

ECRI

European Commission against Racism and Intolerance
Commission européenne contre le racisme et l'intolérance

CRI (2003) 4

European Commission against Racism and Intolerance

SECOND REPORT ON LIECHTENSTEIN

Adopted on 28 June 2002

Strasbourg, 14 April 2003



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

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Foreword

The European Commission against Racism and Intolerance (ECRI) is a body of the Council of Europe, composed of independent members. Its aim is to combat racism, xenophobia, antisemitism and intolerance at a pan-European level and from the angle of the protection of human rights.

One of the pillars of ECRI's work programme is its country-by-country approach, whereby it analyses the situation as regards racism and intolerance in each of the member States of the Council of Europe and makes suggestions and proposals as to how to tackle the problems identified.

At the end of 1998, ECRI finished the first round of its country-by-country reports for all member States. ECRI's first report on Liechtenstein is dated 7 February 1997 (published in March 1998). The second stage of the country-by-country work, initiated in January 1999, involves the preparation of a second report on each member State. The aim of these second reports is to follow-up the proposals made in the first reports, to update the information contained therein, and to provide a more in-depth analysis of certain issues of particular interest in the country in question.

An important stage in ECRI's country-by-country work is a process of confidential dialogue with the national authorities of the country in question before the final adoption of the report. A new procedure in the second round of country reports is the organisation of a contact visit for the ECRI rapporteurs prior to the drafting of the second report.

The contact visit to Liechtenstein took place on 13-14 March 2002. During this visit, the rapporteurs met with representatives of various ministries and public administrations responsible for issues relating to ECRI's mandate. ECRI warmly thanks the national authorities of Liechtenstein for their wholehearted co-operation in the organisation of the contact visit, and in particular would like to thank all the persons who met its delegation each of whom provided much valuable information on their own field of competence. ECRI would also like to thank the national liaison officer for Liechtenstein whose efficiency and collaboration were much appreciated by ECRI's rapporteurs.

Furthermore, ECRI would like to thank all the representatives of non-governmental organisations with whom its rapporteurs met during the contact visit for the very useful contribution they made to the exercise.

The following report was drawn up by ECRI under its own responsibility. It covers the situation as of 28 June 2002 and any development subsequent to this date is not covered in the following analysis nor taken into account in the conclusions and proposals made by ECRI.

Executive summary

Liechtenstein has taken many important steps towards combating racism and intolerance since the publication of ECRI's first report, including the ratification of a number of significant international legal instruments in the field, the adoption of new criminal law provisions to combat racist activities, the development of a strategy to combat right-wing extremism and the beginning of a process of recognition of the need to further integrate Liechtenstein's significant non-citizen population into society as a whole.

A number of problems still exist however. The issue of a certain interest in right-wing extremism, particularly among young people, remains an area for concern. There is a lack of knowledge and data concerning the possible extent of discrimination and racism in most areas of life. A clear and detailed mission statement and strategy to integrate non-citizens and persons of immigrant origin into society remains to be fully elaborated and implemented.

In the present report, ECRI recommends that the authorities of Liechtenstein take action in a number of fields. It recommends, inter alia, further progress in ratifying international legal instruments and in adopting national legislation against discrimination, the development of comprehensive and reliable methods of monitoring the situation as regards racism and discrimination in the country, the continuation of strategies to combat extreme right-wing tendencies, and the development and implementation of a detailed and concrete integration strategy, including measures to further facilitate access to citizenship for long-term residents.

SECTION I: OVERVIEW OF THE SITUATION

A. International legal instruments

1. Liechtenstein has signed and ratified many of the international legal instruments of relevance to the fight against racism and intolerance. Among these, many have been ratified since the publication of ECRI's first report. In particular, ECRI welcomes the ratification by Liechtenstein of the International Convention on the Elimination of All Forms of Racial Discrimination, which represents a step forward since the publication of ECRI's first report. ECRI understands that Liechtenstein plans to make a declaration under Article 14 of this Convention, recognising the competence of the Committee for the Elimination of Racial Discrimination to examine individual complaints, and encourages the swift completion of this process. ECRI also welcomes the ratification of the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages, both of which have been ratified since ECRI's first report. Likewise, ECRI is pleased to note that Liechtenstein has now ratified the International Covenant on Economic, Social and Cultural Rights and International Covenant on Civil and Political Rights and its Optional Protocol of 16 December 1966.
2. Liechtenstein has signed but not ratified the European Social Charter and has not yet signed or ratified the revised European Social Charter. ECRI understands that examination into the ratification of the Revised Social Charter is underway and that ratification is foreseen once some clarifications of a technical nature have been settled. ECRI encourages the swift completion of this process. ECRI also urges the authorities of Liechtenstein to ratify Protocol N° 12 (containing a general prohibition of discrimination) to the European Convention on Human Rights.
3. Liechtenstein has not yet signed or ratified the ILO Convention concerning Discrimination in Respect of Employment and Occupation, the UNESCO Convention against Discrimination in Education, the European Convention on Nationality, the European Convention on the Legal Status of Migrant Workers, or the European Convention on the Participation of Foreigners in Public Life at Local Level. It does not appear that ratification of any of these instruments is currently under examination in Liechtenstein: Liechtenstein is not currently a member of the ILO or UNESCO, and ratification of the other instruments mentioned would, according to the authorities, cause difficulties due to current laws and regulations in force in Liechtenstein concerning non-citizens. ECRI considers that Liechtenstein should nevertheless take concrete steps towards signing and ratifying all the above instruments, particularly in the light of some of the issues outlined later in this report concerning the situation of non-citizens in Liechtenstein.
4. Liechtenstein abides by the principle that international treaty obligations should be entered into only when they can be complied with. An international treaty ratified by Liechtenstein becomes a part of national law from the time of its entry into force for Liechtenstein. Provided that the provisions of the treaty are specific enough to serve as grounds for court rulings, there is no need to draft a law specifically for the purpose of incorporating the treaty into the national legal order (principle of "self-executing"). In accordance with existing practice, international treaties are afforded a minimum status equal to that of law.

