



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

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

**Summary record of the 414th meeting**

Held at Headquarters, New York, on Wednesday, 27 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 3.25 p.m.*

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

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

1. *At the invitation of the Chairperson, Ms. Fritzsche and Mr. Wenaweser (Liechtenstein) took places at the Committee table.*

2. **Ms. Fritzsche** (Liechtenstein), replying to questions from Committee members, said that the Commission on Equal Rights for Men and Women had not been formally dissolved after its members, with the exception of the Chairperson, had resigned in 1992. It had been officially reconstituted in 1994 and currently consisted of eight members — three men and five women — and the head of the Equality Bureau, who served in an advisory capacity. The Commission assisted the Government as a whole and was not under the authority of a specific Ministry. Its mandate would be formalized in article 18 of the new Equal Rights Act. Article 19 of that Act would set forth the mandate of the Equality Bureau, which had been established in 1996 and was directly linked with the Ministry for Family Affairs and Equality between Men and Women. The Equal Rights Act would allow women to file complaints with the national courts, which dealt with employment in private companies, or the Administrative Court, which dealt with employment in the public sector. The Act also established a conciliation procedure as a requisite first step before a formal legal complaint could be filed.

3. The Ombudsman received complaints and suggestions concerning the work of the national administration and transmitted them to the relevant ministry for consideration; he also provided advice on legal matters. The Ombudsman participated in an advisory capacity in the work of the Commission on Equal Rights for Men and Women; however, since the establishment of the Equality Bureau, many complaints were addressed directly to the Bureau.

4. In compliance with a deadline set by the Division for the Advancement of Women in November 1997, Liechtenstein had submitted an interim response containing a draft action plan on implementation of the Beijing Platform for Action. In May 1998, the

Government had adopted a documentation of national strategies and had considered a comprehensive set of measures for implementing the Platform for Action. All ministries were involved in the implementation process, which was coordinated and monitored by the Ministry for Family Affairs and Equality between Men and Women. The outcome of the Beijing Conference was a crucial aspect of Liechtenstein's policies on women's issues and the implementation of the Platform would be reviewed on an annual basis.

5. The Convention had been published in Liechtenstein, and a German text of the Convention had been transmitted to all women's organizations for further dissemination. It had been made available at the last Industry, Commerce and Trade Exposition and had been the subject of government press releases. The outcome of the Committee's consideration of Liechtenstein's initial report would also be disseminated.

6. A distinction must be made between children born out of wedlock and children of single mothers, "single mother" meaning a woman who was widowed, separated, or divorced. The Government paid particular attention to the situation of single mothers through a support system that provided for child allowances for every child, regardless of family status; alimony paid by the father of the child based on a court decision and assessed according to the father's income (alimony based on a consensual agreement between the child's parents would in the future also be an alternative); State support where alimony was insufficient; rent subsidies ranging between \$350 and \$1,000, depending on the financial circumstances of the person concerned; and additional child allowances of about \$50 for single parents. The *Landtag* was currently considering a proposal on the use of a mediator to assist divorced couples in settling details regarding joint custody.

7. There were no long waiting lists for child-care facilities. The majority of applications for such facilities were submitted by full-time or part-time employees.

8. In 1998, the Government had provided about \$600,000 in financial support to non-governmental organizations active in the area of women's rights.

9. Under the 1992 Constitutional Law, the Supreme Court had considered six cases involving gender discrimination in such areas as alimony, taxes, social security and citizenship. Several of the Court's

decisions had accelerated the amendment of the relevant legislation.

10. All foreigners residing temporarily or permanently in Liechtenstein were granted the rights guaranteed to them under the international treaties to which Liechtenstein was a party as well as under the relevant provisions of Liechtenstein's domestic legislation. Nationals of States parties to the Agreement on the European Economic Area (EEA) were treated the same way as Liechtenstein nationals, except in the area of political rights. Foreigners from non-EEA countries were not entitled to scholarships, loans or other financial support until they had resided in Liechtenstein for five or, in the case of nationals of countries with which Liechtenstein had reciprocity agreements, two years. Primary and secondary education was compulsory and free of charge for all students; special instruction was provided for children who were not native speakers of German.

