



**International Convention on the  
Elimination of All Forms of Racial  
Discrimination**

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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Seventieth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)\*  
OF THE 1801st MEETING

Held at the Palais Wilson, Geneva,  
on Wednesday, 28 February 2007, at 10 a.m.

Chairperson: Mr. de GOUTTES

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\* The summary record of the second part (closed) of the meeting appears as document CERD/C/SR.1801/Add.1.

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*The meeting was called to order at 10.15 a.m.*

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION  
SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE  
CONVENTION (agenda item 5) (*continued*)

Second and third periodic reports of Liechtenstein [(CERD/C/LIE/3; list of issues and written replies of the State party (documents without symbol distributed in the Committee room, in English only)] (*continued*)

1. *At the invitation of the Chairman, the members of the delegation of Liechtenstein took places at the Committee table.*

2. Mr. HOCH (Liechtenstein) said that in the Principality of Liechtenstein there were no Roma living as permanent residents and that, as there were no public sites where travellers could stay, the Roma did not pass through the country, preferring to go through Switzerland.

3. Ms. WALZL (Liechtenstein) said that cross-border commuters enjoyed the same salary and working conditions as Liechtenstein workers and that their daily commuting time from their homes, generally near the Swiss or Austrian borders, to their place of work was between 10 and 45 minutes. In view of the small size of the country (160 square kilometres) and the high percentage of foreigners in the population (34 per cent), the possibility of issuing residence permits to foreigners working in Liechtenstein were very limited.

4. Ms. MARXER (Liechtenstein) said that the integration of foreigners was the first task taken on by the Equal Opportunity Commission. It had accordingly drafted an integration policy paper in two parts. The first, essentially theoretical, contained integration policy guidelines aimed, in particular, at developing the potential and competence of all people living in Liechtenstein and promoting cohabitation of all segments of society in a spirit of mutual respect and tolerance. To attain that objective, the State sought to ensure equality of opportunity for all and the participation of foreign residents in the economic, social, cultural and, as far as possible, political life of the country. The second, essentially practical, part of the document set out a whole series of short- and long-term measures in various fields, including religion and culture, education, the labour market, family and social issues and political life. On 27 February 2007, the Government had adopted the first part of the integration policy paper and integration measures should therefore be implemented in the near future.

5. Ms. LÄNGLE (Liechtenstein) said that all of the recommendations of the independent commission of historians on the role of Liechtenstein during the Second World War had been implemented. In particular, an annual Holocaust Remembrance Day had been introduced and, in 2006, the Government had commissioned a source study on the history of the country in the 1930s and 1940s, established criteria for the conduct of scientific studies in that regard and financed two international projects on remembrance of the Holocaust.

6. As a follow-up to the survey on additional care and support structures for families outside the home, the Government had taken steps to improve coordination between childcare centres. Information campaigns and surveys on needs for childcare facilities had been carried out and a pilot project on an all-day school and a project promoting German for children of immigrant families had been launched.

7. In 2004, a working group on the integration of the Muslim population had been set up, composed of representatives of Muslim communities and State officials. In 2005, the working group had submitted a project for the incorporation of Islamic religious instruction in school curricula, on the basis of which the Government should make a proposal in the spring of 2007 and launch a pilot project. The working group was currently studying such matters as the purchase and building of places of worship for the Muslim community and the acquisition of land to be used as cemeteries by members of that community. It was also studying the possibility of inviting a German-speaking imam to take up residence in Liechtenstein.

8. Ms. FROMMELT (Liechtenstein) said that the unemployment rate among elderly foreign workers was not much higher than average. The difficulties of their reintegration in the labour market were due, in particular, to the fact that they were usually construction workers who had had to stop work for health reasons and that they had few qualifications and a poor grasp of German. The Office of Social Services and the Office of Economic Affairs helped such persons to find suitable work or be retrained. Training programmes also existed that enabled them to work for six months in various sectors. Apart from those measures, they were entitled to social aid, including unemployment and disability benefits.