B. Constitutional provisions and other basic provisions

5. Article 31 of the Constitution states that all citizens are equal before the law, and that the rights of foreigners are governed by international treaty, and, in the absence of any treaty, by reciprocal law. The authorities of Liechtenstein state that according to this principle, and by acceding to the International Convention on the Elimination of All Forms of Racial Discrimination, the prohibition of discrimination covers all persons on the territory of Liechtenstein. ECRI feels nevertheless that consideration should be given to the possibility of a constitutional amendment expressly ensuring equality and other human rights for all individuals under the jurisdiction of Liechtenstein. This would seem particularly appropriate given the considerable non-citizen population in Liechtenstein.
6. ECRI notes with interest that an amendment to the law on the Supreme Court will be introduced in the near future, aimed at extending the Supreme Court's competence to hear cases of alleged violations of the rights guaranteed in the International Convention on the Elimination of All Forms of Racial Discrimination. Thus, the Supreme Court will act as the final national instance of appeal.

- Citizenship legislation

7. Citizenship of Liechtenstein is based on the principle of jus sanguinis. Until 1996, citizenship by birth could only be passed down through the male line; however, since that date it is now possible to pass down citizenship by birth both through the male and female lines. As concerns naturalisation, there are three ways to gain citizenship, two of which are based on the fulfilment of certain legal conditions and the third of which is discretionary.
8. The first route to gaining citizenship is through marriage to a person who is a citizen of Liechtenstein. A person naturalised in this manner has to have been married at least three years and have twelve years residence in Liechtenstein (married years count as double). The person in question has to renounce his or her previous citizenship upon gaining citizenship of Liechtenstein. Persons who are widowed or divorced during the twelve-year residence period are also eligible for citizenship.
9. The second route to gaining citizenship is governed by the Act on Facilitated Naturalisation of April 2000. The introduction of this Act was preceded by a three-year "Aktion Miteinander" (Action together) initiative, financed by the Prince of Liechtenstein, the State authorities and private persons, which was aimed at bringing about improved acceptance and facilitated naturalisation or dual citizenship for the spouses and children of Liechtenstein's women and for long-term resident foreigners and stateless persons. In order to gain citizenship through this Act, a person must have lived as a permanent resident in Liechtenstein for thirty years: years up to the age of twenty spent in Liechtenstein count as double. Checks into the person's criminal record (there should be no conviction carrying a penalty of more than three years imprisonment) and conduct are also foreseen. Again the person in question must renounce his or her previous citizenship in order to take up citizenship of Liechtenstein.

10. Finally, the third route to naturalisation, which involves a discretionary procedure, can be requested after five years permanent residence. This route involves a vote by secret ballot by the local community in which the person in question is a resident (a citizen of Liechtenstein is both a citizen of the State and a citizen of the “commune” or local municipality). Once again, former citizenship must be renounced.
11. While ECRI recognises that some steps have been taken to facilitate naturalisation of non-citizens, through the Act on Facilitated Naturalisation, it considers that the conditions for the granting of citizenship are still too restrictive. In particular, ECRI considers that the requirement of thirty years permanent residence in the country is excessively long, and that the requirement that previous citizenship be renounced in all cases is likely to deter many persons from taking up citizenship. ECRI is particularly concerned about the system of popular vote for the granting of citizenship in the shorter procedure, as it considers that such a system is not based on objective and measurable criteria and leaves the way open for discriminatory effects against persons of certain origins, who may face higher levels of prejudice and intolerance among the community in which they live. In fact, it has been suggested that very few persons apply for citizenship by this route and that it is almost impossible for persons of some backgrounds to gain citizenship in this way. ECRI recommends that the recent Act on Facilitated Naturalisation should be closely monitored to evaluate to what extent it is used by long-term non-citizen residents, and that consideration should be given to reducing further the residency requirement for naturalisation. ECRI also recommends that the system of voting by residents of communes on citizenship requests under the “discretionary” system of naturalisation be reconsidered, particularly in the light of the possible discriminatory effects it may have on persons from certain groups. Finally, ECRI considers that the strict rules which prevent the holding of double nationality upon acquisition of citizenship of Liechtenstein could be made more flexible.

