

# **LIECHTENSTEIN**

## **THIRD REPORT**

**pursuant to article 18 of the  
Convention on the Elimination of All Forms of  
Discrimination against Women  
of 18 December 1979**

Vaduz, 5 July 2006  
RA 2006/1591

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## **FOREWORD**

This report, which was adopted by the Government of the Principality of Liechtenstein on 20 June 2006, is being submitted pursuant to article 18 of the Convention of 18 December 1979 on the Elimination of All Forms of Discrimination against Women. This is the third country report by Liechtenstein, covering the period from July 2001 to July 2006.

The first part of the report contains general information on the country of Liechtenstein and on its protection and promotion of human rights. The second part was compiled pursuant to the guidelines in document HRI/GEN/2/rev.1/Add.2 of 5 May 2003 and contains the legislative, administrative, and other measures taken to implement the Convention in the reporting period. The Government would like to call attention to the fact that the second report of Liechtenstein, which was submitted in a timely manner in 2001, has not yet been considered by the Committee due to an organizational misunderstanding. The present report therefore makes reference to the comments and recommendations by the Committee in response to the first country report in 1999.

Government of the Principality of Liechtenstein

## **PART 1: INFORMATION ON THE COUNTRY OF LIECHTENSTEIN**

### **I. Liechtenstein – an overview**

#### **A Country and people**

##### ***Geography***

The territory of the Principality of Liechtenstein lies between Switzerland and Austria and covers an area of 160 square kilometers. Liechtenstein consists of 11 rural municipalities, the largest two of which have slightly over 5,000 inhabitants each. One quarter of the territory of the country is located in the Rhine Valley, while the remaining three quarters are covered by the slopes above the Rhine Valley and the inner-Alpine region. The capital and seat of the national authorities is Vaduz.

##### ***Population***

At the end of 2004, Liechtenstein had a resident population of 34,600 people, the size of a small city. However, the population of the country is spread out over 11 municipalities. 34.3% of the resident population are foreigners. Of all the foreign citizens living in Liechtenstein, 49.8% are from the countries of the European Economic Area (EEA)<sup>1</sup>, especially from Austria and Germany, and 30.5% from Switzerland. The proportion of the foreign population from third countries is therefore 19.7% - including 7.5% from Turkey and 4.4% from Serbia and Montenegro.

##### ***Population structure***

Slightly more than half of the resident population of Liechtenstein in 2004 was female. This majority of women is typical for practically all Western societies and is related to the higher life expectancy of women. The share of women in the native population is 51.7%; the share of women in the foreign population is 48.8%. This difference is due to the higher immigration rate of men, who are often joined by their families only later or not at all.

The birth rate and accordingly also the excess of births over deaths (births minus deaths) have decreased overall since 1970, but have remained roughly stable since the 1990's. In the last 10 years, an average of 395 children have been born in Liechtenstein each year. In 2004, there were 372 births and 198 deaths. Infant mortality has steadily decreased in Liechtenstein since the 1950's and is now very low. Of 1,000 children, an average of 3 children died before their first birthday over the last few years.

Overall, the permanent population of Liechtenstein increased by 0.9% or 306 inhabitants in 2004, due to immigration and the birth surplus. 132 of these inhabitants moved to

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<sup>1</sup> The European Economic Area was created out of the 15 Member States of the European Union and the EFTA States Iceland, Liechtenstein, and Norway. The 10 new EU Member States have been part of the EEA since 1 May 2004.

Liechtenstein from abroad. Immigration is therefore an important factor in the steady population growth of Liechtenstein.

Life expectancy has steadily increased over the last 30 years. In 2004, the average life expectancy was 83.7 for women and 78.6 for men<sup>2</sup>. Along with the low birth rate and the rather restrictive immigration policy, the rising life expectancy is leading to an increased aging of Liechtenstein society. This is also confirmed by the youth quotient, which represents the ratio of inhabitants under 20 to inhabitants between 20 and 64. While the youth quotient was still 51.2% in 1980, it sank to 38.2% by 2000. By the end of 2004, 17.6% of the population were younger than 15 and 11.1% were older than 65.

While 33% of the population of Liechtenstein still lived in private households with 6 or more persons in 1970, only 6% of the population lived in this category of households in 2000. In the same time period, the number of 1-person and 2-person households increased substantially, so that nearly 40% of the population now lives in these forms of household. In 2000, the average household only had 2.4 persons. The increase in single-parent families is also striking. Of a total of 13,282 private households in 2000, 926 consisted of one parent and a child or children, while there were still only 745 such households in 1990.

In 2004, 339 permanent residents of Liechtenstein married in 2004, of whom 164 were men and 175 were women. Of the 110 men with Liechtenstein citizenship who married in 2004, 57.2% married a foreigner. Of the 118 women with Liechtenstein citizenship, 59.3% married a foreigner. Accordingly, the majority of Liechtenstein men and women married foreigners. In 2004, there were 62 divorces for every 100 new marriages. The overall divorce rate in Liechtenstein is 56%, which is also high in an international comparison. The strikingly high number of divorces in 1999 and 2000 was in part due to the introduction of the new Divorce Act (1 April 1999). The low marriage rate (new marriages per 1000 men living in Liechtenstein) also affects the high overall divorce rate. In 2004, there were only 4.8 new marriages per 1000 men living in Liechtenstein; in 2001, the rate was still 6.0.

### ***Religion***

At the end of 2002<sup>3</sup>, 76% of the overall population were Roman-Catholic, 7% were Protestant, and 4.1% Muslim. 10.8% of the population provided no data on their religious affiliation.

The Liechtenstein Constitution guarantees freedom of religion and conscience. It also guarantees civil and political rights independent of religious affiliation. Until 2003, dispensation from religious instruction at the secondary level (*Oberschule*, *Realschule*, and *Gymnasium*) was granted with reference to freedom of religion. Starting with the 2003/2004 school year, the option is now offered to choose between a "Religion and Culture" course and denominational religious instruction (Catholic or Protestant) in the first grades of secondary school. All students not attending denominational instruction attend the "Religion and

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<sup>2</sup> Because of the small size of the country, Liechtenstein does not measure life expectancy. The cited figures are taken from the publication of the Council of Europe entitled "2004 Recent Demographic Developments in Europe".

<sup>3</sup> No new survey has been taken in Liechtenstein since the end of 2003 concerning the distribution of religions.

Culture” class. The goal of the “Religion and Culture” class is to encourage students to think about the topic of religion and its significance for personal and social life – in a manner that is respectful of the different religious and philosophical beliefs.

According to the Constitution, the Roman-Catholic Church is the “National Church of Liechtenstein”, which is not equivalent to an established or State church. In addition to the Roman-Catholic Church, the Evangelical (Protestant) Church is also supported financially by the State. In the wake of the establishment of the Archdiocese of Liechtenstein, a disentangling of Church and State is currently under consideration.

### ***Language***

According to the Liechtenstein Constitution, the German language is the State and official language of Liechtenstein. In general, an Alemannic dialect of German is used as the conversational language.

## **B General political structure**

### ***System of State***

The Principality of Liechtenstein is a constitutional hereditary monarchy on a democratic and parliamentary basis. The power of the State is embodied in the Reigning Prince and the People. The relatively strong position of the Reigning Prince is balanced by far-reaching direct-democratic rights of the People.

### ***Separation of powers***

In the dualistic system of State of the Principality of Liechtenstein, the power of the State is embodied both in the Reigning Prince and the People. Separation of powers is further safeguarded by vesting separate rights in the executive branch (Government), the legislative branch (Parliament), and the judicial branch (Courts).

### ***Reigning Prince (Head of State)***

The Reigning Prince is the Head of State and represents the State in all its relations with foreign States, notwithstanding the requisite participation of the competent Government. On the proposal of Parliament, the Reigning Prince appoints the Members of the Government. He is also responsible for appointing judges, the election of which is undertaken by Parliament on the proposal of a special selection body. On important grounds, the Reigning Prince may dissolve Parliament and dismiss the Government. The Reigning Prince may also exercise emergency powers. He also may exercise the powers of pardon, mitigation, and quashing with respect to criminal investigations. Every law requires the sanction of the Reigning Prince to enter into force. In exercising his powers, the Reigning Prince is bound by the provisions of the Constitution.

### ***Parliament***

The Liechtenstein Parliament is elected every four years. Parliament consists of 25 Members. They are elected in universal, equal, direct, and secret elections in accordance with proportional representation. In the current legislative term (2005-2009), three parties are represented in Parliament. The Progressive Citizens' Party has a plurality with 12 seats. The Patriotic Union has 10 seats, and the Free List is represented with three seats.

The most important responsibilities of Parliament are participation in the legislative process, assent to international treaties, approval of State funds, election of judges on the proposal of the selection body, and supervision of the National Administration. Parliament elects the Government and proposes its appointment to the Reigning Prince. It can also trigger dismissal of the Government when the Government loses its confidence. Parliament has a quorum if at least two thirds of its Members are present.

### ***Government***

The Government consists of five Ministers: the Prime Minister, the Deputy Prime Minister, and three other Ministers. The Ministers are appointed by the Reigning Prince on the recommendation of Parliament. The Government is the supreme executive authority, to which over 30 offices and several diplomatic missions abroad are subordinate. About 50 commissions and advisory councils support the work of the Administration.

The Government has the power to issue ordinances and is therefore also a rule-making authority. Ordinances may, however, only be issued on the basis of legislation and international treaties.

### ***Jurisdiction***

Jurisdiction is divided into jurisdiction under public law (special jurisdiction) and ordinary jurisdiction. Jurisdiction under public law is exercised by the Administrative Court and the Constitutional Court. The Administrative Court is the instance for complaints against decisions and orders of the Government or commissions acting on the Government's behalf. The responsibilities of the Constitutional Court include in particular the protection of the rights guaranteed by the Constitution, the European Convention on Human Rights, and the human rights instruments of the United Nations<sup>4</sup>. It also reviews the constitutionality of laws and international treaties and the legality of Government ordinances.

Ordinary jurisdiction encompasses the administration of justice in civil and criminal matters. The first instance is the Liechtenstein Court of Justice in Vaduz. Before a complaint can be lodged with the Liechtenstein Court of Justice in contentious civil matters, a mediation procedure must be undertaken in the municipality of residence of the defendant. Only if the mediation procedure fails can the Liechtenstein Court of Justice be invoked as the first instance. Ordinary jurisdiction in the first instance is exercised by individual judges. The

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<sup>4</sup> International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Elimination of All Forms of Discrimination against Women, Convention on the Rights of the Child, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the International Convention on the Elimination of All Forms of Racial Discrimination.

second instance is exercised by the Court of Appeal, and the third instance by the Supreme Court. Both courts are collegial bodies.

### ***Municipalities***

Municipal autonomy plays an important role in Liechtenstein. The autonomous scope of authority of the 11 municipalities is laid down in article 110 of the Constitution. The eligible voters of each municipality elect a Municipal Council headed by a Mayor who, depending on the size of the municipality, exercises his office full-time or part-time. The municipal authorities conduct their affairs autonomously and manage the municipal assets. Citizens may call a referendum against their decisions.

## **C Economic and political integration**

Liechtenstein engages in an active foreign policy characterized by the goal of strengthening State sovereignty and the goal of better political and economic integration at the international and European levels. Through the industrialization and economic development that began in the 1960's and has continued until day, this integration has been realized step by step.

Already in 1960, Liechtenstein was integrated into the European Free Trade Association (EFTA) through its Customs Treaty with Switzerland. In 1991, it joined EFTA as an autonomous member. Liechtenstein joined the Organization for Security and Cooperation in Europe (OSCE) in 1975 and the Council of Europe in 1978. It became a member of the United Nations in 1990 and a member of the European Economic Area (EEA) and the World Trade Organization (WTO) in 1995.

Today, Liechtenstein maintains diplomatic missions to the United Nations in New York, the European Union in Brussels, to EFTA, the UN, and the WTO in Geneva, a Permanent Mission to the Council of Europe in Strasbourg and a Permanent Mission to the OSCE and the UN in Vienna. Bilateral embassies have been established in Berne, Berlin, Brussels, Washington, Vienna, and to the Holy See.

## **D Economy**

### ***Economic area***

Since entry into force of the Customs Treaty in 1924, Liechtenstein has formed a common economic area with Switzerland. The border between the two States is open; the border to Austria is controlled by Swiss border guards. Pursuant to the Currency Treaty with Switzerland, the Swiss franc is legal tender in Liechtenstein. As mentioned above, Liechtenstein has participated in the European Economic Area since 1995, in which it forms a



uniform single market with the EU Member States, Norway, and Iceland. After enlargement by the ten new EU States on 1 May 2004, the EEA now includes a total of 28 Member States.

### ***Economic structure***

Liechtenstein is a modern industrial and service economy with worldwide connections. The foundations of its economic success in recent decades have been favorable framework conditions ensured by liberal business law. Liechtenstein is also home to a highly productive, globally oriented industrial sector, which contributed in 2003 approximately 42% of the overall added value of the country (gross domestic product). In addition, Liechtenstein has well-developed service enterprises, especially in the financial sector, with legal counseling, professional trustees, and banks. The country enjoys a worldwide reputation as a modern financial center with first-class know-how. In 2003, financial services and general services generated 51% of the added value of the country (gross domestic product). Liechtenstein is one of the most heavily industrialized countries in the world. This broad diversification was and is the key for the continuous and crisis-resistant growth of the Liechtenstein economy.