11. In December 1996, the total population of Liechtenstein was 31,143 of which 51.3 per cent were women. Liechtenstein's fertility rate, which in 1997 was 1.3 per cent, was comparable to that of other European countries. In 1997, there was an average of 3.4 persons per household. The 11 communes were divided into two electoral districts, the *Oberland* and the *Unterland*, which were represented in the *Landtag* with 15 and 10 seats, respectively. Ad hoc commissions were established to monitor the conduct and outcome of elections.

12. There were no gender-disaggregated data on violence against women; moreover, not all such offences were reported. The Women's House had been established by the Information and Contact Network for Women, a non-governmental organization, and received major funding from the Government. Since it was the only women's shelter in the region, most of its residents were from neighbouring countries. Many women, together with their children, remained in the shelter for long periods of time.

13. Liechtenstein's current legislation did not contain a definition of gender discrimination; however, article 1 of the new Equal Rights Act would define gender discrimination in the workplace. Liechtenstein applied the monistic system with regard to international treaties, and the definition of gender discrimination as contained in article 1 of the Convention was directly applicable in the Liechtenstein legal system.

14. The brochure issued by the Information and Contact Network for Women, entitled "Living together without a marriage certificate", specified areas in which the female partner in an unmarried couple did not have the same rights as a married woman. The brochure recommended that couples should conclude written agreements, particularly if the woman engaged in unremunerated work.

15. The question of whether, and in what situations, affirmative action was an appropriate means of promoting women's rights was a subject of political debate in Liechtenstein. Preference was given to women candidates for government posts in cases where there were equally qualified candidates of both sexes and women were underrepresented in the department in question. The Equal Rights Act authorized the Government to provide financial support to companies in order to help them to promote the advancement of women.

16. In the field of education, the ongoing curriculum review should help to eliminate gender stereotypes. Follow-up to the work of the Commission on Promotion of Equality of Opportunity for Girls and Women in Education would be of great importance in that regard. The provisions of Liechtenstein's legislation on inheritance were gender-neutral and did not discriminate against women.

17. There was a need for a political debate involving both men and women to address the issue of violence against women. Attitudes towards the Government's role in that regard had been influenced by the Committee's general recommendation 19, the General Assembly's Declaration on the Elimination of Violence Against Women, the establishment of a thematic mechanism by the Commission on Human Rights and the visit to Liechtenstein of the Special Rapporteur on violence against women. It was anticipated that amendments to the Penal Code and the draft protection against violence act would make marital rape and sexual harassment in the workplace illegal. Under existing legislation, psychological and physical forms of domestic violence were punishable by fines or imprisonment of up to 10 years. Prostitution practised in a manner that caused justified public offence was a crime punishable by up to two years' imprisonment. Draft legislation would reduce those penalties to a maximum of six months' imprisonment or a fine.

18. While there were no gender-disaggregated data on women's participation in elections and referendums, voting was in principle compulsory and the turnout at such events was invariably high. In response to the disappointing results of female candidates in the most recent elections to the *Landtag*, the Government had carried out a survey, on the basis of which the Commission on Equal Rights for Women and Men and the Equality Bureau had developed a set of measures, which had been published as a brochure in September 1998. Although there was no information on the party preferences of younger and older women, female candidates were most readily accepted by persons between the ages of 35 and 49. Since political parties did not maintain membership lists, there was no information on the number of women belonging to Liechtenstein parties. One of the three political parties applied a quota system. Courses on civil education were offered to the public by various non-governmental organizations and to civil servants by the Government. Succession to the throne was determined by the Princely Family.

19. Although Liechtenstein had no universities, students wishing to study abroad were provided with adequate financial support. A large number of foreign universities was situated close to Liechtenstein. Traditional cultural patterns were responsible for the low percentage of women who opted for higher education, and the Government was currently endeavouring to address that problem. There was no gender discrimination in the granting of educational scholarships and loans, which were based on the financial circumstances of the applicant and his or her family.

