prior to their submission.**

The preparation of both reports was coordinated by the Office for Foreign Affairs. The Office for Foreign Affairs was responsible for obtaining the relevant information and statements from the affected Government offices. Most of the content was the responsibility of the Office of Equal Opportunity. Other involved Government offices included the Immigration and Passport Office, the Office of Vocational Training, the Office of Public Health, the National Police, the Office of Education, the Office of Social Affairs, and the Office of Economic Affairs. Information was also obtained from the Court of Justice and the Office of the Public Prosecutor. The reports were adopted by the Government and subsequently made available to the public on the official Liechtenstein portal. They were not separately submitted to Parliament. The presentation of the reports before the Committee will be brought to the attention of Parliament as part of the Government's accountability report to Parliament.

As recommended by the Committee, the preparation of the third periodic report also included NGOs. All members of the Liechtenstein Women's Network, which currently encompasses 17 organizations, were invited to submit statements. Five of these organizations took advantage of this possibility. The statements have been translated and submitted to the Committee Secretariat.

## Legal issues and institutional mechanisms

**2. While Liechtenstein has withdrawn its reservation to article 9 (2) of the Convention, it maintains its reservation to article 1 of the Convention, with respect to obligations under article 3 of the Liechtenstein Constitution. Please indicate whether any efforts are taking place to review the reservation with a view to its withdrawal.**

Article 3 LV (both old and revised) specifies that the hereditary succession to the throne within the Princely House of Liechtenstein, the age of majority of the Reigning Prince and of the Hereditary Prince, and any guardianship arrangements are to be laid down by the Law on the Princely House. The State thereby recognizes the autonomy of the Princely House with respect to the arrangement of these aspects of the State order.

The Law on the Princely House is an autonomous law of association. It is a legal source outside the legislation of the State. The relationship of State law to the content of the Law on the Princely House relevant to the State must be viewed with respect to the dual system of the Principality of Liechtenstein. Due to the dual system of State, legal norms arising from the autonomy of the Princely House that affect the State (cf. article 3 LV) require the agreement of

Parliament and publication of the relevant resolution, including the relevant provisions of the Law on the Princely House.

According to prevailing doctrine, the enactment of the Constitution of 1921 entailed the approval and adoption of the Laws on the Princely House in force at the time, to the extent that they governed matters included in article 3 LV. They have therefore become part of the Liechtenstein legal order and are legally effective.

With respect to the succession to the throne, the Law on the Princely House (Liechtenstein Legal Gazette 1993 No. 100, article 12) contains the century-old rule of lineal primogeniture, according to which the first-born of the oldest line of the House of Liechtenstein is called to the throne. This rule has been valid since 1606; in accordance with the adoption mentioned above, it has therefore been part of the Liechtenstein legal order since the enactment of the Constitution of 1921.

### **3. Please clarify the relationship, and the division of labor between the Office of Equal Opportunity and the Gender Equality Commission.**

As a permanent advisory body of the Government, the Gender Equality Commission has the following responsibilities:

- Preparation of its own recommendations or proposals to the Government on measures relating to the equality of women and men.
- Submission of statements in the context of consultation procedures on legislative proposals originating from the Government Ministries that affect the equality of women and men in Liechtenstein.
- Preparation of statements at the request of the Government or individual Government Ministers.
- Public outreach through reporting on the work of the Commission and on topics or events concerning the equality of women and men.
- Observation of developments relating to the equality of women and men in Liechtenstein, monitoring of the measures taken, and periodic reporting in this regard to the Government.

The Gender Equality Act outlines the responsibilities of the Office of Equal Opportunity (only in the area of equality of women and men) as follows:

1. The Office of Equal Opportunity promotes the equality of women and men in all areas of life. It advocates on behalf of the legal and actual equality of women and men.

2. For this purpose, it undertakes the following tasks in particular:

- (a) it advises authorities and private persons on questions of gender equality;

- (b) it engages in public outreach;
- (c) it conducts research and recommends appropriate measures to authorities and private persons;
- (d) it contributes to the preparation of enactments by the State, to the extent they are relevant to gender equality;
- (e) also in cooperation with public or private institutions, it develops advancement programs, conducts products, and participates in projects;
- (f) it reviews applications for grants under articles 16 and 17 and monitors implementation of the advancement programs.

3. According to paragraph 2(a) to (c), the Office of Equal Opportunity is independent in the execution of its responsibilities.

