

UN HUMAN RIGHTS COUNCIL

23RD SESSION

ITEM 6: UNIVERSAL PERIODIC REVIEW

STATEMENT

BY

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TO THE UNITED NATIONS IN GENEVA**

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CHECK AGAINST DELIVERY

Mr. President

In her concluding remarks after the interactive dialogue in the UPR working group, the Minister of Foreign Affairs announced that Liechtenstein will carefully examine all recommendations and will continue this dialogue with the Human Rights Council on the basis of the exchange which took place in the working group. It is therefore my pleasure to present you the position of Liechtenstein regarding the recommendations received. The Government of Liechtenstein is convinced that this dialogue will be mutually beneficial and will further improve the human rights situation in Liechtenstein. The protection and promotion of human rights has for many years been a priority of Liechtenstein's foreign policy and of our involvement at the United Nations. The UPR proved to be a valuable complement to the treaty body system during the last 5 years. The treaty body system continues to be very important and Liechtenstein actively works to strengthen it. The UPR has established itself as a key instrument for monitoring the global human right situation and Liechtenstein is fully committed to this process.

We welcome the recommendations made by the 41 States that engaged in a dialogue with us four months ago on 30 January here in Geneva. They have been carefully considered by the Liechtenstein authorities in a consultation process which has been coordinated by the Office for Foreign Affairs and in which various offices of the National Public Administration have been involved. The Liechtenstein Government finally adopted its replies to the recommendations on 21 May. Let me highlight some aspects of the answers we submitted to the Council in written prior to this Session.

We are glad to announce today that Liechtenstein accepts 70 recommendations out of the total 85. That means that Liechtenstein supports over 80 % of the recommendations. It partially accepts four recommendations. Eleven recommendations are rejected by Liechtenstein.

Each recommendation has been considered in view of its potential to further human rights in Liechtenstein and to eliminate discrimination. It has been evaluated if the recommendation can be implemented within the next 4 ½ years and if there are existing measures and processes that support the implementation.

This is the reason why Liechtenstein rejects 6 recommendations concerning the ratification of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the ratification of ILO conventions. Liechtenstein rejects the recommendations regarding ILO not because of the content of the ILO conventions referred to. Rather, ratification of ILO conventions requires membership of ILO, and membership of ILO is not currently being considered by the Liechtenstein Government. As a very small country with limited personnel resources, Liechtenstein is not able to join all international organizations. As a full member of the European Economic Area (EEA), however, Liechtenstein has already incorporated the relevant EU legislation, especially the high labour standards of the EU, into national law.

Liechtenstein has received 3 recommendations that invite us to develop a comprehensive anti-discrimination legislation and to ensure the constitutional guarantees of equality. The Liechtenstein Constitution does not expressly guarantee equality of all persons before the

law. However, the Constitutional Court has in a series of judgements recognized equality before the law for all, also for foreigners. In Liechtenstein's view, there is thus no need for action. While protection from discrimination on the basis of personal characteristics is neither defined in comprehensive anti-discrimination legislation, such protection is provided on the basis of specific provisions in specialized legislation. For instance, labour law expressly provides protection of the personality of the employee. The term "personality" must be interpreted broadly, covering gender, race, nationality, sexual orientation, etc. Non-discrimination provisions are also found in the Law on the Equality of Women and Men and in the Law on the Equality of Persons with Disability. We are of the opinion that a sectoral approach with specialized legislation can (better and more) effectively react on different types of discrimination (than a general anti-discrimination law). Liechtenstein therefore cannot support these recommendations respectively these parts of recommendations.

Mr. President

I would like to use this opportunity to highlight some aspects regarding the accepted recommendations:

Liechtenstein accepts all recommendations concerning the trafficking in persons. Liechtenstein has significantly increased its prevention efforts with regard to human trafficking over the past years. A coordination mechanism has been established, guidelines have been adopted and a prevention project has been started in 2009, with which the dancers in the nightclubs and bars are informed about their legal situation. The project's aim is to reduce exploitative relationships in the night club scene and to give potential victims of human trafficking access to counselling and victims assistance offices. We are glad to announce that as a follow up to this UPR we will consider further measures to identify victims of trafficking, ensure their protection, and prevent trafficking.

Also in the area of equality of women and men and in the related area of combating violence against women, Liechtenstein was able to accept all the recommendations made. Many countries focused their recommendations on this topical issue, and this reassures our Government in its assessment that measures and programs to eliminate discrimination of women and to improve de-facto equality of women and men have to be continued with high priority.

Another area where we have received a large number of recommendations, is the elimination of racial discrimination and integration of foreigners. Liechtenstein has a very high percentage of foreigners: About one third of Liechtenstein's resident population is composed of foreign citizens. I am happy to be able to inform you that also in this area, which is quite a sensitive area for Liechtenstein, as the population of the country is very small, the Government has accepted most of the recommendations. The Government is committed to continue to implement its comprehensive integration concept and to further strengthen measures against racism, with an emphasis on the efforts against right-wing extremism.

Mr. President

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

As a direct measure after our first UPR, we intensified exchanges with civil society over the past four years. At the time, Liechtenstein received the recommendation to include all stakeholders in the follow-up to the UPR. As a specific consequence of this recommendation, the Office for Foreign Affairs has organized annual discussion events for Liechtenstein human rights NGOs. These events have met with considerable interest and led to a fruitful dialogue with civil society. We plan to continue these valuable exchanges as well as other measures established after the first UPR.

We are confident that the second UPR will also contribute to a process of constant improvements regarding the implementation of human rights and the protection of vulnerable groups, in Liechtenstein and in all other states. We are looking forward to the following interactive dialogue.

Thank you.

Concluding remarks

The 2nd Universal Periodical Review and in particular the interactive dialogue allowed us to review the state of human rights in our country and proved to be a very useful tool to further the development of our human rights policy. I would like to reiterate our thanks to all States that have made interventions and recommendations during the interactive dialogue on 30 January 2013. We also extend our thanks to the States and Organizations that have taken the floor today. We are aware that the adoption of the report of the Working Group on the Universal Periodical Review is only the starting point for the implementation of the recommendations in Liechtenstein. I can assure that Liechtenstein will continue to attach greatest importance to the promotion of human rights and remains fully committed to the UPR process.

I thank you for your attention.