C. Criminal law provisions

12. Upon accession to the International Convention on the Elimination of All Forms of Racial Discrimination, Liechtenstein modified in December 1999 Article 33 para 5 and Article 283 of the Criminal Code of Liechtenstein to provide the criminal law foundation for the punishment of public acts of racial discrimination committed by private individuals. Article 33 para 5 specifies racism, xenophobia and similar motives as an aggravating circumstance for a criminal offence. Article 283 criminalises public incitement to hatred or discrimination against a person or group of persons because of the race, ethnic origin or religion of that person or group of persons; public dissemination of ideologies that seek to systematically disparage or defame the members of a race or ethnic or religious group; organisation or promotion of or participation in propaganda activities for the same purpose; public transmission by electronic means of symbols, gestures, acts of violence or other forms that disparage or discriminate against a person or group of persons based on race etc; denial, gross minimisation or justification of genocide and similar crimes; refusal to provide a service intended for public use to a person or group of persons on the basis of race etc; and participation or membership in an association that engages in promoting or inciting racial discrimination.
13. Article 321 of the Criminal Code affords special protection to religious, racial, ethnic, cultural or national groups and persons and establishes genocide as an offence punishable by law.

14. Criminal proceedings have been initiated by the Office of the Prosecutor in a few cases concerning incitement to hatred and in one case for the offence of racial discrimination and other punishable offences of a violent nature. However, to date, and given the recent nature of the new criminal law provisions on racism, few judgements have been handed down. ECRI stresses the need to monitor very closely the implementation of the new legal provisions in force and to ensure in particular that the police, prosecuting authorities and courts are made aware of their contents and are encouraged to make use of them to combat acts of racism and crimes involving racist motives. ECRI also notes that there is a lack of statistics on cases of racist incidents and encourages the police and prosecuting authorities to set up a system of monitoring, classification and recording of racist incidents which are brought to their attention and of the follow-up and outcome accorded to such incidents.

D. Civil and administrative law provisions

- *Employment Contracts Act*

15. Article 27 para 1 of the Employment Contracts Act establishes worker protection. Article 46 para 1 (a) stipulates that the termination of a labour relationship on the grounds of personal traits, that is to say on the basis of race, colour, descent, nationality or ethnic origin, shall be considered wrongful termination. However, there does not appear to be any case-law relating to this Article. ECRI considers that its application and implementation should be closely examined and monitored, to ensure that cases of discrimination in employment are not going unpunished. ECRI also encourages the authorities to ensure that workers and employers are aware of the prohibition of discrimination in labour relations. ECRI notes moreover that this prohibition of discrimination in employment would not cover discrimination which takes place before or during recruitment, or during promotion procedures, since it refers only to the termination of labour relations: ECRI is of the opinion therefore that the prohibition of discrimination in employment should be extended to cover the important areas of recruitment and promotion.
16. There are no other civil and administrative law provisions prohibiting discrimination in fields of life such as access to housing, public services, or access to public places. ECRI urges the authorities of Liechtenstein to introduce a comprehensive body of civil and administrative law prohibiting discrimination in all the various fields of daily life as outlined above.

E. Specialised bodies and other institutions

17. At present, Liechtenstein possesses no specialised body, such as an Ombudsman or a specialised commission, which could serve, inter alia, as a contact and assistance point for victims of racism and discrimination, as an advisory body to the government on issues related to racism and discrimination, and as a focal point for public awareness-raising and similar educative initiatives within the country. ECRI is of the opinion that since issues relating to racism and discrimination have only recently started to be discussed in Liechtenstein, since there appears to be a lack of statistical data about the actual extent of racism and discrimination within the country, and since there

does not appear at present to be an obvious contact point to which victims can address themselves for assistance, the creation of such a body would be particularly opportune. In this respect, ECRI draws the attention of the authorities of Liechtenstein to its general policy recommendation no 2 on specialised bodies at national level to combat racism and intolerance, which sets out a series of guidelines and principles to be borne in mind when setting up such a body.

F. Education and training/awareness-raising

- Law enforcement system

18. Police officers of Liechtenstein are trained in Switzerland. This year, for the first time, a part of the training for police officers will take place in Liechtenstein and, also for the first time, involves human rights training and issues related to discrimination and racism. ECRI welcomes the fact that human rights training for police officers has been introduced and will be an integral part of the future curriculum.