9. Mr. RITTER (Liechtenstein) said that the Equal Opportunity Commission did not meet all the criteria laid down in the Paris Principles relating to the Status of National Institutions, but that, by virtue of its accessibility and administrative simplicity, it usefully supplemented the existing system for lodging individual complaints against the authorities. In addition, it could lodge complaints with the Administrative Tribunal or the Constitutional Court. In order to diversify and support its activities, the Government had submitted a bill to Parliament providing for the appointment of an ombudsman for children and young persons whose mandate had been established in accordance with the Paris Principles and after consultation with civil society. Since the Office of Equal Opportunity and the future ombudsman would be responsible for promoting and protecting all human rights, the Government did not intend, for the time being, to establish a national human rights institution.

10. As for the integration of foreigners of German origin, he recalled that, even though the vernacular language spoken in Liechtenstein was a German dialect significantly different from standard German (*Hochdeutsch*), the latter was the official language of the country and was accordingly used in the media, the administration and education. Furthermore, according to the Liechtenstein German Association, Germans felt well integrated into the country. The two cases mentioned by the Rapporteur seemed then to be exceptions.

11. Mr. HOCH (Liechtenstein) said that the core group of right-wing extremists in Liechtenstein consisted of some 40 young people who were all known to the national security service. The group did not have an easily identifiable structure or a leader and was linked to right-wing groups in Austria, Switzerland and Germany, including the Austrian "Blood and Honour" movement, which was known to be very violent and xenophobic. However, in the last few years, there had been a decrease in the number of incidents involving members of far-right groups in Liechtenstein. Those groups did not predominantly target foreigners but rather extreme left-wing groups.

12. It was difficult to know why some young people were drawn to extreme right-wing ideologies in Liechtenstein. Most of them did not have economic problems, had a job or were following studies. The Government had mandated the Violence Protection Commission (*Gewaltschutzkommission*) to study the issue and to develop a strategy against right-wing extremism by the end of 2007. Information about the outcome of that work would be provided to the Committee in the fourth periodic report. There was no extreme right-wing political party in Liechtenstein nor any legislation specifically prohibiting organizations engaged in such activities. However, Parliament could enact a law on the subject, if the need was felt.

13. Mr. JEHL (Liechtenstein) said that the victims of discriminatory acts could rely on article 31 of the Constitution, which set out all the prohibited grounds for discrimination covered by the Convention, or article 15 of the Constitutional Court Act, which contained a reference to the Convention. In cases of violation of individual rights, a civil action could be brought under the Law on Persons and Companies. However, there was not yet any provision in domestic legislation for remedies in cases of intangible injury due to a discriminatory act. The Constitutional Court had not yet had occasion to apply the Convention directly.

14. The Criminal Code provided that racist or xenophobic motives constituted aggravating circumstances in the commission of any offence. Article 12 of the Constitution provided that the reigning prince had the right of pardon, but it contained no provision as to the procedure to be followed in such cases. However, the Code of Criminal Procedure stipulated that, when an appeal for pardon was addressed to the prince, he took his decision on the basis of the deliberations of the Court of First Instance and the Supreme Court.

15. Ms. MARXER (Liechtenstein) said that, under the current Act on Facilitated Naturalization, legal title to Liechtenstein citizenship was granted on the basis of length of residence, the minimum required being 30 years for adults and 15 years for children; that meant that the national origin of applicants was not taken into account. A working group had been asked to consider amendments that could be made to that law, in particular by reducing the length of residence required in the country and adding a condition relating to knowledge of the language, political structure and history of Liechtenstein. The question whether the naturalization of foreigners should be decided by vote in the relevant municipalities would largely depend on the approach adopted in Switzerland, where power was highly decentralized, as in Liechtenstein.

16. Mr. RITTER (Liechtenstein), recalling that Liechtenstein had been one of the first signatories of Protocol 12 to the European Convention on Human Rights, said that his country would not ratify that instrument until it had been ratified by a sufficient number of States Members of the Council of Europe having a similar political system.