The areas of responsibility of the Gender Equality Commission therefore differ from those of the Office of Equal Opportunity (with respect to equality of women and men) as follows: The Gender Equality Commission does not advise authorities and private persons, its public outreach is limited, it does not conduct research; it does not develop advancement programs and it does not review applications for subsidies under the Equal Opportunity Act. In contrast to the Office of Equal Opportunity, the Gender Equality Commission does not carry out its own projects. Projects are initiated by the Commission in consultation with the Office of Equal Opportunity, while implementation falls within the scope of the Office of Equal Opportunity. Additionally, statements for consultation procedures and the like are, if possible, jointly drafted and submitted.

**4. Please indicate what arrangements are in place to ensure that the expanded mandate of the Office of Equal Opportunity does not lead to a weakening of efforts to eliminate discrimination against women.**

As mentioned in the third report, the starting point for the expansion of the Office of Gender Equality into the Office of Equal Opportunity was the realization that the promotion of equal opportunity cuts across areas and offices. By concentrating all tasks relating to equal opportunity within a single office, the Administration can do justice to this circumstance and the mutual impact of discrimination in different areas. With respect to the promotion of gender equality, the consolidation of topic areas has the advantage that multiple discriminations against women can now be better recognized and dealt with.

In the Office of Equal Opportunity, the topic areas have been divided into gender equality, migration, integration, social discrimination, disability, and sexual orientation:

- The Office of Equal Opportunity is staffed with the equivalent of 2 full-time positions. The equivalent of 1 full-time position is reserved for the area of gender equality. This

corresponds to the staffing level in the former Office of Gender Equality. The position is split between two staff members of the Office;

- One staff member works 40 per cent – this staff member is exclusively assigned to the area of gender equality;
- Another staff member who works full time spends 60 per cent of her workload on gender equality. The other 40 per cent are allocated to the areas of disability, sexual orientation, and management of the Office;
- The areas of migration, integration, and social discrimination are primarily the responsibility of one staff member with a 60 per cent workload.

The staff members of the Office of Equal Opportunity keep a work log. This work log allows them to keep precise track of and document the work they carry out in half-hour increments. This tool serves to verify the hours spent on each of the topic areas.

The new organizational structure and the responsibilities of the expanded Office of Equal Opportunity and the Gender Equality Commission will likely be reviewed in 2009. This planned evaluation of the Office will also provide information on the current significance of the area of gender equality.

### **Employment and reconciliation of work and family life**

#### **5. Please explain what measures are being taken to reduce the unemployment rate of women, in different sectors, and the impact of such measures.**

With respect to labor market measures to improve the opportunities of unemployed women on the labor market, the responsible Office of Economic Affairs pursues a demand-oriented and need-oriented approach: The needs of each individual person are assessed, so that appropriate measures can be taken. Although this means that no institutionalized programs are specifically offered for women, this approach takes thorough account of the needs of women. Also, an individual review of the effectiveness of the measures taken is ensured. It cannot be ruled out that programs will be conducted specifically for women in the future – always provided that there is a need on the part of job-seekers and that the effectiveness of the measures for the affected women would be enhanced thereby.

Also of note is the assistance provided by the Office of Equal Opportunity to women who, after a phase of working in the family, plan to reenter their careers.<sup>1</sup>

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<sup>1</sup> See CEDAW/C/LIE/3, Part. 2, Section III, Art. 11.

**6. The third periodic report describes the availability of childcare facilities in Liechtenstein. What other measures are in place to enable women to balance their family and professional responsibilities and to pursue their careers.**

**Part-time work directive.** In 2006, Directive 1997/81/EC on part-time work was implemented into Liechtenstein law. The resulting legislative amendment<sup>2</sup> supports the promotion of part-time positions and thereby the compatibility of family and career. The General Civil Code now specifies that employers must consider applications by full-time employees to switch to part-time employment and vice-versa. The access of part-time employees to management positions and professional training should be facilitated and professional mobility promoted (see General Civil Code, article 36a). The amendment also specifies that part-time employees should be treated the same as comparable full-time employees (General Civil Code, article 8b).

Awareness-raising campaigns such as the traveling exhibition "Family and Career in Balance" are making flexible working hours models popular among private employers.

In November 2006, the campaign "Gender equality pays off" was launched. The goal of the campaign is to raise awareness of the Equal Opportunity Act among employees and employers. One topic is the prohibition of discrimination against part-time employees.