20. Apprenticeship was a professional training programme that consisted of a practical component, offered by companies, and a theoretical component, taught at vocational schools. An apprenticeship lasted between two and four years and could be combined with a pre-university curriculum.

21. With regard to the question of flexible working hours, an ordinance applicable to the national administration, which would enter into force in April 1999, provided for different models of working hours for both men and women. Part-time work by either sex was not prohibited by law, although the policies of some companies did not permit such work. Part-time employees were entitled to unemployment and health

insurance, and those who had a certain annual income had access to a pension fund.

22. The revision of the Labour Act in 1997 had abolished all provisions concerning special protection for female employees, except those that applied to pregnant women and nursing mothers. The prohibition of night work for women applied only to mothers. A woman who did night work prior to her pregnancy had to be offered comparable work during the day or be paid 80 per cent of her previous income. Moreover, a woman could not be dismissed during her pregnancy or during the 16 weeks following delivery. After the maternity leave of 20 weeks, a dismissal was no longer contradictory with existing legislation.

23. With regard to the measures that had been taken to promote women to senior positions, several women in the national administration held senior positions and were employed on a part-time basis. The Guidelines for Improving the Representation and Occupational Status of Women in the Public Service were also meant to set an example for companies designing their own policies and would thus have a far-reaching, beneficial effect on the situation of women.

24. The Equal Rights Act protected the rights of women under the law and alleviated the burden of proof to the extent that the woman concerned needed only to present a credible claim of discrimination. It was then for the employer to prove that the alleged discrimination had not taken place. The Act also provided for class-action suits and for protection in cases of retaliatory dismissals.

25. The Labour Contract Act guaranteed equal payment for work of equal value. Discussions on the concept of "work of comparable value" were also taking place, and Liechtenstein was following developments in other countries, particularly the countries of the European Union, with great attention.

26. The current tax system did not offer any advantages to households in which one parent was a homemaker. However, joint tax-filing by spouses did offer certain advantages for women in difficult situations, such as separation and divorce.

27. With regard to pensions, the overall goal of the recently introduced pension system was to eliminate all existing forms of unequal treatment, including gender discrimination. The reform of the pension system had achieved that goal by splitting the pension expectancy

for married persons. The relevant average income of the couple during their years of marriage was divided equally between the two spouses, thereby offering the necessary protection to persons who had not been gainfully employed for extended periods of time. Calculation of the pension of a widowed person was based on the hypothetical pension that the deceased spouse was entitled to receive at the time of death. Under the Separation and Divorce Law, which would enter into force in April 1999, all assets accumulated during marriage, including the pension fund, would be divided equally between the spouses.

28. Access to family planning was guaranteed under the public health system. The Centre for Maternity provided financial support and counselling to mothers both during and after pregnancy. Family-planning and counselling services were covered by health insurance. Although the cost of contraceptives was generally not covered, there were no legal obstacles to their use.

29. Abortion in Liechtenstein was legal when the woman's life was in serious danger or if she was under the age of 14. The costs incurred for such abortions were covered by health care. No illegal abortions or abortions leading to the death of the woman concerned had been reported in recent years, although it could be assumed that women sought abortions in neighbouring countries. Under existing legislation, sterilization was available to persons over the age of 25.

30. Public information campaigns on HIV/AIDS were carried out by a special centre that received financial support from the Government. The campaigns encouraged the use of condoms and had contributed to the greater use of contraceptives in general. The centre offered special courses for girls between the ages of 11 and 16, which were intended to empower young women and enhance their self-confidence.

31. While Liechtenstein's legislation penalized drug consumption, it had not proven to be a suitable tool for promoting a health-conscious lifestyle among young people. A campaign to prevent substance abuse had been conducted in 1998 to promote awareness among the population as a whole and focus attention on prevention rather than punishment. Equal numbers of men and women were smokers in Liechtenstein. Young women usually started smoking after the age of 16. The consumption of alcohol and illegal drugs, in particular *Cannabis sativa*, was more widespread among men,

while women were more likely to use medication such as tranquillizers, weight-loss pills and sleeping pills.