17. Ms. LÄNGLE (Liechtenstein) said that, according to studies carried out in 2005 by the Liechtenstein Institute, employment statistics showed that type of residence permit had an effect on chances of employment in the tertiary sector and, therefore, on the quality of employment. According to statistics on civil status, the birth rate of foreigners was significantly higher than of Liechtenstein nationals, while education statistics revealed considerable differences between Liechtenstein students and, respectively, Swiss and foreign students. The former were in a majority in secondary schools preparing for the secondary school-leaving

certificate; the latter were more numerous in less challenging secondary schools and special schools, possibly on account of the low educational achievement of their parents and their inadequate knowledge of German. Intensive language courses and remedial courses were offered to non-German-speaking pupils to help them improve their language proficiency.

18. Statistics on disability insurance showed that the majority of beneficiaries were from Southern Europe, mainly Turkey, probably because the persons concerned were construction workers.

19. Employment statistics indicated that the unemployment rate was distinctly higher for persons from East European and South-East European countries. The 2000 population census showed increased cultural heterogeneity in Liechtenstein society as a result of immigration.

20. Mr. ABOUL-NASR wished to know whether there was a connection between the Paris Principles mentioned by the delegation and of the International Convention on the Elimination of Racial Discrimination.

21. Ms. JANUARY-BARDILL asked whether the delegation considered that the school environment and, more specifically, the attitude of teachers did not also play a role in the educational failure of pupils who were not of German-speaking origin.

22. Mr. TANG Chengyuan wished to know whether the Liechtenstein authorities had taken measures, particularly at the legislative level, to punish racist propaganda put out by extreme right-wing movements.

23. Mr. KJAERUM asked the delegation to indicate what measures had been taken by the State party to comply with the provisions of the Convention regarding the acquisition of nationality and, more particularly, to make sure that there was no discrimination in that regard against members of certain ethnic minorities. He also wished to have fuller information about the required length of residence for naturalization.

24. Mr. AMIR said he would like to know whether Liechtenstein had adopted a national action plan against racism in pursuance of the recommendations in the Programme of Action of the World Conference against Racism, held in Durban in September 2001. It would also be useful to know whether the State party had taken measures in the field of education, aimed more particularly at teachers, to combat the propagation of ideas based on the superiority of a given race. He asked whether, for example, the Parliamentary Commission on Foreign Affairs had adopted decisions concerning the punishment of racial offences and whether certain provisions of the Criminal Code on racial or religious hatred could be amended or abrogated.

25. Mr. VALENCIA RODRIGUEZ commended the Government for having set up in 2001 an independent commission of historians on the role of Liechtenstein in the Second World War, which had revealed, in a report produced in 2005, the constant threats that the country had faced during the war because of its shared borders with Germany. The Liechtenstein Parliament was also to be commended for having highlighted the need for young people to be better informed and made aware of the dangers still represented today by racism and anti-Semitism.

26. Mr. AVTONOMOV, Country Rapporteur, said that Liechtenstein was not the only European country where extreme right-wing movements had been gaining

ground and where there had been an increase in the spread of racist ideas. The fact that the young people were increasingly drawn to extreme right-wing ideology showed that racism needed to be combated on a daily basis. More concretely, he wished to know whether there was any prejudice against elderly persons of foreign origin and whether measures had been taken to prevent them from being exposed to double discrimination.

27. The CHAIRPERSON, speaking as a member of the Committee, noted that practically all European countries were faced with the problem of xenophobia and racism and that very often young people turned to extreme right-wing parties in search of answers to their questions. The problem was that extremist movements gave the wrong answers to those young people and that the media also transmitted xenophobic and racist stereotypes. Racism and xenophobia could be combated only by educating the young.

28. Mr. RITTER (Liechtenstein) said that the Paris Principles set out the various criteria governing the establishment of national human rights institutions. Like Ms. January-Bardill, he acknowledged that the attitude of teachers could account in part for the educational failure of pupils of non-German-speaking origin; for that reason, the Ministry of Education had taken measures to train teachers in interethnic tolerance and mutual respect. The authorities also intended to replace the three levels of secondary education by an integrated course which would enable pupils to pass more easily from one stage or level to another.