### ***Employment structure***

The small size of Liechtenstein and the continuing economic growth entail that a large part of the workers must be recruited abroad and commute across the national borders (cross-border commuters). At the end of 2004, 16,768 residents of Liechtenstein were employed, or just about 50% of the resident population. Of these, 15,622 were employed in Liechtenstein and 1,146 were employed abroad. The 15,622 persons living and working in Liechtenstein were joined by 13,911 workers commuting to Liechtenstein from neighboring countries, so that a total of 29,533 persons were employed in Liechtenstein at the end of 2004. Compared with the total population of 34,600, this is a very high number.

Agriculture is no longer of great significance to the national economy. However, it still plays an important role with respect to self-sufficiency in times of crisis and with respect to cultivation and preservation of the natural and cultural landscape. 1.3% of all persons employed in Liechtenstein at the end of 2004 still worked in the primary (agricultural) sector. Although the service sector (commerce, financial services, hotels and restaurants, education, etc.) is continually growing and encompassed 54.5% of the fully employed population at the end of 2004, Liechtenstein continues to have an active and diversified secondary sector (industry, trades, construction, etc.), in which 44.2% of all fully employed persons work.

### ***Unemployment***

In an international comparison, unemployment is low. In May 2006, unemployment was 2.4%, which corresponds to 717 persons.

### ***Inflation rate***

Because of the economic and currency union with Switzerland, the inflation rate is expressed in terms of the annual average of the Swiss national index of consumer prices. In 2004, the inflation rate was 0.8%.

## **E General legal framework for the protection of human rights**

### ***Fundamental rights and freedoms***

A number of basic rights are enshrined in the Constitution of the Principality of Liechtenstein. In particular, these include the right to freedom of movement and acquisition of property, personal freedom, the sanctity of the home, the protection of the privacy of correspondence and documents, the right to proceedings before a regular judge, the inviolability of private property, the freedom of commerce and trade, the freedom of religion and conscience, the right to freedom of expression and press freedom, the right to free association and assembly, the right to petition, and the right to lodge complaints. The Constitution also specifies that all citizens are equal before the law and that the rights of foreign citizens are governed by treaties and, if no such treaties apply, by the principle of reciprocity.

### ***Jurisdiction and international legal action***

If a person believes that his or her fundamental rights or freedoms have been violated, the person may avail himself or herself of a court or a complaints procedure. The person may demand annulment of the administrative or governmental decision, compensation, or satisfaction for material or immaterial damage. The Constitutional Court is empowered to review the constitutionality of applicable law and may declare legislation, ordinances, or parts thereof to be invalid. In certain cases, complaints may also be lodged with the European Court of Human Rights in Strasbourg, as Liechtenstein has been a State Party to the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950 since 1982. The prerequisite is that the proceedings in Liechtenstein have exhausted all competent judicial instances.

In addition, the Constitutional Court is the national judicial instance which decides on alleged violations of rights guaranteed by an international human rights convention. The Constitutional Court has this competence in respect of all individual complaint procedures which Liechtenstein has recognized under international human rights conventions.

### ***Liechtenstein membership of international human rights conventions***

As a member of the United Nations and the Council of Europe, Liechtenstein has ratified a number of European and international agreements for the protection of human rights. These are amongst others:

- Charter of the United Nations of 16 June 1945
- Convention relating to the Status of Refugees of 28 July 1951, with Protocol of 31 January 1967
- Convention of 21 December 1965 on the Elimination of All Forms of Racial Discrimination
- International Convention on Economic, Social and Cultural Rights of 16 December 1966
- International Convention on Civil and Political Rights of 16 December 1966

- Optional Protocol to the International Convention on Civil and Political Rights of 16 December 1966
- Second Optional Protocol to the International Convention on Civil and Political Rights, aiming at the abolition of the death penalty, of 15 December 1989
- Convention of 18 December 1979 on the Elimination of All Forms of Discrimination against Women
- Convention on the Rights of the Child of 20 November 1989
- Optional Protocol of 25 May 2000 to the Convention on the Rights of the Child on the involvement of children in armed conflict
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women of 6 October 1999
- Convention of 10 December 1984 against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Statute of the Council of Europe of 5 May 1949
- European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950, including various protocols
- European Convention of 26 November 1987 against Torture and Inhuman or Degrading Treatment or Punishment, including Protocols 1 and 2
- European Framework Convention of 1 February 1995 for the Protection of National Minorities
- European Charter for Regional or Minority Languages of 5 November 1995
- European Agreement of 5 March 1996 relating to Persons participating in Proceedings of the European Court of Human Rights
- Rome Statute of the International Criminal Court of 17 July 1998

### ***Implementation of international conventions***

With respect to the implementation of international human rights conventions, Liechtenstein abides by the principle that treaty obligations are only entered into if they can actually be complied with. A ratified agreement becomes part of national law from the date of entry into force, without the adoption of a special law being necessary, as long as the provisions of the agreement are specific enough to serve as a basis for decision.

### ***National information policy concerning human rights conventions***

All laws and therefore practically all international agreements are considered by Parliament and must be published in the Liechtenstein Law Gazette (Liechtensteinisches Landesgesetzblatt, LGBL.). Their entry into force is also published in the national newspapers.

All legal acts are available to the public. The complete text can either be obtained from the Government Chancellery or viewed on the Internet.

The new Internet presentation of the State of Liechtenstein and its authorities went online in December 2003. On the new portal ([www.liechtenstein.li](http://www.liechtenstein.li)), all international human rights agreements applicable to Liechtenstein may be accessed. Also available are all country reports submitted by Liechtenstein and the recommendations of the human rights committees and monitoring bodies.

The present report was submitted to the NGOs constituting the Liechtenstein Women's Network and the Rapunzel Mothers' Center for comments. The comments will be submitted separately to the CEDAW Secretariat.

## **PART 2: IMPLEMENTATION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN**

### **II. Introduction**

#### **The situation of women in Liechtenstein and implementation of the Beijing Platform for Action**

Since the legal equality of women and men was enshrined in the Liechtenstein Constitution in 1992 and since Liechtenstein ratified the Convention on the Elimination of All Forms of Discrimination against Women in 1996, Liechtenstein has engaged in vigorous efforts to realize the principle of equality.

During the reporting period, additional steps have been taken at the legal level as part of Liechtenstein's equality policy. In December 2004, the Liechtenstein Parliament decided to incorporate EU Directive 2002/73/EC, the goal of which is to realize the equal treatment of men and women in the workplace, and to amend the Gender Equality Act accordingly, which entered into force in 1999. The new legal provisions on parental leave promote the compatibility of career and family, while the revision of occupational pension schemes has improved the situation of part-time employees. With respect to the focus area of prevention of violence against women, both the revision of the Code of Civil Procedure, which enhances the protection of victims, and the development of a Victims Protection Act have contributed to the progress made. In 2002, Liechtenstein also ratified the Optional Protocol to CEDAW and has since accepted the authority of the CEDAW Committee to review alleged violations of the Convention.

Thanks to these new legal foundations, which supplement the equality principle in the Constitution and its previous legal implementation as cornerstones of equality policy, the equality of women and men at the legal level has almost been completely achieved. A certain need for action still exists with respect to de facto equality, however. To promote de facto equality, changes have been initiated at the institutional level during the reporting period: The Office of Gender Equality was upgraded into an Office of Equal Opportunity in 2005. Its focus areas are the working life of women, the compatibility of career and family, and violence against women. In addition to measures for the better integration of women in the working life and economic decision-making functions, the Office of Equal Opportunity has also actively promoted the participation of women in political life.

In this way, the Government's policy on women promotes changes in the population's attitudes concerning the traditional distribution of roles between women and men, which is further supported by the activities of the women's organizations working in Liechtenstein.

Liechtenstein's policy on women is based on the four focus areas of the Beijing Platform for Action, which has been implemented by Liechtenstein since 1998:

1. women's rights are human rights;
2. protection from violence is a basic right of women;
3. the full participation of women in all public and private decision-making processes in all areas of life must be ensured;
4. the rigid distribution of roles between women and men must be dissolved.

Liechtenstein compiles and publishes annual reports on implementation of the Beijing Platform for Action (for instance, cf. the 2005 Implementation Plan, Appendix 1).

### **III. Remarks on the individual articles of the Convention**

#### **Article 2 Policy measures to eliminate discrimination against women**

- a) *Inclusion of the principle of equality in the Constitution or legislation and measures for the practical realization of this principle***

##### Incorporation of Directive 2002/73/EC and revision of the Gender Equality Act

In December 2004, Parliament unanimously agreed to incorporate Directive 2002/73/EC of the European Parliament and Council of 23 September 2002. The directive serves to amend Directive 76/207/EEC of the Council, which aims to realize the principle of equality of women and men with respect to working conditions and career advancement and with respect to access to jobs and vocational training. The goal of the amendment directive is to harmonize the Gender Equality Directive with the relevant judgments of the European Court of Justice and the new proposals of the Commission for anti-discrimination measures on the basis of the Treaty of Amsterdam. The essential content of Directive 2002/73/EC encompasses the definition of sexual harassment and indirect discrimination, provisions for the implementation of legal and administrative requirements to combat discrimination against women, the obligation to conduct preventive measures against discrimination on the basis of gender, and the extension of the protective right to return to the workplace after parental leave.

Implementation of Directive 2002/73/EC necessitated amendments to the Gender Equality Act<sup>5</sup>, which constitutes the Liechtenstein instrument for the realization of de facto equality of women and men in the working life. Additionally, new provisions in labor contract law were necessary. Only those provisions of the directive required legislative implementation into Liechtenstein law that deviated from the Gender Equality Act and labor contract law or that had not yet been taken into account by this legislation. In particular, this included incorporation of the definitions of harassment, sexual harassment, and direct and indirect discrimination. In addition, the scope of the Act was expanded to encompass all forms of

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<sup>5</sup> Law of 10 March 1999 on the Equality of Women and Men, Liechtenstein Law Gazette LGBl. 1999 No. 96.

work – previously, the provisions applied to all employment relationships under private and public law – and the prohibition of discrimination was harmonized with the directive. The maximum compensation limits in the case of termination of an employment relationship and in the case of sexual harassment were eliminated and replaced with minimum limits. The burden of proof was further reduced for victims of discrimination, class actions suits were expanded to include individuals, and a prohibition against recriminatory measures was introduced.

Parliament approved the revision of the Gender Equality Act on 17 May 2006. Employers and employees will be briefed on the legislative revision in the autumn of 2006. Newsletters will be sent to businesses, and employees will be made aware of the amendments through newspaper articles and the websites of the Office of Equal Opportunity, the Employees Association, and *infra* – the Information and Contact Office for Women.

#### Revision of the Code of Criminal Procedure: Improvement of victims protection

On 1 January 2005, a partial revision of the Code of Criminal Procedure, sometimes referred to as the "Victims Protection Act"<sup>6</sup>, entered into force. The goal of this legislative amendment is to improve the legal standing of victims in criminal proceedings by establishing a procedural right to respectful treatment and the greatest possible protection. In particular, the interests of young victims and victims of sexual offenses will be taken into account more strongly.

One of the most important achievements of the legislative revision is protective questioning, in which the witness subject to protection is questioned in a separate room from the perpetrator, so that the witness is not forced to face the perpetrator. In connection with the expanded right to refuse statements, this ensures that victims who are in particular need of protection must in general only appear before court once and are accordingly protected to the extent possible. In addition, the questioning especially of young witnesses will be transferred to experts who, due to their training and professional experience, are able to keep the psychic burden on witnesses during questioning to a minimum.

Other legislative amendments in the interest of victims protection include the introduction of assistance to witnesses, which grants each witness contact with a confidant, the protection of privacy through explicit confidentiality requirements and prohibitions of publication, a more detailed specification of the content of the official duty to report crimes, and special aid, instruction, and information requirements, such as the possibilities of informing victims of a release of a suspect from pretrial detention. In addition, the legislative revision includes detailed provisions on the exclusion of the public and the inadmissibility of television, radio, film, and photographic recordings in court.

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<sup>6</sup> Law of 15 September 2004 amending the Code of Criminal Procedure, LGBl. 2004 No. 236.

### Victims Assistance Act

The creation of the Victims Assistance Act concludes a three-phase overall project, which began with the amendment of sexual criminal law and was continued in the revision of the Code of Criminal Procedure with respect to victims' protection. Since most of the victims of the offenses to which these amendments are relevant are women, the focus of this package of measures on improving the situation of victims constitutes an important step toward the actual realization of the principle of equality.

The draft of the Victims Assistance Act was approved by the Government in May 2006. Parliament is expected to consider the draft in the autumn of 2006. The goal of the proposal, namely the best possible support for victims, will be achieved on the basis of the two pillars of "counseling" and "financial assistance".

The appropriate care of victims and their families is the most important objective of victims' assistance. For this purpose, a Victims Counseling Office is being created. Its goal is to provide the necessary assistance in individual cases with respect to medical, psychological, social, material, and legal needs or, if it cannot provide such assistance itself, to find appropriate providers and to give information on victims' assistance. Both urgent immediate help must be guaranteed around the clock, and longer-term assistance must be ensured. Currently, concepts are being developed for the practical implementation of counseling services, which will take into account the needs of victims of criminal offences, along with the efficient use of existing resources and available know-how.