- Schools

19. Some problems of racism and intolerance amongst school children have been a cause for concern in recent years; for example, clashes between pupils of different origins have been reported and the wearing of clothes and symbols associated with far-right or Nazi movements appears to be fashionable among some groups of pupils. The Office of Social Affairs brought such problems among young people to the attention of the authorities in the late 1990s, and its analysis formed the backdrop for current work underway to combat these developments. Several preventive projects have been carried out in recent years to combat racism and intolerance and to raise awareness of intercultural issues, and the new curriculum in force since 1999 puts more emphasis on these matters. One of the main targets of the new curriculum is to improve cultural understanding between children, and lectures on topics such as refugees and right-wing extremism have also been carried out. Awareness-raising among teachers has also been initiated. ECRI strongly encourages the authorities to continue to take action against the problem of racism, intolerance and a certain interest in extreme right-wing or Neo-Nazi movements and symbols among young people, and to further develop and extend initiatives to improve understanding among schoolchildren at all levels of schooling. ECRI particularly recommends that the authorities focus more attention on the primary school level as a preventive measure in order to forestall problems of racism and intolerance from arising at the secondary level of schooling.

- General public

20. Issues of racism and intolerance, and the recognition of Liechtenstein as a country in which persons of many different backgrounds and origins will continue to reside on a permanent basis, have only recently started to enter the public debate. Some non-governmental organisations are now active in working to combat racism and intolerance and to increase understanding of different cultures among the general public, and the authorities have also taken some initiatives to raise public awareness of these issues. The media has also published a number of articles on the subject. ECRI considers that efforts to bring issues such as integration of non-citizens, racism and discrimination to the public attention and debate are crucial and that the authorities should continue and further develop initiatives underway in this respect, highlighting in particular

the political priority which the government gives to fighting racism and intolerance and to the integration of non-citizens.

G. Reception and status of non-citizens

- Refugees and Asylum seekers

21. Liechtenstein's Refugee Act came into force in 1998. In the period from 1998-2000 around 600 refugees, mostly from the former Yugoslavia, were granted blanket protection in Liechtenstein. Many of these refugees have now returned home. Some 120 persons, mostly from Kosovo, remain in Liechtenstein as asylum seekers.
22. Upon arrival in Liechtenstein, asylum seekers must report to the Section for Asylum and Refugees of the Office for Foreigners and Passports. They are given a first hearing within one week: it is compulsory for a non-governmental organisation to attend this hearing in order to ensure that it is correctly carried out. Interpreters are also provided. The Office for Foreigners and Passports has the power of decision-making if a case is deemed non-admissible as defined by the law, whereas material decisions on other cases are taken by the government. First-instance decisions take an average of 3-5 months to be issued. Appeals against non-admissibility decisions can be made to the government, and appeals against decisions taken by the government can be made to the administrative court.
23. Asylum seekers are accommodated for the first year in a reception centre. After this, they may rent private accommodation, although they often face difficulties in obtaining accommodation due to their precarious status. ECRI notes with interest that asylum seekers have the right to work – and in fact should work wherever possible - from their arrival: in ECRI's opinion, such permission to work can have a very positive effect in reducing psychological distress among asylum seekers, aiding their integration into society, and in preventing negative stereotypes and prejudices against asylum seekers from gaining hold in the popular opinion. From their total wages, the asylum seekers receive the equivalent of the social welfare payment as well as a set hourly sum; part of their wages cover their living costs and the rest is blocked in a bank account to be given to the asylum seeker when he or she leaves the country. This system has, according to the authorities, been put in place to deter persons from using the asylum seeker route to enter Liechtenstein solely for employment purposes. The children of asylum seekers attend school and are given special assistance in learning German (see below, Education). Apart from language teaching, there are no particular integration strategies at present aimed at asylum seekers and refugees: ECRI feels that this area could be developed further, with information and assistance in order to help asylum seekers and refugees to gain an understanding of Liechtenstein's society and structures.

- Immigration policy

24. Although over 34% of the total population of Liechtenstein are non-citizens, around two-thirds of these are from Switzerland, Austria, Germany and thus share a similar linguistic and cultural background with the majority population. Other foreigners come from Italy (7.6%), Turkey (7.5%), ex-Yugoslavia (3.5%),

Portugal (3.3%), Spain (2.4%) and Bosnia-Herzegovina (2.3%). Most of the non-citizens living in Liechtenstein are in the country for work purposes or have come for purposes of family reunification with persons working in the country.