A parliamentary postulate of 17 May 2006 invited the Government to investigate different socio-political questions in order to develop targeted support for families that responds to their actual needs. Some of the questions concern how to improve the compatibility of family and career. The response to the postulate is expected to be presented to Parliament before the end of the year.

As part of the European Year of Equal Opportunities for All, in which Liechtenstein is participating actively, a meeting on the topic of equal opportunity in the workplace is being planned, part of which will be dedicated to gender equality in the workplace.

**National Administration.** In 1999, the National Administration passed a Working Hours Ordinance.<sup>3</sup> This ordinance sets out several possible working hours models in the National Administration. All working hours models are based on the system of flexible working hours. Where work processes allow, this responds to the personal needs and wishes of employees to the extent possible when allocating working hours. The following working hours models are offered:

(a) full-time employment, with consistent and regular working hours;

(b) the annual working hours model, in which the total of annual working hours for the next calendar year is fixed at 70 per cent to 105 per cent of the workload agreed in the employment contract;

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<sup>2</sup> LGBI. 2006 No. 46.

<sup>3</sup> LGBI. 1999 No. 112.

- (c) part-time employment;
- (d) job sharing, in which two or more persons split one position.

**Implementation of the Working Hours Ordinance in the National Administration.** In general, the National Administration offers a large number of part-time positions in comparison with other employers; most of these positions are filled by women. As of 31 March 2007, the National Administration employed 865 staff members, 228 of whom worked part time. Of these part-time positions, 181 were filled by women. Staff members wishing to reduce their workload upon the birth of a child are normally allowed to do so, if agreement with the employing office is reached. In recent years, fewer and fewer women have left their careers entirely after the birth of their first child, and only very few continue to work full-time. Most women reduce their workload after the birth of their first child to 50 per cent to 80 per cent. This trend is certainly also supported by the offerings of the administration-internal child-care facilities.

**Day school structures.** A Government Resolution of 17 May 2006 adopted measures on "Day structures – day schools". The Government plans to establish two day schools or partial-day schools at existing locations for the 2007/08 school year, in cooperation with the municipalities. Furthermore, all municipalities are called upon to observe the mandate of "Supporting single parents and the careers of both parents" in their coordination and development work. The Government has also recommended that all school administrators expand their offerings relating to "Homework assistance/tutoring" in accordance with needs and bring them to the attention of parents.

**Total revision of the Vocational Training Act.** On 3 October 2006, the Government proposal was circulated for consultations. The revision intends to support the promotion of equal opportunity. For instance, various options for the certifying qualifications will be possible, which do not necessarily depend on the specific educational path taken. This enhanced flexibility not only serves to promote the equal opportunities of women and men. It also benefits everyone who, for whatever reason, has missed out on educational possibilities. The Vocational Training Act is expected to be considered by Parliament in a first reading in the autumn of 2007.

**"Family managers on the path to recognition".** This project of infra – the Information and Contact Center for Women won the Equal Opportunity Prize in March 2006. The goal of the project is to raise awareness of achievements in family work, to bring skills in family work to light, to evaluate them, and to allow them to be credited in the working and educational world. In this way, concrete improvements will be achieved for women and men working in the family. In March 2007, the project was launched at an event featuring various speakers. First status-assessment and career-planning workshops were also conducted in March. Other planned project components include seminars so that family managers can develop and demonstrate their skills.

**7. What percentage of eligible parents, mothers and fathers, have availed themselves of parental leave since it has been introduced?**

This question cannot be answered in detail, since no comprehensive and regular statistics are kept in this regard. Indications concerning parental leave are provided by a survey on parental leave that the Economics Division of the Office of Economic Affairs conducted in July 2006 in connection with answering the postulate on the promotion of families.

Took part in the survey, 28 enterprises employing a total of 8,692 persons. This represents 29 per cent of the total number of employees as of 31 December 2005. 13 of the responding enterprises employ 250 or more people.

In the 28 responding enterprises, 187 women became mothers between 1 January 2004 and 31 July 2006. Of these 187 women, 98 (52 per cent) resigned after the birth of their child. According to this survey, a total of 28 employees took advantage of the possibility of parental leave in the 28 responding enterprises. 18 of these were women, 10 were men. In all 28 cases, these people worked in large enterprises with 250 employees or more.

In the National Administration, 8 employees took advantage of parental leave. 5 of these employees were men.