In the area of financial assistance, both comprehensive legal aid and rights of compensation are provided for. Legal aid covers the actual cost of the proceedings for victims, such as court fees and expert fees, as well as free legal counsel, depending on the victim's financial situation. This is intended to help victims assert their claims against perpetrators as well as insurance companies, for instance.

In addition, these provisions are intended to enable victims to receive compensation from the State for material and non-material injury suffered, to the extent that no or only insufficient compensation is given by third parties. The compensation of non-material injuries is intended to express society's recognition of the difficult situation of the victim as part of comprehensive victims protection, and especially to take into account the situation of victims of sexual offenses, who as a rule suffer hardly any material injuries, but usually grave non-material injuries. In contrast to compensation for loss of assets, non-material compensation should not be dependent on the income of the victim. Maximum amounts are specified for both forms of compensation.



### Parental leave

The legislative amendment concerning Parental Leave and Care Days in the Event of Sickness or Accident in the Family<sup>7</sup>, which serves as the national implementation of Directive 96/34/EC, entered into force on 1 January 2004. Its objective is to achieve better compatibility of family and work and to promote the equal opportunity and equal treatment of men and women. The law grants working women and men an individual right to parental leave in the event of birth or adoption of a child. Parental leave consists in unpaid leave of three months. Employees may take parental leave on a full-time or part-time basis, distributed over time, or by the hour until the third birthday of the child; in the case of adoptions and foster care arrangements, until the fifth birthday of the child. To ensure that employees can exercise their right to parental leave, the necessary measures have been taken to protect the employee against dismissal resulting from a request for parental leave or from taking parental leave. For purposes of equal opportunity and equal treatment of the sexes, the right to parental life may in principle not be transferred. In addition, the new legislation provides the basis for nursing leave, i.e., the right of the employee to stay away from work for urgent family reasons such as sickness or accident.

### Occupational pensions

The Law of 20 October 1987 on Occupational Pensions entered into force on 1 January 1989. It governs occupational old age, disability, and survivors' pensions and specifies minimum occupational pensions. According to current rules, the provisions of the law apply to employees who earn more than 25,320 francs per year. For part-time employees, this amount is reduced in proportion to the percentage of employment. Occupational pensions are compulsory and constitute the second pillar of Liechtenstein's three-pillar concept for old age, survivors', and disability provision. Together with the first pillar, Old Age, Survivors', and Disability Insurance, occupational pensions fulfill the task of allowing the elderly, survivors, and disabled persons to continue their accustomed standard of living in an appropriate manner.

After more than 15 years, revision of the legislation became necessary, especially also because of the changing economic environment. The legislative amendments<sup>8</sup> were adopted by Parliament in November 2005. The revision improves the position of part-time workers with respect to social insurances, since the entry threshold for the insurances has been reduced. According to the new law, every employee subject to the entry requirement whose applicable annual salary reaches at least three quarters of the maximum old-age pension provided by Old Age and Survivors' Insurance must be insured against the economic consequences of disability, death, and old age. Since most part-time workers in Liechtenstein are women, this legislative revision benefits them in particular. The primary objective of the legislative amendments is to strengthen the interests of the insured.

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<sup>7</sup> Law of 26 November 2003 amending the General Civil Code (Labor Contract Act), LGBl. 2002 No. 276.

<sup>8</sup> Law of 25 November 2005 amending the Occupational Pensions Act, LGBl. 2005 No. 276.

## Measures

### *i) Institutions*

The Office of Gender Equality, which was established in 1996, was renamed Office of Equal Opportunity in 2005. Since then, the topics and work within the scope of the Office have included supervision of projects to ensure equal opportunity in the areas of migration and integration of foreigners, school and vocational training, work, health, social security, disability, age, religion, and sexual orientation, in addition to its traditional focus on gender equality. The Office is the contact, coordination, and counseling office for general questions of equal treatment and equal opportunity as well as the front office of the Equal Opportunity Commission, which was appointed at the same time to develop inter-office solutions to questions of equality in all areas of life and to ensure their implementation. The Commission does not deal with questions of gender equality, however, since a special Gender Equality Commission was created for this purpose in 1986.

To fulfill its additional responsibilities, the workforce of the Office of Equal Opportunity was increased from the equivalent of one full-time position to two full-time positions. As before, the equivalent of one full-time position is allocated to the field of gender equality. An evaluation is scheduled for 2007 to assess whether this solution is appropriate and whether personnel or organizational adjustments should be initiated.

The starting point for the expansion of the Office of Gender Equality into the Office of Equal Opportunity was the realization that the promotion of equal opportunity cuts across areas and offices. By concentrating all tasks relating to equal opportunity within a single office, the Administration can do justice to this circumstance and the mutual impact of discrimination in different areas. With respect to the promotion of gender equality, the consolidation of topic areas has the advantage that multiple discriminations against women can now be better recognized and dealt with. The Office fulfills its responsibilities relating to gender equality in accordance with the provisions of the Gender Equality Act. The focus of its work in this area has been on compatibility of family and work, women and careers, women and politics, violence against women, the basic and continuing education of girls and women, the social status of women, gender mainstreaming, and networking with NGOs and the relevant regional offices in the neighboring countries of Switzerland and Austria. The Office of Equal Opportunity is active in implementing the provisions both of the Gender Equality Act and of the Platform for Action of the Beijing+5 Conference in 2000 and in the relevant reports. The implementation plans relating to the Platform for Action are published annually by the Government (as an example, see 2005 Implementation Plan, Appendix 1).

Over the last few years, the central focus of the Gender Equality Commission, which was set up in 1986 and legally enshrined as the permanent advisory organ of the Government by the 1999 Gender Equality Act, has been on the representation of women in political bodies. The Commission provided support to the candidates in the recent parliamentary and municipal

elections, such as by offering a public policy course to women since 2004. In addition, the Commission strives to raise the awareness of the political parties and of voters for the participation of women in politics. For this purpose, the Commission conducted an advertising campaign leading up to the 2005 parliamentary elections. The Commission has made various recommendations to the parties and the media and called for support for the goal of "7 Women in Parliament 2005" articulated by the Commission (see remarks relating to article 7).

Within the Liechtenstein National Administration, several measures have been taken during the reporting period to advance the equality of women and men in a consistent manner. For instance, the permanent Working Group on the Promotion of Gender Equality within the National Administration has introduced so-called gender equality controlling. Its goal is to offer staff members of the National Administration assistance and the opportunity to reflect on their attitudes toward questions of gender equality and the implementation of equal opportunity in their work environment and to define concrete equality objectives. A first pilot project with the Office of Vocational Training began in May 2005. Other projects of the Working Group include the compatibility of family and work in the National Administration, as well as mobbing and sexual harassment.

The instructions issued to the National Administration in 1994 on the linguistic equal treatment of women and men were revised in 2004. They were submitted to all offices of the Administration in writing and made accessible to all staff members of the National Administration on the intranet. The instructions were amended to specify that abbreviated gender formulations in singular and plural using various orthographic techniques are permissible (slash or capital letters). The instructions are intended to be an instrument to facilitate the use of gender-appropriate language in concise and practical form. In addition, a dictionary from A – Z on linguistic equal treatment can be accessed on the Internet, offering suggestions for formulations.

The Steering Committee for Gender Mainstreaming, appointed in 2002, submitted an implementation plan to the Government in the summer of 2003. The Steering Committee has since accompanied the first implementation of the project on "Gender Parity in the National Commissions", the goal of which is to achieve 30% representation of women in the national commissions by the end of 2006 and 50% by the end of 2010. In a first step, the relevant statistics have been updated, and interviews with persons in key positions have been conducted. The Steering Committee also supports the offices of the Administration participating in the 3-Country Gender Project (see iii).

#### ii) Cooperation with non-governmental organizations

Non-governmental organizations play an important role in Liechtenstein's gender equality policy. For this reason, organizations such as infra – the Information and Contact Office for Women, the Women's Educational Work Association, the Association for the Protection of Abused Women and their Children, the Day-Care Association of Liechtenstein, and the

Parent-Child Forum are supported by public funds via a performance agreement. The diversity of the organizations covers a wide spectrum of areas relevant to the equality of women and men: education, politics, employment, compatibility of family and career, support for families, counseling for many different areas of life, legal advice for women, violence against women, and support and promotion of women through financial means.

Many non-governmental organizations, but also the women's organizations of Liechtenstein's political parties, have joined together into the Liechtenstein Women's Network, under the aegis of the Office of Equal Opportunity, which acts as an administration and coordination office. The Women's Network is open to all organizations engaged on behalf of the equal opportunity of girls and women. The joint events and projects attract more public attention and thereby have a greater impact than individual campaigns, and the activities of the individual organizations become better known. The Liechtenstein Women's Network currently encompasses 17 organizations: the Rhine Valley Business and Professional Club (BPW), the Parent-Child Forum, the Bureau for Sexual Matters and HIV Prevention, the Women in the Progressive Citizens' Party, the Women's Expert Group of the Patriotic Union, the Free List, infra – the Information and Contact Office for Women, the Gender Equality Commission, the Women's Section of the Liechtenstein Employees Association, Soroptimist International Club Liechtenstein, Soroptimist International Club Vaduz, the Turkish Women's Association, the Women's Educational Work Association, the Day-Care Association of Liechtenstein, the Association for the Protection of Abused Women and their Children, the Association of Women with a Good Constitution, and Zonta Club International Vaduz-Area.

The Women's Network meets regularly under the aegis of the Office of Equal Opportunity to exchange information on the work of the individual organizations, to discuss draft legislation circulated for consultations, and to organize projects. For instance, International Women's Day is planned and conducted each year by the Women's Network. Special projects of the Women's Network during the reporting period included the planning and hosting of the 2nd Liechtenstein Women's Congress under the motto "Women create – Women's work" in 2002, the anniversary celebrations for 20 years of women's franchise in 2004, and the campaigns leading up to the 2005 parliamentary elections (see remarks relating to article 7).

### *iii) Cross-border networking*

The Office of Equal Opportunity has established a wide range of contacts with organizations working on gender equality in Switzerland and the neighboring Austrian province of Vorarlberg. Of particular note are the Gender Equality Conference of the Cantons of Eastern Switzerland and the Principality of Liechtenstein, in which 21 institutions regularly meet to exchange information and experiences, the Federal Gender Equality Conference of the Public Gender Equality Offices of the Confederation, the Cantons, and the Cities of Switzerland, in which the Office of Equal Opportunity participates as an observer, and the Interreg projects with the canton of St. Gallen and the province of Vorarlberg. These cross-border networks have the advantage that they constitute a valuable working and communication medium for

officials, thereby facilitating their work and improving its quality, and the resulting contacts also generate new projects or make existing offerings more easily accessible.

For instance, the establishment of a network of girls' and women's offices in the Lake Constance region in 2001 resulted both in the launch of a cross-regional website, [www.3laenderfrauen.org](http://www.3laenderfrauen.org), on which the participating governmental and non-governmental organizations can present themselves and their offerings and which offers cross-border career choice mentoring, and in the publication of a cross-border brochure with all contact addresses and offerings of every girls' and women's office. In addition, the network conducted a needs assessment with respect to continuing education, launched a joint offering of events and continuing education opportunities, engaged in joint public and media outreach, and strengthened cooperation with public and private institutions.

To get to know each other and to strengthen the networking of women in the region, a Women's Networking event is hosted three times a year, once in each of the three participating countries of Austria, Switzerland, and Liechtenstein. The first event took place in November 2005 in Liechtenstein, the second in February 2006 in Bregenz, and the third in May 2006 in St. Gallen. The networking evenings are opened with a speech followed by a moderated discussion. Between 70 and 120 women from the region participated in each of the networking events.

A further example of cross-border cooperation is the Interreg project "LänderGender", which aims to provide support and guidance to the implementation of gender mainstreaming in the administrations of Vorarlberg, St. Gallen, and Liechtenstein. The project extends from March 2004 to December 2006. From the Liechtenstein National Administration, the Office of Economic Affairs is participating with the implementation example "Satisfaction of Staff Members in the Office of Economic Affairs", the Office of Education with the implementation example "Management Positions in the Educational Field", the Finance Administration with the implementation example "Gender-Specific Information relating to the Management Information System", the Office of Land Use Planning with the implementation example "Public Buildings and Outside Facilities – Example of the Schaan Bus Terminal", and the Office of Cultural Affairs with the implementation example "Opening and Operating an Artists' Studio in Berlin".

#### *iv) Measures against multiple discrimination*

Liechtenstein is increasingly cultivating participatory cooperation and dialogue with the foreigners' associations. This approach helps prevent double discrimination against persons as women and as foreign nationals. The Office of Social Affairs provides organizational and mediative assistance as well as information, infrastructure, and financial support to various associations in conducting their projects. These projects include the promotion of health (e.g., nutrition counseling for migrant women), social integration (e.g., language courses), and occupational training. The Office of Equal Opportunity plans to establish a platform for

foreigners' associations that will enable them to engage in more in-depth exchanges and joint consideration of selected topics.