25. Liechtenstein's immigration policy is based on the principle of equal treatment in conjunction with that of reciprocity. The so-called "three circle" model applies. In practice, this means that nationals of EEA member States, followed by those of Switzerland, are given preferential treatment in comparison to nationals of other countries, on the basis of bilateral and multilateral treaties. Since 1985 there has been a restriction on the possibility for non-citizens to reside and work in Liechtenstein: the small size of the country, in which only about one third of the 160 km² of territory is habitable, is cited by the authorities as one reason for this restriction. Since Liechtenstein's adhesion to the EEA in 1995, EEA nationals receive preferential treatment; however, annual quotas have been introduced as regards EEA nationals wishing to work and reside in Liechtenstein: again, according to the authorities, because of the small size of the country. Around 50 EEA nationals per year now receive permanent residence permits with the right to work; a few more receive permission to reside in Liechtenstein but not to work. Nationals of all other countries are treated equally in terms of the procedure for granting residence permits, provided that they meet the requirements as established in the Movement of Persons Ordinance and the Act on the Procedure for the Granting of Residence Permits. Very few persons from outside the EEA area or Switzerland are now granted permanent residence permits: such persons are generally highly-qualified specialists. The determining principle for the granting of work permits is the principle of qualifications.
26. As regards short-term residence permits, these are maximally valid for 12 months, depending on the length of the employment contract. A short-term residence permit can be extended once for a maximum of 6 months. In general, a short-term residence permit is granted only once within a three year period. The system of permits issued for seasonal workers, who come to Liechtenstein for work purposes for a limited period in the year, is now being phased out.
27. ECRI is concerned at reports that the system of residence and work permits may leave some persons in a difficult or vulnerable situation. For example, it has been reported that persons originating from countries outside the EEA or Switzerland may have to wait very long periods before they are accorded the right to family reunification: such persons can apply for their spouses and minor children to come to Liechtenstein once they have been continuously and permanently resident for four years but have to be considered to be in a position to support all family members. This has apparently had a disproportionate impact on some women of immigrant origin who may earn less than their male counterparts (see below, Vulnerable groups). Women who leave their husbands have also faced difficulties with regard to their residence status. It has also been commented that persons who lose their employment may also risk losing their permission to stay in Liechtenstein. ECRI considers that the authorities should take steps to ensure that the system of work and residence permits does not leave individuals in an unnecessarily precarious or vulnerable situation in areas such as those outlined above.
28. Many persons of immigrant origin have resided in Liechtenstein for long periods and have made their lives in the country. However, it is reported that in many cases it is very difficult for persons who are not citizens of Liechtenstein or who are of foreign origin to integrate fully into the society. This issue is discussed in more depth below (issues of particular concern).

H. Access to public services

- Access to social services such as health care, welfare and housing

29. A contact point for migration issues and problems within the Office for Social Services provides health and social assistance to both individuals and groups. All persons resident in Liechtenstein are entitled to health care services.

- Access to education

30. A recent survey indicated that 22% of school children living in Liechtenstein did not use German as their home language. Children over the age of eight who have come to Liechtenstein with no knowledge of German are offered intensive German language courses to enable them to enter the correct school grade after one year. "German as a second language" courses, including social and cultural issues, are provided in schools for children of non-German mother-tongue, and are continued at all levels of instruction as a supplementary course. The authorities also make available the necessary infrastructure (classrooms etc) to private bodies which provide language and social studies courses to foreign children on their country of origin, and public school timetables are structured accordingly with some flexibility. ECRI feels nevertheless that given the large non-citizen population in Liechtenstein, the authorities might also provide financial support for mother tongue teaching for children of immigrant origin.
31. ECRI is concerned at reports that children of immigrant origin tend to perform less well in school than children of Liechtenstein origin, that they are more likely to attend the lower level secondary school (Oberschule) and that they are less likely to carry on to tertiary education. ECRI considers that this area should be investigated and that measures should be taken where necessary to address any disparities between the educational achievement of children from different groups.
32. Children may be excused from religious education in schools by invoking religious freedom.

I. Employment

33. There appears to be very little information, even anecdotal information, about the possible existence or extent of discrimination within the labour market, although it has been reported that women of immigrant origin may face particular disadvantage and discrimination (see below, "Vulnerable groups"). Some measures have been put in place by the authorities to assist young non-citizens in entering the employment market, through for example vocational counselling and the possibility of a year of preparatory language training prior to taking up their apprenticeship. ECRI considers that it would be very valuable to conduct a survey into the possible existence, extent and manifestations of discrimination within the labour market.

J. Vulnerable groups

This section covers certain minority groups which may be particularly vulnerable to problems of racism, discrimination and intolerance in the country in question. It is not intended to provide an exhaustive overview of the situation of all minority groups in the country, nor to imply that groups not mentioned face no problems of racism and discrimination.

- *Persons of immigrant origin*

34. Little information has been found concerning the extent of discrimination against persons of immigrant origin in fields of life such as employment, schools, housing and access to public places. However, there are some reports indicating that problems do exist, for example within schools, where children of immigrant origin may face harassment from other pupils, and in access to public places such as discos, particularly for visible minorities. It has also been reported that non-citizens, particularly asylum seekers and women of immigrant origin, face difficulties in accessing rental housing within Liechtenstein's very tight housing market. ECRI feels that the authorities should examine more closely the problems of discrimination faced by some persons of immigrant origin in order to develop strategies, including where necessary further legislation, to combat such problems.