32. Rehabilitation programmes were conducted both on an out-patient basis and through detoxification treatment in hospitals. Programmes were also available in neighbouring countries through relevant treaties with those countries. Programmes for ageing women were an integral part of the health-care system and increased attention was being paid to the mental health of ageing women.

33. Additional child allowances for single parents were paid for each child, regardless of whether or not alimony was paid. The amount of the child allowance to be paid monthly was determined by the age of the child.

34. Given the small size of its territory and population, Liechtenstein had neither cities nor rural areas in the proper sense of those terms. The entire country was equally accessible by public transportation and there were no differences in schools, health-care systems or recreational facilities. Moreover, there was not a wide gap between "rich" and "poor" parts of the country and no sharp division of wealth and income. In those circumstances, no special measures were required in that field.

35. Liechtenstein would take account of the proposal to change the difference in the required age for adoption. There was no legal discrimination with regard to the right to inheritance and, under the recently adopted Separation and Divorce Law, the parent who had custody of the child was required to pay alimony on a monthly basis.

36. *Ms. Schöpp-Schilling, Vice-Chairperson, took the Chair.*

37. **Ms. Ryel** said that she hoped that Liechtenstein would adopt equal-rights acts that dealt not only with the workplace but with all spheres of life. The adoption of parental leave regulations would help to change attitudes regarding gender roles. She urged the Government to use affirmative-action programmes in order to promote de facto equality. Another area of concern related to the fact that, while more young women than young men were attending university, they still chose traditional fields, which led to job-market segregation.

38. **Ms. Hazelle** said that she was concerned at the Government's replies to the questions she had raised

concerning single motherhood. She failed to understand why a distinction should be made between children born out of wedlock and those being raised by widowed, separated or divorced mothers. It appeared that women who chose to have children on their own were solely responsible for their welfare, which was highly discriminatory.

39. **Ms. Regazzoli** said that she was dissatisfied with the Government's replies to her questions. It was difficult to understand how women in a developed country like Liechtenstein could have the same problems as those in the least developed countries.

40. **Ms. Abaka**, referring to the Guidelines for Improving the Representation and Occupational Status of Women in the Public Service, urged the Government to implement similar policies in the private sector.

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

42. **Ms. Acar** expressed her appreciation to the delegation for its receptive attitude to the Committee's questions.

43. **Ms. Schöpp-Schilling** said that she would appreciate further details on the budgets and staff of the Equality Bureau and the Ombudsman. With regard to the Guidelines for Improving the Representation and Occupational Status of Women in Public Service, it would be helpful to learn whether they were mandatory or recommendatory and whether they included timetables and numerical goals. As to the situation regarding inheritance, it appeared that, while there was no de jure discrimination, men tended to inherit more than women. The Government should carry out an awareness-raising campaign on the issue.

44. While she had been pleased to hear that every employed person had health insurance, it was unclear what impact marginal employment had on social security benefits. She also wished to know the maximum number of years of child-rearing that were taken into account for the calculation of social security pensions.

45. **Ms. Manalo** asked whether the Princely House had the necessary flexibility to move away from patriarchal traditions.

46. **Ms. Corti** commended the State party on the rapid progress it had made towards women's equality.

47. **The Chairperson**, speaking in her own capacity, welcomed the delegation's statement that the

provisions of the Civil Code relating to inheritance had been drafted in a gender-neutral manner and that measures were being taken to bring about changes in the social and cultural patterns of male and female conduct in Liechtenstein. On the subject of female prostitution, the Committee was of the view that Governments should introduce legislation to punish not the prostitutes themselves but also the clients who solicited their services.

48. Speaking as Chairperson, she expressed the hope that the Government of Liechtenstein would ensure the broadest possible dissemination of the results of its consultations with the Committee.

49. **Mr. Wenaweser** (Liechtenstein), replying to the question raised by Ms. Hazelle, said that not all children born out of wedlock were raised by single mothers, since unmarried couples might also choose to raise their children together. Under current legislation, moreover, the father of a child born out of wedlock was also required to pay alimony.

*The meeting rose at 4.50 p.m.*