Also of note is the Association for Intercultural Education (ViB), which was founded in March 2001 and is financially supported by the Government. A main focus of the association is on the integration of foreign-language speakers and the establishment of platforms for intercultural exchange among people living in Liechtenstein. The ViB project "Mother-Child German" specifically targets foreign-language mothers and their children, a group that is difficult to reach. The integration and language skills of foreign women who take care of their children and the household are often considerably worse than those of their husbands. They are therefore also hardly able to gain information on their rights and assert these rights. Through German-language courses tailored to their needs, women can be brought out of isolation who otherwise would not be able to take advantage of educational offerings without child-care services.

With respect to residence permits for foreigners after dissolution of a marriage, the Government adopted the following fundamental decision on 23 February 2005: After annulment of a marriage, divorce, or legal separation, as well as after dissolution of a common abode before expiry of five years after a residence permit has been granted, the residence status of the relocated foreign spouse must as a rule be reviewed, since the claim to the granting and extension of a residence permit expires once the original ground for the grant (family reunification) has lapsed. The Government's fundamental decision mentions aspects that should be taken into account during the review, such as the well-being of children. As a rule, women whose children are integrated in Liechtenstein, attend school, and would be negatively impacted by moving receive a residence permit upon separation from their partner. Similarly, a determination that the foreign spouse can no longer be expected to maintain a marriage in light of physical, psychological, or sexual violence should be specially taken into account in exercising discretion on behalf of the victim. This provision is intended to make it easier for foreign women who are victims of domestic violence to separate from their partner, in that they can maintain a justified hope of keeping a residence permit in Liechtenstein in the event of a separation.

On 21 February 2006, the Government submitted a draft law and report to Parliament concerning the equality of people with disabilities. The legislative proposal envisages a general prohibition of discrimination and harassment of people with disabilities. It also includes provisions on protection against discrimination in the workplace. Moreover, the draft law includes significant improvements for people with disabilities especially in the areas of buildings and facilities, public roads and traffic installations, and public transportation. The draft law constitutes an important prerequisite for the efficient elimination of multiple discrimination against women with disabilities.

*v) Equal Opportunity Prize*

In addition to legal and institutional measures, awareness-raising measures and the promotion of private initiatives are key tools of Liechtenstein equality policy. For instance, the Equal Opportunity Prize offered by the Government each year since 2000 is intended to recognize activities relating to the advancement of women. The prize is alternately awarded to organizations and to private initiatives and businesses. In the last few years, five organizations have received awards: infra – the Information and Contact Office for Women for their project "Migrant Women" (2000), the Bureau for Sexual Matters and HIV Prevention for their project "APIS – AIDS Prevention in the Sex Industry" (2001), the Women's Educational Work Association for their project "JUWI – Young Female Entrepreneurs and Business Women" (2002), and the Contrast Institute for the "Family Circus Contrastino" (2004). In addition, two businesses have been recognized for their woman-friendly and family-friendly structures and measures, the Swarovski AG industrial firm (2003) and the Revitrust AG service enterprise (2005). On 8 March 2006, this year's Equal Opportunity Prize was awarded to infra – the Information and Contact Office for Women for their project "Family Managers – On Their Way to Recognition".

**b) *Prohibition of discrimination against women through legislative and other measures***

The Constitutional Act of 16 June 1992 incorporated the principle of equality as article 12, paragraph 2 of the Constitution. Legal remedies are available against discrimination of persons, organizations, or businesses (see remarks relating to articles 2, 6, and 11).

Liechtenstein has been a member of the European Economic Area (EEA) since 1 May 1995 and has since incorporated 12 EU directives relating to the equality of women and men in the narrow and broad sense. Since 2001, the following three directives have been incorporated:

- Directive 1997/81/EC on part-time work;
- Directive 1999/70/EC concerning the framework agreement on fixed-term work;
- Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions.

**Article 3 Human rights and fundamental freedoms**

The equal exercise of human rights and fundamental freedoms by women and men is guaranteed at the legal level by the principle of equality enshrined in article 31, paragraph 2 of the Liechtenstein Constitution.

On 24 October 2001, Liechtenstein ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women<sup>9</sup>, which entered into force on 22

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<sup>9</sup> Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, LGBL 2002 No. 17.

December 2000. With the ratification of the Optional Protocol, Liechtenstein recognized both the individual right of complaint and the competence of the CEDAW Committee to conduct investigations in the event of alleged violations against the provisions of the Convention. Through ratification, the Optional Protocol became an integral part of national law. International conventions are directly applicable in Liechtenstein and do not require implementation through domestic legal provisions if, like the Optional Protocol, they are sufficiently precise and detailed.

Through voluntary contributions to the United Nations Development Fund for Women (UNIFEM), Liechtenstein contributes to the advancement of women at the international level. As part of its international humanitarian cooperation, Liechtenstein has also supported women's rights in the reporting period through contributions to projects of the OSCE Office for Democratic Institutions and Human Rights (ODIHR), such as projects to protect and strengthen women's rights in Kyrgyzstan and the Caucasus (see Contributions by Liechtenstein to Women's Projects, Appendix 2).

#### **Article 4 Positive measures to accelerate de facto equality**

According to article 31 of the Constitution, no different legal treatment may be accorded to women, except in connection with pregnancy, childbirth, and maternity. However, article 3, paragraph 4(a) of the Gender Equality Act clarifies that appropriate measures for the realization of actual equality do not constitute discrimination. Accordingly, various measures have been taken by the Government over the past years to advance women. These include measures mentioned in articles 2 and 3, articles 5 to 7, and articles 10 to 13. As long as women are underrepresented in political, economic, and social leadership positions despite these efforts, it will continue to be the task of Liechtenstein's policy on women to promote their equality through targeted measures.

#### **Article 5 Changing social and cultural behavioral patterns**

##### **a) *Measures to eliminate prejudices, ideas of gender superiority or inferiority, and stereotyped gender roles***

Although many women, especially young women, now demand the same opportunities as men with a high degree of self-confidence and matter-of-factness, and many men, especially young men, assign themselves a role in society, relationships, and family that is free of patriarchal stereotypes, the conduct of many people is nonetheless still influenced by gender-specific clichés. To make a deeper change in attitudes possible, the Office of Equal Opportunity conducted several projects during the reporting period with the goal of dissolving stereotypical role images.

Of note, for instance, is the "Images of Men" project group, which was founded in 2001 on the initiative of the Office of Equal Opportunity. Its work aims to improve the involvement of



men in the process of achieving gender equality. The project group mainly develops and realizes projects in the topic areas of family and career, role images and identity, physical and mental health, and spirituality and religion. It also coordinates and bundles existing activities and establishes networks with the various providers in Liechtenstein and the neighboring countries. Men's reactions to the offerings of the project group are very diverse. Legal counseling for men in situations of divorce and separation and the "Fathers' Day" campaign, for instance, have met with a very positive response.

The "Fathers' Day" project initiated by the "Images of Men" group consists of two parts: In the first part, children visit their fathers at work in the afternoon. In the second part, fathers are invited to visit children at school and in kindergarten. The goal of the Fathers' Day is for fathers to think about their role as fathers and for daughters and sons to get to know their fathers at work, to gain insight into the working life, and to think about the working world in general. Three Fathers' Days have already been conducted since 2004, the latest of which was in March 2006. Almost without exception, they have met with a positive response on the part of the involved businesses, fathers, and children.

In cooperation with the Office of Education, the Office of Equal Opportunity conducted an expert meeting in January 2002 entitled "Girls' Dreams – Boys' Dreams" for kindergarten and primary school teachers. The goal of the expert meeting was to call role stereotypes into question and to exchange suggestions on how to realize gender-sensitive pedagogy. Topics included the role images of children and the specific situation of boys. In a follow-up project in 2003, a lecture series entitled "Neither Macho nor Wimp", the focus was on boys and their needs and difficulties in all ages groups. After the participants in the lecture series indicated their desire for additional in-depth discussion, the workshop series "Neither Rambo nor Softy" was conducted in 2005. Workshop topics included role models, role images, aggressions, sexuality, and competition, as well as the role of fathers after divorces. The target audience of both event series primarily consisted of teachers and fathers. In the 2006/07 school year, the Office of Education will conduct a continuing education event on "Pedagogical Work with Boys", which will primarily target kindergarten and primary school teachers.

Liechtenstein youth workers regularly meet in the context of the MAJA group to exchange experiences on work with girls in youth centers. The participation of girls in youth centers is promoted through special projects and the establishment of "Girls' Rooms". The drafting of a concept for establishing a girls' center in Liechtenstein is planned for June 2006.

As part of the natural science forum at the Liechtenstein *Gymnasium* (academic secondary school), an exhibition entitled "Albert and Mileva Einstein in Space and Time" was presented from 10 to 28 November 2005. As an accompanying program, the Office of Equal Opportunity organized an impulse lecture on "Girls and Technology". This action served to raise the awareness of young women with respect to stereotypical role attributions in the natural sciences and technology.

On the occasion of the International Day of Women, the Office of Equal Opportunity conducted a workshop in March 2006 in seven classes of continuing schools to reflect on role images throughout history and in the present day. The workshop was conceived so that the instructions and the documentation could be made available to the Media Center, thereby allowing teachers to conduct the workshop themselves in school classes in the future.

A survey on the topic of gender-specific youth work, conducted by the Office of Equal Opportunity among youth work offices and the Boy and Girl Scouts Association of Liechtenstein, was discussed with youth workers in March 2004. Suggestions made in the survey were forwarded to these youth workers. Both the Office of Equal Opportunity and the youth workers believe that the existing approaches must be further strengthened. An occasional further exchange between the offices was welcomed.

**b) *Measures to ensure the proper understanding of maternity as a social function***

Liechtenstein attaches great importance to the promotion of families and single parents. The Family Allowance Act<sup>10</sup> provides for the payment of birth and child subsidies to all persons whose civil residence or place of employment is in Liechtenstein. An allowance of CHF 2,100 is granted for the birth of a single child, and CHF 2,600 per child in the event of multiple births. Birth allowances are also granted in the event of adoption of a child under the age of five.

For families with one or two children, the child allowance is CHF 260 per child per month. Families with twins or with three or more children receive CHF 310 per child per month. The child allowance is increased to CHF 310 per month for each child over the age of 10. These benefits are paid from birth to the 18th birthday. Persons whose claim to a foreign allowance takes precedence over the Liechtenstein allowance receive compensation for the difference.

In the area of family allowances, a new benefit was introduced effective July 1999 in addition to child allowances and birth allowances, namely the single parent allowance<sup>11</sup>. Since then, single parents receive an additional monthly benefit of CHF 100 per child. Any single parent may claim this benefit who may also claim a child allowance. The claim exists for each child with whom the single parent lives in the same household. The allowance is paid in addition to the child allowance. In 2005, 590 single parents (896 children) received a single parent allowance.

The Family Allowance Fund (FAK) is responsible for implementation of the Family Allowance Act. The FAK is an autonomous establishment under public law subject to State supervision. The FAK is funded by contributions of employers, self-employed persons, and non-employed persons. Employees do not make payments. The FAK holds a fund corresponding to two years' expenditures, so that returns on assets also contribute to funding.

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<sup>10</sup> Law of 18 December 1985 on Family Allowances, LGBl 1986 No. 28.

<sup>11</sup> Law of 10 March 1999 amending the Family Allowance Act, LGBl. 1999 No. 98.

The State currently does not make any contributions. However, the State would cover the annual deficit if the FAK assets were to fall below the equivalent of one year's expenditures.

The purchase of private housing is promoted according to the provisions of the Housing Promotion Act<sup>12</sup>. The construction and purchase of private homes, apartments, row houses, and stepped houses as well as the purchase or renovation of old houses are promoted, for which certain costs and sizes are not exceeded. Applicants with children are granted additional construction subsidies. In addition, the provisions on repayment of construction loans take special account of the particular situation of families.

Families in a poor financial situation who are not or only barely able to pay for their cost of living due to high living costs are granted a housing subsidy. The Law on Rental Subsidies for Families<sup>13</sup> was created for this purpose. Families with dependent children are entitled to a subsidy if the family does not reach a certain annual household income and has been resident in Liechtenstein for at least one year. Single parents with dependent children are considered families. The living space must fulfill recognized standards with respect to size and facilities and must correspond to the needs of the applicant family. In 2005, rental subsidies in the amount of CHF 1,992,325 were paid to a total of 375 beneficiaries.

Single parent allowances and rental subsidies were a specific reaction to the financial vulnerability of single-parent families, who according to the statistics of the Office of Social Affairs are one of the population groups most dependent on social welfare. Upon introduction of the rental subsidy in April 2001, a striking improvement of the situation was registered. The percentage of single parents dependent on social welfare decreased by 16% relative to the previous year. Thanks to rental subsidies, some single parents no longer required any welfare payments at all or could reduce their welfare dependency. The introduction of rental subsidies also provided relief to single parents and families with low income, making some of them independent of social welfare.

The revised Health Insurance Act<sup>14</sup>, which entered into force on 1 January 2004, provides for a waiver of health insurance premiums for children up to 16 years of age. For children and young people up to 20, cost participation is also waived. Families with low incomes have the possibility of applying for a premium reduction.