- *Women of immigrant origin*

35. Women of immigrant origin, many of whom have come to Liechtenstein to join their spouses, are reported to be particularly vulnerable to the effects of racism and discrimination. For example, it has been reported that women of immigrant origin, particularly single mothers, have faced difficulties in finding rental accommodation, and that they are often disadvantaged on the labour market, where they are confined to low paid or black market jobs in which they are frequently exploited. The problem is particularly serious for those women who have not had an opportunity to learn some German. It is also commented that women of immigrant origin are less likely to be able to claim the rights of family reunification than their male counterparts, since they are less likely to earn enough money to support their dependents according to the regulations. ECRI encourages the authorities to take further steps to address the specific problems faced by women of immigrant origin. Such measures could include the further development of language training courses which are easily accessible and tailored to the needs of the women involved, and strategies to combat the problem of exploitation or disadvantage of women of immigrant origin on the labour market.
36. ECRI notes with interest that an NGO, the Women's Information and Contact Office, has launched the "Migrant Women's Project" in the spring of 2000 with a view to promoting the integration and independence of foreign women through the provision of language courses, counselling services and information. ECRI urges the authorities to support such initiatives with a view to developing and providing support for permanent and comprehensive counselling and advice services for migrant women.
37. Women of immigrant origin who have come to Liechtenstein to marry – including so-called "mail-order brides" – are especially vulnerable to abuses. Since the residence permit of such women is linked to their marriage, it has been reported to ECRI that such women may hesitate to leave their husbands even in cases of violence, since they fear expulsion from Liechtenstein. A binding governmental decision specifies that women who divorce their husbands on grounds of violence are permitted to stay in Liechtenstein regardless of the time their marriage has lasted, provided that the violence is

documented by a doctor, psychologist or police report. ECRI encourages the authorities to ensure that women facing violence in their marriages are not left in an unclear situation concerning their residence status until after their divorce is pronounced, and considers that women wishing to escape from violent marriages should receive a binding answer concerning their permission to continue to reside in Liechtenstein before going through the divorce procedure.

- **Muslims**

38. There are some reports that intolerance and prejudice towards Muslims, particularly women, have increased since the events of 11 September 2001. In particular, it has been reported that women wearing the headscarf have been faced with incidents of verbal harassment and discrimination. On the other hand, there has also been a series of newspaper articles reporting about the situation of Muslims in Liechtenstein which may have helped to raise public awareness. ECRI encourages the authorities to keep the situation under close examination and draws attention to its general policy recommendation No 5 on combating intolerance and discrimination towards Muslims.
39. Although two prayer rooms are available to Muslims in Liechtenstein and three mosques are situated nearby in neighbouring countries, there is not at present a mosque in Liechtenstein despite requests to the authorities and on-going discussions in this field. One problem seems to be that local communities have displayed some resistance to the possibility of the establishment of a mosque in their area. ECRI hopes that the authorities will take steps to assist in solving this problem.

K. Monitoring the situation in the country

- **Data and statistics**

40. There seems to be a lack of data on the situation of non-citizens in fields such as housing and education. Moreover, there is at present no systematic collection of data concerning racist acts, reports to the police on such incidents and the follow-up and outcome given to such reports. ECRI encourages the authorities to develop systems for monitoring the situation of non-citizens in fields such as employment, housing and education, paying due respect to the principles of confidentiality and the voluntary self-identification of persons as belonging to a particular group. A system for monitoring the incidence of racist and discriminatory acts, including reports made to the authorities and the follow-up and outcome given to such reports, should also be put in place.

L. Media

41. ECRI notes that a number of reports have appeared in the media on issues relating to the fight against racism and discrimination, such as articles on the problem of right-wing extremism, and considers that such articles may play a very important awareness-raising role within society. However, it has also been reported that the media tends on occasion to report crimes as being committed by persons of a certain nationality or ethnic origin, including in cases where the background of the alleged perpetrator is not relevant to the report. Noting that such reporting may create or exacerbate prejudices and stereotypes within

public opinion, ECRI encourages the media professions to follow up codes of conduct in this respect.

SECTION II: ISSUES OF PARTICULAR CONCERN

In this section of its country-by-country reports, ECRI wishes to draw attention to a limited number of issues which in its opinion merit particular and urgent attention in the country in question. In the case of Liechtenstein, ECRI would like to draw attention to the issue of integration of persons of immigrant origin and to the problem of right-wing extremist tendencies among younger people.