**Violence against women**

**8. Please provide an update on the status of the draft victims assistance act, including whether it has been adopted by Parliament, and its content and the progress in its implementation.**

The draft of the Victims Assistance Act was approved by the Government in May 2006. The goal of the proposal, namely the best possible support for victims, will be achieved on the basis of the two pillars of "counseling" and "financial assistance". Parliament considered the law in a first reading in June 2006. The basic content of the law was undisputed.<sup>4</sup> However, the second reading and adoption by Parliament are now expected to take place in the June session of Parliament. No further changes to the content are expected.

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. Its goal is to provide the necessary assistance in individual cases with respect to medical, psychological, social, material, and legal needs or, if it cannot provide such assistance itself, to find appropriate providers and to give information on victims' assistance. Both urgent immediate help must be guaranteed around the clock, and longer-term assistance must be ensured. 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.

<sup>4</sup> The proposal is based on the Swiss Victims Assistance Act, which was revised in 2006. For reasons of legislative classification, Liechtenstein has had to wait for this revision to be completed. This has resulted in a delay of the adoption of the Victims Assistance Act in Liechtenstein.



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.

**9. Please provide updated data on the prevalence of all forms of violence against women, including domestic violence and sexual harassment.**

**10. Please provide information on the number of complaints of violence against women, number of prosecutions of perpetrators, as well as the number of convictions and sentences imposed.**

### **Violence Protection Act**

In its 2006 statistics, the National Police recorded 28 cases of domestic violence. In 5 cases, the perpetrator was expelled from the home, and in 10 cases, the perpetrator was barred from reentering the home. In 7 cases, both partners were both victims and perpetrators of violence. A total of 4 children/adolescents were affected by violence in 2006. Criminal prosecution was initiated in 12 cases of domestic violence.

In the first quarter of 2007 (January – March 2007), the police intervened in 8 cases of domestic violence. Expulsions were ordered in 2 cases and prohibitions of reentry in 3 cases. By 31 March 2007, 4 criminal proceedings were initiated. All four cases are still pending.

### **Offenses against sexual integrity**

In 2006 2 new investigations of rape were initiated. In one case, charges were filed, but they did not lead to a conviction. Also, in the same year 14 new investigations of sexual harassment were initiated. In 4 cases, charges were filed. 3 of these cases resulted in a conviction.

A total of 28 women sought support from the Liechtenstein Women's Home in 2006, 15 of whom decided to stay in the Home at least for a short period. Of these, 11 women were

residents of Liechtenstein, and 4 were residents of Switzerland. In total, women seeking help stayed in the Women's Home for 472 days. The team of the Women's Home sought to provide solutions in 516 consultations by phone or in person. 96 phone calls related directly to domestic violence.

**11. Within the context of the Violence Protection Act, the majority of police interventions have led to mediation (see third report). Please explain the difference between mediation and invitations to counselling by the Office of Social Affairs. How has the Violence Protection Act contributed to preventing and ending violence against women? Has its effectiveness been assessed by the Government since its adoption in 2001, and if so, what were the findings?**

The formulation of this statement in the report was confusing. It is not the case that mediation and counselling by the Office of Social Affairs are two different procedures. When a police officer mediating on site concludes that the situation requires in-depth counselling accompanied by experts, the persons concerned are referred to the Office of Social Affairs. Counselling by the Office of Social Affairs is therefore a continuation of the mediation initiated on site and is carried out by specially trained experts.

As already mentioned in the report, regional cooperation in the field of gender equality is of the utmost importance to Liechtenstein. The social circumstances in Liechtenstein and its neighboring countries of Austria and Switzerland, especially in the border regions, are similar and largely comparable. In this connection, the Office of Equal Opportunity and the Office of Social Affairs have carried out an informal comparison of the frequency of violations of violence protection legislation in Liechtenstein and Austria. This comparison is not meant to be published, but rather only to make general tendencies visible and to serve as an orientation guide and support for the work of the involved Government offices in this area. The comparison clearly shows that Liechtenstein does not exhibit any significant deviations in the frequency of violations of violence protection legislation in comparison with its neighboring country. Relative to the size of the population, the percentages of such cases are very similar. This comparison shows again, however, how volatile statistical data in the case of Liechtenstein is. Because of the low absolute number of violations (approx. 16 per year), merely a few cases can already trigger dramatic fluctuations.