Each year, a tax allowance of CHF 6,000 can be deducted from income tax returns for each child under the age of 16 and for each child over 16 who is in school, in an apprenticeship, or unable to work, if the taxpayer supports the child financially.<sup>15</sup> Moreover, taxpayers living with their own children in a household are granted a deduction of CHF 6,000 from taxable income. Spouses who are neither legally nor actually separated are granted a deduction of one third of the total tax amount on their tax return.

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<sup>12</sup> Law of 30 June 1977 on the Promotion of Housing Construction, LGBl. 1977 No. 46.

<sup>13</sup> Law of 13 September 2000 on Rental Subsidies for Families, LGBl. 2000 No. 202.

<sup>14</sup> Law of 23 October 2003 amending the Health Insurance Act, LGBl. 2002 No. 241.

<sup>15</sup> Law of 30 January 1961 on National and Municipal Taxes (Tax Act), LGBl. 1961 No. 7.

Pursuant to the Child Support Advance Act<sup>16</sup>, the State will advance support payments for underage children and their guardian that have been fixed by the courts but have not been paid by the parent required to render support, provided that the guardian is a resident of Liechtenstein and does not live in the same household as the parent owing child support. The duration of the benefit extends from the time of application to the age limit of the child, namely 20 years of age or the end of the child's education. The benefits are initially only paid out for three years, however, after which they may be extended.

The brochure on "Promoting Families in Liechtenstein", drafted by the Office of Social Affairs and the Office of Equal Opportunity, was issued for the first time in January 2001. This guidebook provides information to the population on public and private offerings for the promotion of the family in Liechtenstein, how families may benefit from these offerings, and where they may obtain additional information. Due to the high demand for the brochure, a second edition was published in May 2002.

All benefits paid by health insurance schemes in the event of sickness are also paid in the event of pregnancy. Every employed mother has the right to maternity leave: According to the Health Insurance Act, a new mother must be paid a daily allowance of at least 80% of the salary she would have received for 20 weeks, at least 16 of which must be after childbirth, provided that the new mother has belonged to a health insurance scheme for at least 270 days, without an interruption of more than three months. Women without a claim to a daily allowance paid by mandatory health insurance during maternity leave receive a one-time tax-free maternity allowance from the State. The Maternity Allowance Act<sup>17</sup> provides the legal basis for this payment. If the daily allowances for maternity paid by mandatory health insurance do not reach the fixed amount of the maternity allowance, the State pays the difference. As a precondition for receipt of the maternity allowance, the woman's civil residence must be in Liechtenstein. The amount of the maternity allowance is based on the taxable income of both spouses or, in the case of single mother, the income of the woman. The allowance is only paid up to a specified threshold of taxable income.

During pregnancy and for 16 weeks after childbirth, dismissal is prohibited (§1173a article 49, paragraph 1 in connection with article 113 of the General Civil Code). Articles 35, 35a, and 35b of the Labor Act contain additional provisions for the protection of pregnant women and nursing mothers. Nursing mothers may only be asked to work with their consent, and the employer must allow the time necessary for nursing. Similarly, pregnant women may only be asked to work with their consent. In addition, they may stay away from work or leave work upon providing simple notification. The employers may also not ask them to engage in work that experience has shown to be detrimental to health or pregnancy. On request, they must be exempted from work that is too arduous for them.

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<sup>16</sup> Child Support Advance Act of 21 June 1989, LGBl. 1989 No. 47.

<sup>17</sup> Act of 25 November 1981 on Maternity Allowance Benefits, LGBl. 1982 No. 8.

Since entry into force of the Law on Parental Leave and Care Days in the Event of Sickness or Accident in the Family on 1 January 2004, working women and men have been able to claim an individual right to three months of unpaid parental leave (see remarks relating to article 2). The day-care institutions outside the home are supported by the State and, since 2002, their quality has been monitored pursuant to the Child Care Ordinance<sup>18</sup> (see remarks relating to article 11). A wide range of public and private counseling offices are available to parents on questions of child care and child raising.

## **Article 6 Elimination of all forms of exploitation (especially trafficking in women and prostitution) and violence against women**

### Prostitution and trafficking in women

During the reporting period, Liechtenstein received one request for mutual legal assistance with respect to prostitution and granted the requested assistance. The Liechtenstein police received no reports of suspicion of promotion of prostitution or unlawful prostitution.

According to the findings of the Liechtenstein National Police, Liechtenstein is neither a transit nor a destination country for organized human trafficking. So far, no cases of human trafficking have become known. The Liechtenstein authorities are aware of the problem, however. The problem has already been discussed in Liechtenstein in the framework of several human rights dialogues conducted at a high level, for instance during the visit of the Human Rights Commissioner of the Council of Europe at the time, Alvaro Giles-Robles, in December 2004, and during the visit of OSCE Special Representative on Combating Trafficking in Human Beings, Helga Konrad, in September 2005.

The dancers in the currently six nightclubs in Liechtenstein are classified as a possible risk group with respect to human trafficking. They reside in Liechtenstein for a maximum of six months within a calendar year on the basis of a special short-stay permit. The Government has issued a fundamental decision<sup>19</sup> on the admission of nightclub dancers, which contains detailed rules to protect employees. For instance, the dancers must have health and accident insurance, take part in the project on "AIDS Prevention in the Sex Industry (APIS)", and receive appropriate accommodation and the minimum salary applicable to the hotel and restaurant industry. As a further protective measure, permits are only granted if foreign dancers requiring a visa were employed in Switzerland immediately prior to the beginning of their employment in Liechtenstein. The fundamental decision also specifies a quota for the employment of dancers: Each month, a nightclub may employ a maximum of five dancers. The guidelines issued by the Government constitute the basis for regular inspections of nightclubs by the National Police. An important component of the inspections is monitoring for any signs of human trafficking. The police officers have been sensitized with respect to

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<sup>18</sup> Ordinance of 18 June 2002 on the Care of Minors outside the Home in Private Care Arrangements and Care Facilities (Child Care Ordinance), LGBl. 2002 No. 80.

<sup>19</sup> RA 0/3573-2520 Guidelines for the Admission of Foreign Dancers in Nightclubs pursuant to Articles 28, 44, and 57 of the Ordinance on the Movement of Persons of 16 May 2000.

this topic: A staff member of the National Police took part in an OSCE seminar on human trafficking in 2003. Subsequently, a workshop on this topic was conducted within the National Police.

The project "AIDS Prevention in the Sex Industry (APIS)" mentioned above was originally realized as a pilot project by the Swiss Aids Federation on behalf of the Swiss Federal Office of Public Health in the mid-1990's and was further developed and adopted by Liechtenstein in a form appropriate to the local circumstances. APIS is a specific prevention service for women from abroad who work as dancers in nightclubs. Since Liechtenstein only grants work permits to dancers who were employed in Switzerland immediately before, and since the participation of nightclubs in the APIS prevention project is mandatory and a prerequisite for receiving a permit for dancers, women are prevented from drifting off into illegality, and their exploitation is curtailed. The goal of APIS is to maintain and promote the sexual health of sex workers. For reasons of language and culture, it is difficult to reach these women with the usual information materials. In the APIS project, a regional project manager from the Bureau for Sexual Matters and HIV Prevention, together with an expert mediator, has the responsibility of approaching the women in the nightclubs and providing them with prevention and information material in their respective native language. The high mobility of the dancers necessitates networking with the Swiss authorities; the Swiss Aids Federation acts as a coordination office in this regard and provides information and prevention materials free of charge. Similarly, it offers continuing education courses for the mediators. Since two thirds of the dancers working in Liechtenstein are from Eastern Europe, where HIV/AIDS infections are increasing dramatically, the importance of APIS for broad-based AIDS prevention is obvious. The APIS project was launched in Liechtenstein on 1 January 2001 and evaluated after a pilot phase of three years. After initial distrust by both the nightclub owners and the dancers, a constructive collaboration has evolved, and the services offered have met with a positive response. The APIS project received the Equal Opportunity Prize of the Government in 2002.

Liechtenstein is also engaged on behalf of combating trafficking in women and violence against women as part of its international humanitarian cooperation. Pursuant to this objective, Liechtenstein supported the project of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) in 2002 on preventing violence against women in the Caucasus. In 2004, Liechtenstein made a contribution to the OSCE pilot program on combating human trafficking in Ukraine, and in 2005, it supported the OSCE project on combating violence against women for the purpose of preventing trafficking in women in Moldova (see Contributions by Liechtenstein to Women's Projects, Appendix 2).

Liechtenstein signed the UN Convention against Transnational Organized Crime (Palermo Convention) on 12 December 2000, and it signed the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, on 14 March 2001. The necessary preparations for ratifying the convention and the protocols are currently underway.

### Sexual violence

Since entry into force of the revised sexual criminal law in February 2001, the competent authorities have received an average of 35 complaints of violation of sexual criminal law each year.<sup>20</sup>

In 2004, the Office of Social Affairs published a flyer on sexual assault. The flyer provides information on counseling and support services for those affected by sexual assault in Liechtenstein.

A core principle of child protection work and in particular work on the sexual abuse of children is the cooperation of everyone affected, as well as helpers. On this basis, the Government appointed the Expert Group against Sexual Abuse of Children and Young People in 1999. The members of the Expert Group constitute a multiprofessional team from the fields of psychology, psychotherapy, medicine, and law. The mandate of the Expert Group is to provide support and services for institutions and persons dealing with cases of sexual abuse. It also serves as a contact office for those affected. As part of a coaching model, the Expert Group develops appropriate responses on a case-by-case basis, together with specialists and victims and/or their families. The interdisciplinary composition of the Expert Group is intended to ensure that the complexity of the cases is taken into account. Thanks to the establishment of this central office, experiences can be gathered with respect to child abuse, and the competence of counselors and professional assistance can be optimized. In December 2004, the Expert Group published guidelines in the form of a brochure. These guidelines are intended to be binding on all participants, so that the assistance rendered is predictable, understandable, transparent, and controllable. Through activities such as public outreach, the organization of continuing training for a wide circle of specialists, prevention projects, and lectures, the Expert Group is making further contributions in the fight against the sexual abuse of children and young people.

### Violence Protection Act and domestic violence

Since entry into force of the Violence Protection Act<sup>21</sup> on 1 February 2001, the most important innovation of which is the right to expel the perpetrator as a preventive measure, the National Police has conducted a total of 115 interventions (2005: 20) in Liechtenstein pursuant to the Violence Protection Act. In 79 cases (2005: 11), the interventions led to mediation, while a prohibition of entering the abode was issued in 35 cases (2005: 6). In the police operations relating to domestic violence in 2005, 11 women, 2 men, and 2 children/young people were affected by violence; in 5 cases, the man and the woman were both affected by violence and perpetrators of violence. Since the introduction of the Violence

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<sup>20</sup> According to the Liechtenstein Criminal Code, offenses against morality include rape/sexual duress/forced sexual acts, sexual acts with minors/moral endangerment of minors, public sexual acts, sexual harassment, and pornography.

<sup>21</sup> Law of 14 December 2000 amending the National Police Act, LGBl. 2001 No. 27.

Protection Act, the National Police has compiled data on interventions according to gender. In 39 cases since February 2003, 39 women and 39 men (2005: 19 each) have been invited to counseling by the Office of Social Affairs in accordance with the provisions of the Violence Protection Act. In 2005, 16 of the 38 persons invited came to the appointment.

The Office of Equal Opportunity and the Office of Social Affairs published an information brochure for victims of violence entitled "Violence Protection Act – Concrete Implementation of the New Law for Protection from Violence" in February 2002. The brochure provides information on implementation of the right to expel the perpetrator, the prohibition of reentry, and temporary injunctions.

Since the implementation of the Violence Protection Act places high demands on the National Police, all officers of the Security and Transport Police must complete basic training (1 day) and a half a day of advanced training each year on the topic of violence. In 2005, the officers were trained on "Analyzing violence – Where does the culture of arguing end and where does violence begin?". Advanced training organized by the Liechtenstein Women's Home is planned for 2006.

The Women's Home, run by the Association for the Protection of Abused Women and their Children, was established in 1991 and offers a place to stay for victims of violence. The Government supports the Liechtenstein Women's Home as part of a performance agreement with an annual contribution of CHF 320,000. Most of the nine women who came to the Women's Home in 2005 were migrants. Eight women live in Liechtenstein, one in the neighboring canton of St. Gallen. The use of the Women's Home has decreased since 2001. One explanation is that the women and children from neighboring cantons of Switzerland are not referred to the Liechtenstein Women's Home as frequently in crisis situations.

*Table 1 Admissions to the Women's Home*

<b>Year</b>	<b>Admissions to the Women's Home</b>	<b>of which women from Liechtenstein</b>
2001	27	8
2002	17	9
2003	13	6
2004	12	9
2005	9	8

*Source: Annual Reports of the Women's Home, 2001 to 2005.*

The objective of the three-year Interreg project entitled "Crossing boundaries – Setting boundaries" was to compile cross-border data on violence in marriages and partnerships and to educate and raise awareness by providing information. The project was jointly run by the Liechtenstein Office of Equal Opportunity, the Austrian province of Vorarlberg, and the Swiss canton of Graubünden and was concluded in July 2004. The planned measures – a campaign for general awareness-raising of the public, a survey and study on forms of violence



and perceptions of violence in the domestic environment, and an information campaign to specifically raise the awareness of multipliers – were successfully implemented.