M. Integration of persons of immigrant origin

42. As stated previously, over a third of Liechtenstein's population is composed of non-citizens, many of whom have come to Liechtenstein for work purposes or for work-related family reunification. Many of these persons have lived in Liechtenstein for very long periods of time: over 80% have resided in Liechtenstein for over ten years. However, it appears that issues relating to the integration of persons of immigrant origin into Liechtenstein's society have only recently started to be discussed on the political and public level. ECRI is concerned that to date, no comprehensive and targeted integration strategy has existed in Liechtenstein. Although some non-governmental organisations are working in the field, and some initiatives have been taken by different official bodies, such as the Office of Social Services and the Office for Education, there seems to have been until now a lack on the part of the government to develop and put in place an overall vision and strategy of how non-citizens might be fully integrated into Liechtenstein's society and structures.
43. A frequently-cited problem is that many long-term non-citizen residents do not possess an adequate mastery of the German language and for this reason tend to remain within their community of origin and fairly isolated from the majority community. German lessons are provided for children of a different mother tongue (see above, "Education"); however, although there are some possibilities for adults to learn German, it is difficult for employed persons to attend such lessons within working hours, while other persons, such as women of immigrant origin who have come to Liechtenstein to accompany their working husbands, may also have difficulties in attending suitable language courses.
44. Over and above the language problem, it has been commented to ECRI that persons of foreign origin – sometimes even persons from neighbouring countries, for whom linguistic and cultural differences are unlikely to pose a barrier – may face difficulties in gaining full acceptance into society. For example, it has been commented that although persons from neighbouring countries such as Austria and Switzerland do hold posts in the country such as civil servants and judges, it is difficult for persons who are not of Liechtenstein origin to gain acceptance in fields such as politics at the local or national level. It has been commented in this respect that, despite the fact that many families in Liechtenstein contain members originating from neighbouring countries, the society is rather "exclusive" and that persons who do not have the family networks and background of persons of Liechtenstein origin tend to remain outsiders.
45. ECRI notes that although relations between non-citizens and the majority community are at present not particularly tense, it is possible that the situation might worsen if economic and social conditions become less-favourable for the population as a whole. Under such conditions, the relative lack of integration of

non-citizens as fully-participating members of society might leave them especially vulnerable if manifestations of xenophobia, discrimination and intolerance become more acute.

46. ECRI is pleased to learn therefore that a “blueprint for integration” is now being drawn up, in which clear guidelines are to be established for the integration policy of the government of Liechtenstein. The aim of this blueprint, which was developed after a survey conducted in 2000 by the Office of Social Services among foreign associations as regards their needs in the area of integration, is to combat racism and xenophobia and to present a wide range of cultures, esteem for others and the advantages of an integrated society. ECRI welcomes the philosophy behind this blueprint, which is conceived of as a two-way strategy in which a mutual integration process between majority and minority is foreseen, and that, moreover, integration will be one of the main pillars of the National Action Plan (NAP) resulting from the implementation of the Durban World Conference against Racism follow-up.
47. ECRI hopes that the authorities at the highest level will ensure that this new policy direction is made well-known to the public as a priority of the government and that a wide public debate on the issues surrounding integration will be initiated. ECRI also hopes that the integration strategy will contain clear policies to improve the integration of persons of immigrant origin in concrete terms. Such policies could include for example a wider and more accessible range of German-language learning possibilities, with the collaboration and participation of employers themselves. Particular strategies should be developed in order to ensure that potentially very isolated persons, such as women of immigrant origin who do not go out to work, can learn the German language. Measures to ensure that non-citizens are given an understanding of Liechtenstein’s society and structures would also be most opportune, along with the provision in a variety of languages of information concerning their legal situation, regulations in force, their rights and how they can seek further assistance and guidance.
48. ECRI also feels that an important element and incentive for a person’s integration into a country may be his or her acquisition of citizenship, and considers therefore that further steps might be taken to facilitate access to citizenship for long-term residents, as outlined above (see “Law on citizenship”). ECRI also feels that the possibility of allowing voting rights at the local level for long-term residents might be considered as a means to increase their participation in their local communities. Issues such as possibilities for swift family reunification are also extremely important, particularly to ensure that the children of non-citizens are able to integrate fully into society at an early age.

N. Extremist right-wing tendencies among younger people

49. There has been concern at a rise in xenophobic and right-wing tendencies among youths and young adults. An increased propensity to violence has also been noted: in 2001 eight incidents of right-wing violence were reported to the police, acts of graffiti included racist expressions and symbols, and at least one person of immigrant origin was attacked by skinheads. In accordance with their most recent findings, the authorities do not consider that the persons involved in movements such as the skinhead movement in Liechtenstein are ideologically or politically motivated but are mainly young persons with a clear general

propensity for violence. Furthermore, it seems that the wearing of Nazi and other racist symbols and certain types of clothing associated with the skinhead movement is considered as fashionable among some groups of young people, who may also succumb to acts of violence or vandalism.