**12. Please provide further information on the programme and duration of training for police officers, judicial officers and counsellors working on cases concerning violence against women.**

All newly recruited officers of the security and traffic police receive one day of basic training on the problem of violence. As part of several workshops, continuing training is conducted and current cases are regularly discussed. This permits an in-depth treatment of individual fact patterns. Continuing training on the basis of concrete cases occurring in Liechtenstein also allows better consideration of the specific circumstances and demands, such as the fact that, due to the small size of the country, the officers may personally know the perpetrator or the victim.

On 1 January 2005, a partial revision of the Code of Criminal Procedure termed the "Victims Protection Act" entered into force. The goal of this legislative amendment is to improve the legal status of victims in criminal proceedings by establishing a procedural right to the gentlest possible, respectful treatment. In particular, the interests of young victims and victims of sexual offenses are taken into account more strongly. Upon introduction of these provisions, special training on victims protection was conducted for all judges and prosecutors.

### **Political representation and decision-making**

**13. The representation of women remains low in Government, Parliament, municipal councils, commissions and advisory councils and other public bodies. What measures are being undertaken to realize women's full and equal participation in such bodies, including the use of temporary special measures in accordance with article 4, paragraph 1 of the Convention and the Committee's general recommendations Nos. 23 and 25?**

In the 2003 – 2007 term, the share of women in the Municipal Councils was 27.4 per cent. The Gender Equality Commission set the goal of increasing the share of women in the 2007 elections. For this purpose, the Commission conducted talks in January 2006 with the media and the local chairpersons of the Progressive Citizens' Party and the Patriotic Union. The content of the talks included the research conducted by Dr. Wilfried Marxer on the "Electoral Chances of Women in Liechtenstein Politics" and the surveys of female candidates conducted by the Liechtenstein Women's Network after the 2005 parliamentary elections. The Commission also pointed out the availability of resources such as the Women's Pool Database, the checklist for political parties, and the politics course.

In May 2006, a newspaper article was published to motivate women for political work. In Mauren and Schaan, information events were held in June 2006 for politically interested women. The female Municipal Councillors and the Mayors of each municipality took part in the moderated events. They reported on their work in the municipality and called upon women to make themselves available for political office.

In the 2007 municipal elections, a total of 52 women ran for the Municipal Councils. 29 women were elected. The share of women in municipal councils is therefore now 27.3 per cent. 55.8 per cent of all female candidates were elected, and 53.8 per cent of all male candidates.

All 11 municipalities have a male Mayor. In 5 of the 11 municipalities, a female Deputy Mayor was appointed by the Municipal Council. Based on the statements made so far in the political debates, binding measures are likely to be rejected by a majority. In the past, the main measure discussed was a quota.

## Education and stereotypes

**14. Please explain what steps the Government is undertaking to encourage young women and men to consider a wider range of occupations rather than focus narrowly on traditional career choices, and the impact of such measures over time.**

The Government is approaching the issue at several levels to expand the career choices of young women and men. For this purpose, different target groups are addressed: parents, teachers, businesses, children, and young people. The approach does not exclusively focus on career choices. Initiatives have also been undertaken to raise awareness at different levels.

As mentioned in the report, the "Images of Men" group has been launched. Its "Fathers' Day" project, for instance, aims to expand the career choices for young women and men. In particular, the career choices of girls are expanded, since most fathers work in traditional male careers and the girls are thereby able to gain very good insight into their everyday work.

**Workshops conducted at continuing schools.** The goal of the workshops is to shape the specific attitudes of women through a positive identification of young people with women as historic figures. By considering various women who have become part of history, world history is perceived in a more comprehensive way – as a living construction that has been shaped jointly by women and men. A further goal is to raise awareness of the long-lasting oppression of women, by reflecting on the reasons for the emergence of the women's movements, ultimately leading to International Women's Day. The workshops were conducted in March 2006 and 2007 in continuing school classes.

The Bureau for Sexual Matters and HIV Prevention, Tips and Info for Young People, and Gutenberg House have conducted Girl and Boy Power Days since 2004. The gender-specific offerings for both genders make a contribution to the gender equality of girls and boys in puberty. Both offerings are not limited to sex education, but also discuss the relationship of young people to their role expectations and the other gender. The project was the runner-up for the Equal Opportunity Prize in 2004.