In 2004, an additional guide was developed for relatives and friends of victims of violence along with an emergency card that was translated into eight languages. The emergency card briefly explains that domestic violence is not a private problem and that various assistance offerings exist in Liechtenstein, Vorarlberg, and Graubünden. The card includes the addresses of the contact office. The card is very popular and has been reordered by various offices. Both of these products have been sent to public offices in Liechtenstein such as all doctors' offices, women's organizations, and municipal administrations, to offices of the National Administration engaged in transactions with the public, the National Hospital, care facilities, kindergartens, and schools. Other initiatives have been undertaken in Liechtenstein by the Office of Equal Opportunity in cooperation with the Liechtenstein Women's Home, such as a training event for nursing staff at the National Hospital.

In cooperation with the Women's Home, *infra* – the Information and Contact Office for Women, the Violence Protection Commission, the Theater am Kirchplatz, the Office of Social Affairs, and the Office of Equal Opportunity, a study entitled "Because walls cannot speak.....they protect perpetrators"<sup>22</sup>, undertaken as part of the Interreg project, was presented in conjunction with a forum theater performance. Another performance preceded by an introduction to the topic was organized for students in continuing schools. All presentations met with a positive response.

For the study "Because walls cannot speak.....they protect perpetrators", telephone interviews were conducted in the Austrian province of Vorarlberg, Liechtenstein, and the Swiss canton of Graubünden, assessing what the population considers to be violence in couples. The representative survey interviewed 608 individuals, half of whom were women and half of whom were men. The selection of questions focused exclusively on events and actions that are considered violence by the current literature. In particular, the study was interested in the "gray zone" of violence, which is why particularly severe forms of physical violence were omitted.

91% of the interviewees believe that violence in couples is never permissible, even if other non-violent means of influence are ineffective. 95% of Liechtenstein residents believe that violence in couples is not permissible at all, while 91% of Vorarlberg residents and 87% of Graubünden residents share this view. The differences among the countries appear to indicate that differing values and norms exist in the three countries included in the survey.

26% of those surveyed indicated that they had experienced violence once or more than once in their own relationships. There was no significant difference between men and women. The

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<sup>22</sup> Geser-Engleitner, Erika: *Weil Wände nicht reden können ... schützen sie die Täter. Gewalt in Paarbeziehungen. Eine empirische Untersuchung in Vorarlberg (Österreich), Fürstentum Liechtenstein und Kanton Graubünden (Schweiz)*, Bregenz 2003.

survey did not ask, however, whether the interviewees had experienced violence as victims or perpetrators. A difference among the countries also existed with respect to the interviewees' own experience with violence. 29% of Liechtenstein residents indicated that they had experienced violence themselves, while 28% of Vorarlberg residents and 20% of Graubünden residents indicated that they had experienced violence. This result can only be properly interpreted if the subjective definition of violence is taken into account, which depends on the country. People in Graubünden certainly do not experience less violence, but they do not define it as violence. There is also a correlation between the level of education and the interviewees' own experience of violence: The higher the level of education, the more likely were those surveyed to indicate that they had experienced or continue to experience violence in their relationships themselves.

A proper understanding of these figures depends on the definition of violence used in the question concerning the interviewees' own experience with violence: "Violence in couples is the behavior of a partner aimed at controlling the woman/the man or at exercising or establishing power over her/him, and physical and/or psychic integrity is violated." According to the study, the higher percentage of persons in Liechtenstein who have experienced violence themselves is explained by the higher sensitization to violence in Liechtenstein. The outcome of the survey should therefore in no way be simplistically interpreted as if every fourth person in Liechtenstein had experienced or experiences physical violence in a relationship.

In total, eight women in each country were interviewed in detail on their experiences, coping strategies, desires, and suggestions. In addition to questions concerning the duration and living forms of violent relationships, the interviews addressed individual views on ideal relationships, the effects of violence on children, experiences with violence, the partner's reactions to his violent behavior, the external perception of the relationship, strategies to prevent violence, justifications by women for the behavior of the partner, and the utilization of support offerings.

## **Article 7    Equality in political and public life**

The Government of Liechtenstein is composed of five Ministers appointed by the Reigning Prince on the proposal of Parliament. From 1993 to 1997, two women served as Ministers; since 1997, one woman has served as a Minister. The Government is the supreme executive authority in charge of approximately 50 offices and units of the National Administration and several diplomatic representations abroad. About 50 commissions and advisory councils support the work of the Administration.

Parliament is elected every four years and is composed of 25 Members. Members of Parliament are elected in universal, equal, direct, and secret elections according to proportional representation. In the current legislative term (2005 – 2009), three parties are represented in Parliament. The Progressive Citizens' Party (FBP) holds 12 seats, the Patriotic

Union (VU) holds 10 seats, and the Free List (FL) holds 3 seats. Women hold 6 of 25 seats in Parliament; two of the eight Alternate Members of Parliament are women.

The 11 Liechtenstein municipalities are administered by a Municipal Council elected every four years under the leadership of a directly elected Mayor. In the current term (2003 – 2007), all mayors are men. 28 women (27%) and 77 men (73%) are represented in the municipal councils, while only 17 women (15.5%) were represented in the municipal councils in 1999, compared with 93 men (84.5%).

*Table 2 Share of women in the Government, Parliament, and the 11 municipal councils*

<b>Body</b>	<b>Members</b>	<b>1985</b>	<b>1995</b>	<b>2005</b>
Government	5	0%	40%	20%
Parliament	25	0%	8%	24%
Municipal councils	106	3%	15%	27%

*Source: Websites of the municipalities and the 2005 National Almanac.*

Women are a minority in the over 50 commissions and advisory councils, and only 6 commissions are chaired by women. In 2005, 79 women (21%) and 298 men (79%) were members of the national commissions. From 1998 to 2005, the share of women increased by 5.3%.

The share of women in the foundations under public law decreased by 3.3% from 1998 to 2005. In 1998, 28 men (66.7%) and 14 women (33.3%) were members of boards of trustees of foundations. In 2005, a total of 92 persons served in foundations under public law, 64 (70%) of whom were men and 28 (30%) of whom were women.

The share of women in establishments under public law increased by 7.5% from 1998 to 2005. In 1998, 32 men (86.5%) and 5 women (13.5%) were members of boards of trustees of establishments. In 2005, a total of 66 persons served in establishments under public law, 52 (79%) of whom were men and 14 (21%) of whom were women.

The share of women in courts of public law increased by 25% from 1998 to 2005. In 1998, only men – a total of 12 – were members of these courts. In 2005, a total of 20 persons were members of the courts, 15 (75%) of whom were men and 5 (25%) of whom were women. The share of women in civil and criminal courts increased by 13.6% from 1998 to 2005. In 1998, 33 men (78.6%) and 9 women (21.4%) served on civil and criminal courts; in 2005, there were 84 members, 55 (65%) of whom were men and 29 (35%) of whom were women.

The composition of municipal commissions was surveyed in 2003. At the municipal level, an average of 27.2% of the commission members were women. In 6 municipalities, the share of

women increased since 1998, and the share of women decreased in 5 municipalities. Overall, the share of women increased by an average of 2.4%.

Just over a third of political party functionaries are women. In 1982, party-internal women's organizations were founded in the two large people's parties ("Women's Union", "Women in the FBP"), with the goal of enhancing the interest of women in politics and serving an educational function. They aim to raise the awareness of the public, to represent women's interests in politics, and not least of all to prepare women within their respective party for political offices and functions. The share of women in the leadership of the Free List, founded in 1985, is 43%, the highest of the political parties.

*Table 3 Share of women in party functions (2006)*

<b>Function</b>	<b>Men</b>	<b>Women</b>	<b>Share of women</b>
Party leadership of all three parties	18	9	33%
VU party leadership	5	3	38%
FBP party leadership	9	3	33%
FL party leadership	4	3	43%

*Source: [www.fbp.li](http://www.fbp.li); [www.vu-online.li](http://www.vu-online.li); [www.freieliste.li](http://www.freieliste.li).*

These figures show that the participation of women in politics continues to be relatively low. The development since 1998, especially with regard to the representation of women in Parliament, the municipal councils, and the courts, is grounds for optimism, however, and shows that the active promotion of women in recent years, especially in the run-up to the municipal elections in 2003 and the parliamentary elections in 2005, has borne fruit. The low share of women in politics continues to be regrettable, however, which is why the political participation of women in Liechtenstein will continue to be promoted in the future.

#### Measures to promote women in recent years

In view of the resolution passed by the Government in 1997 that no gender should be represented by more than two thirds in bodies appointed by the Government, it must be pointed out on the basis of the figures mentioned above that the share of women in commissions and advisory councils continues to be lower than the envisaged quota of one third. On 29 September 2004, the Government took note of the report drafted by the Steering Committee for Gender Mainstreaming on this topic, "The political participation of women and men in public bodies in Liechtenstein – A survey of the mechanisms and actors". The Government decided to become more active in mobilizing women for work in the commission: When appointing commission members, the election authority calls upon the political parties and associations to give preference to women for purposes of a balanced composition. The Ministry of Family and Equal Opportunity has also informed interest groups orally and in writing on the Government's goal and has requested them to take women into account when nominating candidates.

70 women have meanwhile joined the women's pool founded for the purpose of implementing the "two-thirds resolution". The women's pool is a database into which women interested in politics can enter themselves. Through their registration in the database, the women make themselves available to serve in commissions and working groups at the national level. The women's pool is primarily accessed by women's organizations that are looking for women to serve in a leadership function.

To motivate and identify, build up, and support female candidates and to enhance the political education of women in general, the Gender Equality Commission and the Office of Equal Opportunity drafted a checklist for the political parties in 2002. It contains suggestions on the best approach and timing for parties to promote the participation of women in politics. Members of the Gender Equality Commission submitted the checklist to the party leaders. So that the checklist will continue to be used by the parties, it was presented to the leaders of local party groups at a meeting the beginning of 2006.

From March to November 2006, the Gender Equality Commission, the Office of Equal Opportunity, and the Vorarlberg Women's Department are hosting a cross-border politics course, already the third such course since 2004. The aim of the politics course is to prepare women for contributing their abilities in political bodies and in public. They learn basic political knowledge and the rules of the daily political game. The participants are given support in their socio-political engagement or their political work. Their self-confidence is strengthened and they learn the techniques of leading a discussion. The 2006 politics course is composed of the modules "Self-assessment: Is political engagement the right challenge for me?", "The political system of Vorarlberg and Liechtenstein – Theory and reality", "Public speaking and argumentation", "Introduction to political structures", "Conflict management", and "PR and media training". The target audience of the politics course consists of women who are active in institutions, chambers, parties, public bodies, organizations, associations, or initiative groups or who would like to become involved in the future.

In 2004, Liechtenstein celebrated the 20th anniversary of the women's franchise. On the occasion of this anniversary, poster campaigns were conducted in all municipalities from 22 June to 5 July. The municipal posters illustrated the introduction of women's franchise in the municipalities, the first woman in a municipal council, and the current situation. Another poster campaign was presented at the anniversary celebration organized by the Liechtenstein Women's Network on 26 June 2004. This campaign portrayed a reversal of today's distribution of women and men in Parliament, the Government, and the Conference of Mayors and provided impulses to think about whether a gender-reversed political situation would be conceivable and tolerable. A highlight of the event was the introduction of the "DemoGrazia" prize, which is awarded for socio-political civil courage. The prize will be awarded to an organization or a private person for this first time in October 2006. A total of nine persons and organizations have been nominated.

Measures for the advancement of women in the run-up to municipal and parliamentary elections

In the run-up to the 2003 municipal council elections, the Office of Equal Opportunity and the Gender Equality Commission offered two political science courses for politically interested women and two media training courses and a power training course to strengthen the self-confidence of female candidates for the municipal councils. The increase of the share of women in the municipal councils as a result of the 2003 elections is grounds for guarded optimism. At least in the long term, the measures to promote women in politics are having an effect.

In June 2006, the Gender Equality Commission is offering two events for politically interested women. The goal of the events is to motivate women to make themselves available as candidates for the 2007 municipal council elections. For these elections, the Commission has articulated the following objectives: First, an increase of the share of women in the municipal councils from 27% to 40%. Second, election of one female mayor in each of the two Liechtenstein districts, the Lower Country and the Upper Country.

To support the candidates and to raise the awareness of voters, the Liechtenstein Women's Network and the Gender Equality Commission organized several drives in the run-up to the 2005 parliamentary elections. These included a non-partisan endorsement list, which was published in the national newspapers and other media, advertisements by men supporting the election of women, visits by the female candidates to the women's organizations to enhance their media presence, and newspaper articles and advertisements to raise the awareness of voters. In addition, International Women's Day was dedicated to the female candidates with a special evening event. Of the 19 women candidates, 6 were elected to Parliament in the March 2005 elections.