29. Anyone who uttered racist insults or hate speech was liable for criminal punishment. Liechtenstein was also planning to strengthen the provisions of the Criminal Code to punish the display or dissemination of racist symbols. Racial hatred was one of the main areas of study of the interdepartmental Working Group for a National Action Plan against Racism; it published an annual report aimed at developing public awareness of the problem of racism.

30. The Office of Equal Opportunity dealt with the question of the many forms of discrimination to which certain population groups could be subject, particularly migrant workers. He noted that the Law on Equality of Opportunity for the Disabled applied to all disabled persons, whether or not they were citizens of Liechtenstein.

31. Many factors could explain why some young people were attracted to extreme right-wing ideology; they included the need to set oneself apart from the rest of the population or the fact of engaging in illegal activities. All experts on the subject noted the same tendencies among young people in Liechtenstein, Austria and Germany.

32. Mr. HOCH (Liechtenstein) said that, thanks to the small size of his country, police forces were able to intercede directly with young people who attempted to join extreme right-wing groups and to dissuade them from so doing. The fact remained that the police alone could not prevent the dissemination of extreme right-wing ideas among young people. The Government had launched a campaign entitled "Respect – please", aimed at preventing manifestations of violence, particularly on the part of young extremists.

33. Mr. AMIR noted that Liechtenstein and other European countries would benefit greatly from stronger police and judicial cooperation in more easily identifying extreme right-wing networks. The fight against terrorism seemed to

receive greater attention than the fight against racial hatred. However, the two phenomena were intrinsically connected.

34. Mr. EWOMSAN wondered whether the Liechtenstein population, including young people, did not take exception to the fact that rich foreigners came to the country to place their fortunes there.

35. Mr. RITTER (Liechtenstein) said that there was very close police cooperation among several European countries in monitoring the activities of extreme right-wing groups. As for judicial cooperation, the law on mutual judicial assistance provided for cooperation among countries even in the absence of a bilateral cooperation treaty. There were restrictions on the granting of residence permits to foreigners who wished to settle in the country, with the great majority going to persons possessing a contract of employment. Generally speaking, there was no xenophobic feeling against rich foreigners, of whom in any case there were very few.

36. Mr. AVTONOMOV, Country Rapporteur, thanked the delegation for the excellent and detailed replies presented during consideration of the second and third periodic reports of Liechtenstein. He acknowledged that the small size of the State party to some extent justified its concern to preserve its language and culture by requiring that anyone who wished to be naturalized should first spend some time in the country. However, the fact of requiring that they should have resided permanently in Liechtenstein for 30 years before even being able to initiate the procedure ran counter to the relevant international standards.

37. He commended the State party for making the declaration under article 14 of the Convention. He had also noted that the lack of statistics on the Roma in the report was due solely to the fact that there were no members of that community in Liechtenstein.

38. It would be desirable for more searching studies to be carried out on the role of Liechtenstein during the Second World War, on the rise of right-wing extremism among young people and on manifestations of intolerance against persons belonging to an ethnic minority.

39. The Committee also wished to see further information in the next report on the Equal Opportunity Commission tasked with centralizing all information concerning the work of the various human rights committees in the State party, in order to combat the double discrimination from which certain persons, particularly children, sometimes suffered. In that connection, the appointment of an ombudsman for children and young persons, which was being considered by the State party, would be a welcome means of making children aware of their rights and of the principle of respect for others.

40. Lastly, the Committee expected, when each periodic report was submitted, to be provided with information on changes in legislation since the previous report had been considered, the measures taken to put them into effect and the conclusions of the bodies set up to combat discrimination.

41. Mr. RITTER (Liechtenstein) thanked the members of the Committee for their interest in the efforts made to combat discrimination in Liechtenstein and assured them that the authorities would give full attention to the conclusions reached by them at the end of the seventieth session.

*The first part (public) of the meeting rose at 12.20 p.m.*