**Campaigns and impulses relating to work with boys.** The project on gender-specific pedagogy was launched at the impulse meeting entitled "Girls' Dreams – Boys' Dreams" in 2002. The project offered a lecture series, a workshop series, and annual training for kindergarten and lower primary school teachers. Of course, activities focusing on one gender always also have an impact on the other. The general goal is to break up role stereotypes, expand the fields of exploration and life for boys (and girls), open up horizons, and gain the freedom to discover something new.

None of the measures are intended to have an immediate measurable effect. However, by questioning role images, showing expanded career opportunities, and sensitizing children and young people, teachers, businesses, and parents, changes in behavior will be brought about in the medium term.

**15. Please provide data disaggregated by sex on students graduating from tertiary education and broken down by fields of study, and trends over time.**

The share of women has not changed since the report was submitted in July 2006. Minor changes have occurred with respect to choice of studies. Given the small absolute number of tertiary students in Liechtenstein, small shifts can already have a major impact on the percentages. In 2006, 39.5 per cent of female Liechtenstein students studied humanities and social sciences (2003/04: 43.3 per cent), 18.8 per cent law (2003/04: 19.6 per cent), 14.7 per cent economics and business (2003/04: 12 per cent), and 12.4 per cent medicine (2003/04: 10.2 per cent).

Male tertiary students primarily studied economics and business (28.3 per cent; 2003/04: 25.5 per cent), followed by humanities and social sciences in second place (21.7 per cent; 2003/04: 20.4 per cent), law in third place (19.8 per cent, 2003/04: 18.2 per cent), and exact and natural sciences in fourth place (14.3 per cent; 2003/04: 17.1 per cent).

**16. According to the third periodic report, a number of measures have been taken by the Office of Equal Opportunity to combat gender stereotypes. Please provide information whether any assessment of the impact of these measures has been undertaken, and if so, what lessons have been learned and how these have informed policy development.**

The measures taken by the Office of Equal Opportunity have so far not been assessed with respect to their effectiveness. The Office does, however, compile a catalogue of measures each year that is submitted to the Government. Implementation of the individual measures is evaluated. A concept is developed for each project and campaign. Within this concept, the goals and goal attainment criteria are defined. Upon completion, each project/campaign is evaluated according to the criteria defined in the concept.

Many measures aim to change attitudes. Success and failure cannot be directly measured in this area.

**17. Please discuss the portrayal of women in the media. Has there been any analysis of the role of the media in perpetuating or combating gender-role stereotypes, and if so, what follow-up action has been taken in response to any findings?**

The Gender Equality Commission has observed the portrayal of women and men in both Liechtenstein daily newspapers and the Liechtenstein radio station for the last several years. In addition, the Commission conducts talks with people working in the media (every one to two years). The most recent talk took place in October 2005. Using concrete examples, the portrayal of women in the Liechtenstein media is discussed. Additionally, a letter was written to both national newspapers in December 2006, drawing attention to the lack of images of female candidates for Municipal Councils.

## Health

### **18. Please explain why contraception is not covered by State health insurance.**

Access to family planning is guaranteed for everyone as part of the public health system. The Pregnancy Counseling Service offers professional and personal advice in the event of unwanted pregnancy, along with support for mothers during and after pregnancy. In addition, women receive medical and psychological help from doctors and therapists. The costs of these measures are partially covered by the health insurance schemes. Public funds do not cover legal contraception in Liechtenstein.

No cases are known in Liechtenstein where this solution has caused any difficulties. This is primarily due to the fact that the standard of living in Liechtenstein is high. The healthy economic environment allows most inhabitants to enjoy a secure income.

### **Migrant women and asylum seekers**

### **19. Please provide information about the employment, social security and health-care services available to migrant women who are non-European Economic Area citizens.**

## Employment

### *Immigration law*

The immigration law provisions relevant to the employment of foreign workers are:

1. According to article 14 of the Ordinance on the Movement of Persons, Liechtenstein Law Gazette LGBI. 2004 No. 153, foreign citizens desiring employment require a notification confirmation or an authorization. This is subject to deviating provisions in the PVO (e.g., in the first eight days within 90 days, service providers are not subject to the notification or authorization requirement).

2. According to article 15 of the PVO, authorizations and notification confirmations may only be granted or issued to foreign workers if the employee is hired for the position in question according to the salary and working conditions usual for the location, the type of employment, and the labor market situation.

3. According to article 72, paragraph 1 of the PVO, the spouse and the dependent children of citizens of third countries legally residing in Liechtenstein have the right to engage in employment in Liechtenstein, as long as the authorization of the person from whom the right of the family members to family reunification is derived remains valid. According to paragraph 2, a long-term residence permit, which may be issued after 5 or 10 years, is required for self-employment. These provisions are subject to provisions in specialized legislation.