The 2005 parliamentary elections have therefore led to a significant increase in the share of women in Parliament, from three to six seats. The analyses of the election<sup>23</sup> based on official election data and individual data from post-election surveys in 1997, 2001, and 2005 show that this doubling is largely due to favorable circumstances. The doubling therefore did not arise entirely from changed voting behavior or changed attitudes of voters vis-à-vis women in politics. Between 1997 and 2005, the position of women vis-à-vis men in politics has tended to improve, the vote deficit has decreased, woman-friendly voting behavior has increased, and discriminatory attitudes have receded somewhat. Overall, however, men remain in a more favorable position and have a higher chance of getting elected. Given that the woman-friendly attitude of young (male) voters is not particularly pronounced, the attention paid to the topic is waning, and prejudices against women in politics continue to exist, no all-clear signal can be given after the 2005 elections. The 24% share of women in the Liechtenstein Parliament should be viewed as an interim stage on the way toward further progress and as a motivation to engage in more efforts, in order to continue to accompany the political process with new objectives in the future.

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<sup>23</sup> Marxer, Wilfried: Wahlchancen von Frauen in der liechtensteinischen Politik. Analysen zu den Landtagswahlen 2005 in Liechtenstein (I), Bendern 2005.

## Article 8 Participation of women in the Government and international organizations

The share of women in the Government and international organizations has increased in recent years, but it still does not fulfill the principle of gender equality. One woman is currently represented in the Liechtenstein Government. She serves as Minister of Foreign Affairs, Cultural Affairs, and Family and Equal Opportunity.

Of the eight embassies and permanent missions of Liechtenstein, two are headed by women. In various delegations of Parliament to the parliamentary assemblies of international organizations, 11 male parliamentarians and 8 parliamentarians are represented.

## Article 10 Education

### Changes in the Liechtenstein education system during the period under review

The new Higher Learning Act entered into force on 25 November 2004<sup>24</sup>. It is intended to make an important contribution to quality assurance and development in tertiary education in Liechtenstein and takes the internationalization of tertiary education into account, which was expressed in the Bologna Declaration (1999) of the European ministers of education. Due to the small size of the country, however, Liechtenstein's tertiary education offerings are still limited. Only four recognized institutions offer tertiary education: the Liechtenstein University of Applied Sciences with concentrations in architecture and business sciences, the International Academy of Philosophy, the University of Human Sciences, and the Liechtenstein Institute. Although Liechtenstein has no public universities, a high-quality education of the population is ensured through cooperation with the neighboring States of Switzerland and Austria, as already emphasized in the 2nd periodic report.

### Education statistics

Liechtenstein education statistics indicate that significant progress has been made in recent decades with respect to the equality of girls and young women in the education process. While 31 years ago, significantly more girls than boys attended the *Realschule* (medium-track secondary school) and significantly more boys than girls attended *Gymnasium* (academic secondary school), the share of girls in the *Gymnasium* has increased steadily and surpassed the share of boys in 2005. Based on these figures, girls and boys can be considered to have achieved equality in the area of scholastic education.

Table 4 Share of girls in different school levels

Year	Primary school	<i>Oberschule</i>	<i>Realschule</i>	<i>Gymnasium</i>
1975	50%	46%	58%	33%
1980	61%	48%	46%	42%

<sup>24</sup> Law of 25 November 2004 on Higher Learning (Higher Learning Act), LGBl. 2005 No. 2.

1990	63%	48%	45%	47%
2000	57%	48%	50%	49%
2005	50%	44%	51%	55%

Source: Office of Economic Affairs. Education Statistics 2005.

There has also been a clear trend toward equality in the area of tertiary education, i.e., universities. While only 12 of 128 university students were women in 1975, women constituted almost half (43%) of university students in 2005. Compared with 1990, about 13% more women chose an academic career in 2000. Since then, the share of women among university students has stayed more or less the same. With respect to choice of subjects, Liechtenstein university students continue to follow rather traditional patterns. 43.3% of female students studied humanities and social sciences, 19.6% law, and 10.2% medicine and pharmaceuticals. Male colleagues primarily chose economics and business (25.5%), followed by humanities and social sciences (20.4%), law (18.2%), and exact and natural sciences (17.1%).

Table 5 Share of male and female students from Liechtenstein at universities and other institutions of higher learning in Switzerland, Austria, and Germany

	1970	1980	1990	2000	2005
Men	93%	77%	70%	57%	57%
Women	7%	23%	30%	43%	43%

Source: Office of Economic Affairs. Education Statistics 2005.

In the field of basic vocational training (apprenticeships), an imbalance between young women and men continues to exist. In 2005, only slightly more than a third (34.9%) of apprentices in Liechtenstein businesses were women. These women also tended to choose female-specific professions. In 2004, a total of 375 apprentices graduated, 42% of whom were women and 58% of whom were men. More than half of the young women completed an apprenticeship in the areas of commerce/services/IT/logistics, most of which were in the commercial field (professional trustees, industry, banking, and office apprenticeships). Most young men completed apprenticeships in skilled trades, such as construction/building services/carpentry and industry/technical crafts. Young men chose from almost twice as many careers as young women. While women chose 32 apprenticeship paths out of 82, men were employed in 64 different apprenticeship paths. Overall, it is striking that the choice of career of both genders is still strongly based on the traditional distribution of female and male careers.

Table 6 Share of girls among apprentices

Year	Total	Girls	Percentage of girls
1970	459	68	14.8%
1980	794	280	35.3%
1987	958	373	38.9%



1994	845	301	35.6%
2000	1011	362	35.8%
2005	1076	375	34.9%

Source: Office of Vocational Training. Number of completed apprenticeships (own count).

Looking at the education of adults in Liechtenstein based on the data from the 2000 Census, both the trend toward improvement of the educational situation of women and the assumption that men generally complete a higher level of education than women are confirmed. In 2000, almost every 5th women between 25 and 44 years of age (18.3%) had only completed primary school and *Oberschule* (lower-track secondary school) or *Realschule* (medium-track secondary school), without vocational training. 10 years ago, this share was still significantly higher at 37.8%, but only 14.1% of men between 25 and 44 had merely completed compulsory schooling in 2000.

Table 7 Highest level of education for men/women between 25 and 44 (2000)

Year	Gender	Only compulsory	Vocational training	Higher schooling	Others
2000	Men	14.1%	42.3%	33.8%	9.8%
1990	Men	19.9%	52.5%	26.5%	1.0%
2000	Women	18.3%	51.3%	21.5%	9.0%
1990	Women	37.8 %	47.9%	12.7%	1.6%

Source: Office of Economic Affairs. 2000 Census.

Over half of all women between 25 and 44 years of age (51.3%) had completed vocational training in 2000, and more than one in five women (21.5%) had completed a higher school in Liechtenstein with a *Maturität* (academic secondary school diploma). Compared with 1990, the share of women with a *Maturität* increased by 8.8%, which could lead to a higher level of female academics in the future. However, men continued to complete a higher school more frequently than women (33.8%). in 2000, 10.3% of men and 7.2% of women between 25 and 44 had tertiary education.

Comparing these figures with the data on the education of persons in the age category between 45 and 64, the education level of men hardly differs between the categories. In the case of women, on the other hand, the education level of young women is significantly higher than the education level of older women.

Table 8 Highest level of education for men/women between 45 and 64 (2000)

Year	Gender	Only compulsory	Vocational training	Higher schooling	Others
2000	Men	13.8%	45.1%	30.4%	10.7%
1990	Men	22.0%	51.0%	26.0%	1.0%
2000	Women	36.4%	36.5%	12.6%	14.5%

1990	Women	59.2%	31.3%	7.5%	2.0%
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*Source: Office of Economic Affairs. 2000 Census.*

#### Measures to implement the principle of equality

A new curriculum for compulsory schools was introduced as of the 1999/2000 school year. The Office of Education consulted with the Office of Equal Opportunity both with respect to the course offerings and linguistic content of the curriculum. The curriculum takes all gender equality aspects into account and contains the same offerings for girls and boys.

The Office of Education periodically conducts surveys to monitor progress and the need for adjustment with respect to implementation of the goal of gender-appropriate schooling. For the 2002/2003 school year, it conducted assessment surveys in kindergarten, primary school, and the continuing schools on the topic of single-sex education<sup>25</sup>. The results of the survey indicated single-sex education in some subjects at all levels, so that girls and boys would be given the space and the opportunity to talk among themselves. In the summer of 2004, the Office of Education conducted a survey at all school levels concerning detailed objectives for the implementation of gender equality. Detailed objectives are the stages developed at the level of individual schools to achieve rough objectives articulated in the curriculum. The survey identified 46 different detailed objectives on the topic of equal opportunity, which can essentially be classified in the subject areas of "Language" and "Humans and the Environment". The survey will be repeated in the 2006/2007 school year.

The education of children on the topic of gender equality is a social challenge. Teachers in particular are important role models for children when they are growing up. Teachers' reflections on their own personality and gender tend to influence daily instruction in their school classes. On the anniversary of the 1984 introduction of women's franchise in June 2004, the teaching aids for gender-appropriate instruction were updated and presented to the teachers. The teaching aids offer teachers concrete instruction materials and materials to reflect on their own role behavior and role expectations, thereby providing assistance in offering classroom instruction geared toward enhancing gender equality.

In the area of vocational counseling, the motto "All careers for everyone" is an integrating component of information provided at parent/student evenings, introductions to the Career Information Center, and seminars for high school seniors on choosing university studies and careers. The male and female terminology for professions is consistently used side by side.

The Interreg project on "Open career choices for young women and men in Liechtenstein, St. Gallen, and Vorarlberg" aimed to help combat gender-specific polarization on the labor market. In the first half of 2000, a comparative study was conducted on gender-specific measures in school, open youth work, and vocational counseling. In a second step, a workshop cycle with experts was conducted. The project was concluded in May 2001 with the

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<sup>25</sup> Single-sex education provides separate classes for girls and boys.

cross-regional expert meeting entitled "Jump in" in Bregenz. This project strengthened cooperation and networking among the three countries on this topic.

16+, the apprenticeship project of the Swiss Conference of Gender Equality Officials, launched Daughter's Day, a national campaign especially for fathers and daughters. As a member of the Swiss Conference of Gender Equality Officials, the Office of Equal Opportunity was invited to participate in the campaign. The Office accepted this invitation, so that fathers and daughters in Liechtenstein were able to take part in Daughter's Day three times from 2001 to 2003. On Daughter's Day, daughters between 10 and 15 accompanied their fathers to work for one day. Each year, the campaign was linked to a competition. Daughter's Day was an efficient way to draw the attention of girls to careers that they normally would ignore when choosing their own career path. As a survey of the Interreg project indicates, four fifths of those surveyed felt that an introduction to a place of work was the important factor in deciding on their educational path. Since 2004, Daughter's Day has been replaced by Fathers' Day.

In its meeting of 12 December 2003, the University Council of the Liechtenstein University of Applied Sciences put a new organizational structure into force. In accordance with this structure, a Commission on Equal Opportunity was created, which represents women's concerns at the University of Applied Sciences and takes positions on women's issues. The Commission works toward a balanced ratio between women and men in teaching and research positions. In particular, it advises staff members of the University of Applied Sciences on gender equality questions and can recommend decisions when women's issues are concerned. The Women's Commission is composed of one female representative of each department and of the National Administration. With the relevant passage in the new organizational structure and the appointment of the Commission, the Liechtenstein University of Applied Sciences has taken an important step toward harmonization with the Swiss and European tertiary education landscape.

Stipends are an important part of educational policy. They are intended to ensure equal opportunities across all strata of the population. The revision of the Stipend Act<sup>26</sup> takes this into account by strengthening the dual educational path. The advance of educational costs by means of stipends and loans constitutes relief especially for women without an income who would like to join the workforce again. The revised Stipend Act entered into force on 1 August 2005. In addition, the Office of Equal Opportunity has been able to advance stipends to four or five women each year from the Fund for Female Career Re-entrants established on the occasion of the 2000 Career Impulse Year.

Liechtenstein also promotes the education of women in the context of international humanitarian cooperation, such as by granting stipends that allow young women to graduate from university. Between 2001 and 2003, Liechtenstein also supported an educational project for municipal nurses in Albania. Of particular note with respect to promoting the access of

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<sup>26</sup> Law of 16. December 2004 amending the Stipend Act, LGBl. 2005 No. 41.

women to education internationally are the activities of the Liechtenstein Development Service (LDS), which is for the most part funded through a performance agreement with the Liechtenstein Government. In its focus countries in Africa and South America, the LDS each year supports a wide range of projects for the education of girls and women, such as by providing financial support to girls' schools, women's education centers, and projects on agricultural and home economics education (see Contributions by Liechtenstein to Women's Projects, Appendix 2).

## **Article 11 Workplace, maternity, social insurance**

### The employment of women

Over the last five decades, the economic development of Liechtenstein has been characterized by an almost uninterrupted upswing. The number of jobs increased greatly during this time. Since the 1950's, the domestic labor market has largely dried up, so that the increasing demand for workers could only be satisfied through immigration and the employment of cross-border commuters. According to data from the 2000 Census, the number of workers resident in Liechtenstein increased from slightly more than 4,000 in 1930 to over 18,000 in 2000.