50. In 1999, the Office of Social Services compiled a report on the radical right in Liechtenstein and outlined a series of measures to combat such ideological tendencies, including, inter alia, assistance and rehabilitation measures for juvenile offenders, educational activities to raise awareness and a more co-ordinated and effective response to racist activities on the part of the police and other authorities. The government subsequently set up an expert group on right-wing extremism in the police force, and a co-ordinating group on right-wing extremism to improve co-ordination among State entities in preventing and combating right-wing extremism. ECRI notes that the expert group on right-wing extremism monitors the activities of persons known to be involved in skinhead and similar groups, and ensures that the relevant legislation in force is applied to combat any criminal activities. Moreover, steps have been taken to curb the organised activities of such groups by encouraging communes to refuse to rent out public places for their events and meetings. Another aim of the expert group is to identify the persons involved in skinhead and similar groups so that they are aware that they are known to the police and will accordingly refrain from acting in a violent or otherwise criminal fashion. The group also co-operates closely with police forces in neighbouring countries in order to combat the problem of groups and individuals who are active across the borders, and raises awareness within the police force of this problem.
51. ECRI welcomes the steps already taken by the authorities to monitor and deal with the problem of right-wing extremism and encourages them to continue their efforts in this respect. ECRI welcomes the fact that the issue of right-wing extremism has been openly discussed in Liechtenstein by the authorities and also in the media, and stresses in particular the need to intensify educative and awareness-raising measures among young people, both within and without the school context, in order to prevent young people from adopting right-wing extremist symbols and dress and from adhering to groups or ways of thinking which may lead them into violence and criminality. ECRI is concerned that extreme right-wing tendencies among young people may in some cases point to the existence of more generally-held xenophobic or intolerant attitudes among the general public and that such tendencies, which may at present be limited in their expression and somewhat latent, may very quickly develop into more overt discrimination and intolerance and violent forms of racism and xenophobia, particularly in case of a less favourable economic climate where non-citizens are perceived as competitors for employment and resources. ECRI stresses again the need to raise awareness of Liechtenstein as a country in which non-citizens should be considered as a permanent and valuable part of society and not primarily as an economic resource which exists as a separate part of the population.

BIBLIOGRAPHY

This bibliography lists the main published sources used during the examination of the situation in Liechtenstein: it should not be considered as an exhaustive list of all sources of information available to ECRI during the preparation of the report.

1. CRI (98) 23: Report on Liechtenstein, European Commission against Racism and Intolerance, Council of Europe, March 1998
2. CRI (96) 43: ECRI general policy recommendation n° 1: Combating racism, xenophobia, antisemitism and intolerance, European Commission against Racism and Intolerance, Council of Europe, October 1996
3. CRI (97) 36: ECRI general policy recommendation n° 2: Specialised bodies to combat racism, xenophobia, antisemitism and intolerance at national level, European Commission against Racism and Intolerance, Council of Europe, June 1997
4. CRI (98) 29: ECRI general policy recommendation n° 3: Combating racism and intolerance against Roma/Gypsies, European Commission against Racism and Intolerance, Council of Europe, March 1998
5. CRI (98) 30: ECRI general policy recommendation n° 4: National surveys on the experience and perception of discrimination and racism from the point of view of potential victims, European Commission against Racism and Intolerance, Council of Europe, March 1998
6. CRI (2000) 21: ECRI general policy recommendation n° 5: Combating Intolerance and Discrimination against Muslims, European Commission against Racism and Intolerance, Council of Europe, April 2000
7. CRI (2001) 1: ECRI general policy recommendation n° 6: Combating the dissemination of racist, xenophobic and antisemitic material via the Internet, December 2000
8. CRI (98) 80: Legal measures to combat racism and intolerance in the members States of the Council of Europe, Council of Europe, Strasbourg 1998
9. Parliamentary Assembly of the Council of Europe Opinion No. 90 (1978) on Liechtenstein's accession to the Council of Europe
10. CDMG (97) 17 rev: "Recent developments in policies relating to migration and migrants", European Committee on Migration (CDMG), Council of Europe, 1998
11. ACFC/SR (99) 4 "Report submitted by Liechtenstein pursuant to Article 25, paragraph 1, of the Framework Convention for the Protection of National Minorities" (Received on 3 March 1999)
12. ECRML (2001) 5 "European Charter for Regional or Minority Languages – Application of the Charter in Liechtenstein", Strasbourg, 20 September 2001
13. Government of the Principality of Liechtenstein "National report of Liechtenstein – First report pursuant to article 15 of the European Charter for Regional or Minority Languages of 5 November 1992", Vaduz, 1 March 1999
14. CERD/D/394/Add.1 "Initial report of Liechtenstein under Article 9 of the International Convention on the Elimination of all Forms of Racial Discrimination, United Nations, 6 November 2001
15. "Flüchtlingshilfe Liechtenstein", Jahresbericht 2001, UNHCR
16. "Rechtsradikalismus in Liechtenstein – Analyse und Massnahmenkatalog", Amt für Soziale Dienste, Schaan, Mai 1999
17. "Projekt Migrantinnen", Informations und Kontaktstelle für Frauen (infra), Februar 2000
18. 2001 Statistisches Jahrbuch, Fürstentum Liechtenstein Amt für Volkswirtschaft, Vaduz 2001

19. US Department of State "Country Reports on Human Rights Practices – 2000", February 2001
20. US Department of State "International Religious Freedom Report – Liechtenstein", October 2001