### *Employment contract*

The same legal provisions apply to the employment contracts of all employees working in Liechtenstein. There are no specific differences between the employment relations of citizens, residents, and cross-border commuters. Everyone is subject to the same employment contract law contained in § 1173(a) of the General Civil Code.

### *Remuneration*

As a rule, salaries are negotiated between employers and employees. The social partners may conclude wage agreements and collective employment agreements. Only the standard labor agreement and the minimum wage guidelines for domestic and agricultural workers are specified by the Government.

### *Labour Act*

The Labour Act and its five ordinances also apply to all persons employed in Liechtenstein, i.e., there are no specific differences between employment relations of citizens, residents, and cross-border commuters. Among other provisions, the Labour Act and its five ordinances encompass safety and health protection, authorizations of plans for commercial and industrial operations, working hours and rest periods, responsibilities of employers and employees, and special provisions for specific groups of employees such as young people and pregnant women.

### *Domestic workers*

Domestic workers and their employers are subject to a binding standard labor agreement (Publication of the Standard Labor Agreement for Domestic Workers, 17 November 1997, Liechtenstein Law Gazette LGBl. 1998 No. 2) and binding minimum wage provisions laid down by the Government. These provisions are subject to the compulsory and supplementary provisions of employment contract law and the provisions of public law.

The standard labor agreement governs the scope, mutual responsibilities, working hours and free time, vacation, wages, social insurances, and the beginning and ending of the employment relationship. The wage guidelines are gradated according to age, education, and activity. The work of au pairs and babysitters is also covered.

Like all other employees, domestic workers may turn to the Office of Economic Affairs if they have questions relating to labor law, where they will obtain the necessary information.

### **Social security**

Citizens of third countries employed in Liechtenstein are subject to the legal social insurance systems. If they work in Liechtenstein as cross-border commuters, they are exempt

from mandatory health insurance coverage. An exemption from mandatory occupational pension plans exists for employees who are not continuously employed in Liechtenstein and who have sufficient pension coverage abroad. The benefits of Old Age and Survivors' Insurance, Disability Insurance, and occupational pension plans are also paid out if the insured party's residence is no longer in Liechtenstein.<sup>5</sup>

## Health

Residents of Liechtenstein and people working in Liechtenstein are subject to compulsory health and accident insurance. Insured persons have unrestricted access to all health services in the country. In addition, they may access many health care facilities in Switzerland and Austria.

### **20. Please indicate whether consideration is being given to enabling women to seek refugee status on the basis of gender-based persecution.**

The definition of refugee in article 5 of the Law on the Acceptance of Asylum Seekers and Persons in Need of Protection (Refugee Act; LGBl. 1998 No. 107) is based on the corresponding provision in the Convention of 28 July 1951 relating to the Status of Refugees (Refugee Convention), to which Liechtenstein is a State Party. Article 5, paragraph 1 explicitly lists persecution on the basis of gender as a recognized reason of persecution. During consultations on the Refugee Act, UNHCR also expressly welcomed the recognition of persecution on the basis of gender in Liechtenstein law.

## Optional Protocol

### **21. What steps are being taken to publicize the Optional Protocol and encourage its use?**

On the official Internet portal of Liechtenstein, a new chapter on Women's Rights has been included under Foreign Policy > Human Rights. The chapter includes a presentation of the Convention and the Optional Protocol. Information is also provided on the United Nations Special Session on "Women 2000: Gender Equality, Development and Peace for the Twenty-first Century", the Beijing Platform for Action, and its implementation in Liechtenstein. The following texts relating to Liechtenstein policy on the advancement of women's rights have been published on the Internet portal:

- text of the Convention
- text of the Optional Protocol
- all three periodic reports submitted to the Committee so far on implementation of the Convention
- the Concluding Observations of the Convention on the first periodic report

<sup>5</sup> This principle is limited in the case of Disability Insurance, which pays 25 per cent-benefits (benefits in cases of a low degree of disability) only to persons living in Liechtenstein.



This provides interested civil society with access to key documents and materials on international and Liechtenstein strategies for the advancement of women's rights.

On International Women's Day, articles are published in all national newspapers drawing attention to the global, international legal context and the national measures for the advancement of women's rights.

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