*Table 9 Workers resident in Liechtenstein 1930 – 2000*

	<b>1930</b>	<b>1941</b>	<b>1950</b>	<b>1960</b>	<b>1970</b>	<b>1980</b>	<b>1990</b>	<b>2000</b>
<b>All</b>	4436	4874	6018	7575	10243	12988	15537	18189
<b>Women</b>	1166	1178	1698	2347	3471	4610	5892	8015
<b>Women in %</b>	26.3%	24.2%	28.2%	31.0%	33.9%	35.5%	37.9%	44.1%
<b>Men in %</b>	73.7%	75.8%	71.8%	69.0%	66.1%	64.5%	62.1%	55.9%

*Source: Office of Economic Affairs. Statistical Yearbook 2005.*

While the total number of workers has approximately quadrupled in 70 years, the number of working women has even increased by a factor of seven. In the 1930's, the share of women in the workforce was only about 25%; in 2000, women already constituted 44% of the workforce resident in Liechtenstein. This development was largely independent of the legal equality of women and men and began long before the introduction of women's franchise in parallel with the economic development and the growing number of jobs.

Due to the rapidly increasing number of jobs, the employment of women is economically necessary, well-advanced, socially accepted, and a matter of course. Much less obvious for women is equal access to positions in the top levels of hierarchy, however.

With respect to the classification in various socio-professional categories, i.e., the categorization of workers according to type of work, a clear difference emerges between men

and women. Men clearly dominate the decision-making positions. They account for more than 80% of top management positions and constitute nearly 80% of academic professionals and upper management. Compared with the results of the 1990 Census, however, women have caught up somewhat with respect to leadership positions, and they have in particular increased their share in the total number of self-employed persons and intermediary professions. With the increase of the tertiary education quota among young women (see remarks relating to article 10), a comparison of these figures in the coming years will become interesting and meaningful.

*Table 10 Socio-professional categories according to gender in 1990 and 2000 (residing in Liechtenstein)*

Year	Gender	Employed	Top management	Liberal professions	Other self-employed	Academic, Upper management	Intermediary professions
1990	Men	62%	90%	88%	82%	85%	72%
2000	Men	56%	83%	84%	71%	78%	64%
1990	Women	38%	10%	12%	18%	15%	28%
2000	Women	44%	17%	16%	29%	22%	36%

*Source: Office of Economic Affairs. 1990 and 2000 Census.*

In 2000, the ratio between men and women was balanced with respect to unskilled workers, blue-collar workers, and non-classifiable workers. With respect to skilled manual workers, i.e., in agriculture, manufacturing, and construction, men constituted a clear majority of 89%. Only in skilled non-manual occupations, i.e., office occupations, there were significantly more women than men. In these categories, the share of women changed only insignificantly since 1990.

*Table 11 Socio-professional categories by gender in 1990 and 2000 (residing in Liechtenstein)*

Year	Gender	Skilled non-manual occupations	Skilled manual labor	Unskilled and blue-collar workers	Non-classifiable workers
1990	Men	37%	91%	48%	54%
2000	Men	35%	89%	49%	54%
1990	Women	63%	9%	52%	46%
2000	Women	65%	11%	51%	46%

*Source: Office of Economic Affairs. 1990 and 2000 Census.*

The spectrum of occupations continues to be divided into typical female and typical male jobs. In the social sector (education, health, and social services), women accounted for 68.3% of positions in 2000 (1990: 61.6%). In agriculture and forestry (primary sector) and in industry and construction (secondary sector), in contrast, only about one quarter (23.3% and 25.8%, respectively) of workers were women. In the service sector (tertiary sector), which

includes commerce, the hotel and restaurant industry, banking and insurance, and the abovementioned education, health, and social services as well as all other public and private services, the figures were roughly balanced with a female share of 51.1%. However, 64.0% of all working women but only 45.4% of all working men were employed in the service sector. In 1990, when 78.6% of all women but only 54.1% of all men were working in the service sector, the difference was even more pronounced. Overall, the comparison between 1990 and 2000 shows that the unequal distribution of working women and men across employment sectors has changed only insignificantly.

*Table 12 Employment by sector and gender in 1990 and 2000*

<b>Year</b>	<b>Gender</b>	<b>Sector 1</b>	<b>Sector 2</b>	<b>Sector 3</b>
1990	Men	87.9%	77.6%	53.2%
2000	Men	76.7%	74.2%	48.9%
1990	Women	12.1%	22.4%	46.8%
2000	Women	23.3%	25.8%	51.1%

*Source: Office of Economic Affairs. 1990 and 2000 Census.*

For men, full-time employment is the rule. About 86% of men had full-time employment in 2000, while this was true of only 53% of women. In 1990, considerably more men and women worked full-time, namely 97.6% of men and 67.6% of women. The share of women among part-time workers was 85.3% in 2000 and 90.7% in 1990. These figures show that there is a general trend toward more part-time employment in the Liechtenstein labor market and that an increasing number of men also are working part-time, but that women continue to represent a majority of part-time workers.

*Table 13 Employment level of men and women in 2000 (resident in Liechtenstein)*

	<b>100%</b>	<b>70% and more</b>	<b>50 - 69%</b>	<b>20 - 49%</b>	<b>up to 20%</b>	<b>others</b>
Men	86%	1.7%	1.2%	0.6%	0.4%	10.1%
Women	52.8%	7.5%	10.7%	8.2%	7.5%	13.3%

*Source: Office of Economic Affairs. 2000 Census.*

The share of women among self-employed persons was 27% in 2000, i.e., lower than the share of women among all workers. It is interesting, however, that the share of self-employed women has increased significantly over the past two decades. Women therefore increasingly appear to have the necessary commitment and self-confidence to form their own business or to independently manage an existing business. According to the 2000 Census, 500 women are self-employed.

*Table 14 Gender share among self-employed workers (resident in Liechtenstein) 1930 – 2000*

	<b>1930</b>	<b>1941</b>	<b>1950</b>	<b>1960</b>	<b>1970</b>	<b>1980</b>	<b>1990</b>	<b>2000</b>
Men	86%	87%	89%	87%	90%	86%	82%	73%

Women	14%	13%	11%	13%	10%	14%	18%	27%
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Source: *Office of Economic Affairs. 2000 Census.*

There are also significant differences between men and women with respect to the share among jobless and non-working persons. Women represent 89% of persons working in the household. In relative figures, women are affected by unemployment more frequently than men. According to the 2000 Census data, women account for approximately 44% of the working population resident in Liechtenstein, while the share of women among unemployed persons is 61%. The 1990 Census only indicated the number of jobless persons. The share of women among unemployed persons was 58%, while women represented just over 38% of all workers.

*Table 15 Gender share among jobless and non-working persons in 2000 (resident in Liechtenstein)*

	<b>Total</b>	<b>Unemployed</b>	<b>In school above age of 15</b>	<b>Volunteers</b>	<b>Household</b>	<b>Retirees</b>	<b>Others</b>
Men	32%	39%	52%	40%	11%	51%	31%
Women	68%	61%	48%	60%	89%	49%	69%

Source: *Office of Economic Affairs. 2000 Census.*

So far, Liechtenstein has not compiled wage statistics, which is why statements on the average wage differences between women and men are not possible. Liechtenstein is planning to introduce wage statistics beginning in 2006. For now, therefore, only the Swiss Wage Structure Survey 2002<sup>27</sup> by the Swiss Federal Statistical Office for Eastern Switzerland can be used as reference statistics. The social circumstances in Liechtenstein and neighboring Switzerland are similar, so that this reference is justified. According to the Swiss Wage Structure Survey, women in Eastern Switzerland earn considerably less than men. The average monthly wage of a woman, calibrated to a 40-hour work week, was CHF 4,152 in 2002, while the average monthly wage of a man was CHF 5,491. Interesting is that the difference between women's and men's wages increases as the level of the work increases. At the highest level of work, women in Eastern Switzerland earn 27.8% less than men. For the lowest level of work, the wage difference is 20.1%.

In summary, there is a general trend toward increasing employment of women, thereby approaching the employment behavior of men. Nevertheless, pronounced differences still exist, which become clear when employment is analyzed in more detail, especially with respect to workload and hierarchy.

<sup>27</sup> Swiss Federal Statistical Office. Swiss Wage Structure Survey 2002.

### Measures to achieve equality of women in the workplace

The Gender Equality Act issued on 5 May 1999 and revised in 2006 is the Liechtenstein instrument for implementation of de facto equality of women and men in the workplace (see remarks relating to article 2). Since entry into force of the Gender Equality Act, various efforts have been undertaken to bring it closer to the wider public. The draft bill was introduced to the wider public for the first time at the Liechtenstein Industry, Commerce, and Trade Exhibition in 1998. In 1999, a brochure on the Gender Equality Act was published, in which explanations and case examples were included along with the text of the Act. The brochure was sent to all businesses with more than 10 employees, a total of about 300. From August to November 2001, the Office of Equal Opportunity conducted an awareness-raising and information campaign on the Gender Equality Act. As part of the campaign, workshops were conducted for female employees on the topic of equal wages and part-time work, and flyers for employers were sent to businesses. In addition, two lectures were organized especially for human resource officers on diversity management and discrimination-free personnel evaluations. The target groups of the overall campaign were employers and employees.

The Gender Equality Act provides that financial subsidies may be granted for counseling and advancement programs. Accordingly, *infra* – the Information and Contact Office for Women, received subsidies for counseling and public outreach work on the Gender Equality Act between 2000 and 2004. In addition, the two applications for financial support submitted by the Employees' Association were approved by the Government. The survey by the Women's Educational Work Association on gender-specific differences between young female and male entrepreneurs was supported by subsidies. The Gutenberg Education House received financial support in 2004 and 2005 for continuing education offerings for women in the family phase.

Since entry into force of the Gender Equality Act, which explicitly contains the principle of non-discrimination with respect to wages, allowing legal claims against wage discrimination, one wage claim has been filed in the public sector. The wage discrimination was confirmed by the Government. The case was appealed to the Liechtenstein Administrative Court, which confirmed the Government decision. The employer was required to make retroactive wage payments to the complainant. Based on the current data situation, no certain information can be given on any claims lodged pursuant to the Gender Equality Act in the private sector.

The revision of the General Civil Code (Labor Contract Act)<sup>28</sup> to implement Directive 1997/81/EC of the European Parliament on part-time work entered into force on 14 December 2005. The most important new provisions include the elimination of discrimination against part-time workers, the promotion of part-time work, the guarantee of protection from termination upon switching from full-time work to part-time work or vice-versa, access of part-time employees to promotion measures relating to occupational training and to

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<sup>28</sup> Law of 14 December 2005 amending the General Civil Code (Labor Contract Act), LGBl. 2006 No. 40.



management positions, and the provision of information to employees on part-time and full-time positions in the place of work. Since 85.3% of part-time workers are women, these amendments primarily benefit the situation of women in the workplace.

In September 2001, the brochure entitled "Not with me! – Sexual harassment in the workplace" was revised and published. Its primary objective is to draw attention to the fact that sexual harassment in the workplace continues to exist, and thereby to support the prevention of sexual harassment. The brochure contains a definition of sexual harassment, lists examples, and explains effects and consequences of harassment as well as successful response measures. The brochure refers to the legal possibilities of defending oneself against sexual harassment in accordance with sexual criminal law<sup>29</sup> and the responsibility of employers laid down in the Gender Equality Act to ensure a working environment free from harassment.

The Liechtenstein National Administration also deals with the question of sexual harassment in the workplace. A working group has compiled draft amendments to the Public Employees Act and draft rules on the topics of "Sexual harassment in the workplace" and "Mobbing in the workplace". The Government took note of these drafts on 8 April 2003. The amendments to the Public Employees Act recommended by the working group will be reviewed and taken into consideration in the framework of the total revision planned for 2006/2007.

From November 2005 to February 2006, the poster campaign "Food for Thought" was conducted in the National Administration. It focuses on the compatibility of family and work, sexual harassment in the workplace, and women in leadership functions. The posters were sent to all offices and divisions in the National Administration, to the municipalities, foundations and establishments under public law, and to private enterprises with State holdings.

At the beginning of December 2003, the Volunteer Work Certificate was introduced to the wider public. Volunteers will be able to use the Volunteer Work Certificate to enter what they have accomplished and how much time they have spent. The certificate serves as a personal job reference and can be useful when applying for employment. In particular when reentering the workforce, evidence of volunteer work and corresponding training can be important, since years of volunteer work convey knowledge and skills that are also useful for paid employment. Since primarily women are engaged in voluntary social work and are confronted with the difficulties of reentering the workforce, the Volunteer Work Certificate both represents social recognition of the unpaid work of women and constitutes an important measure to facilitate reentry of women into the workforce.

In cooperation with infra – the Information and Contact Office for Women and femail Feldkirch, the Office of Equal Opportunity conducted two information evenings for cross-border commuters in 2003. On the first evening, the topic areas of insurance, taxes, and social

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<sup>29</sup> Law of 13 December 2000 amending the Criminal Code (Sexual Offenses Act), LGBl. 2001 No. 16.

and family benefits were discussed; on the second evening, old-age provision in Liechtenstein (1st and 2nd pillars) and pension insurance in Austria were presented. Information sheets on these topics were also compiled and distributed.

#### Workplace and maternity

The question of compatibility of family and career affects women and increasingly also men. Many women in Liechtenstein now have good professional qualifications, so they no longer want to give up their employment completely in favor of household and child-raising. On the other hand, an increasing number of men want to become more heavily engaged in family work. A collaborative distribution of family work and employment is therefore becoming increasingly important. To be able to implement this distribution of family work and employment in everyday life, employers must be willing to offer women and men family-friendly structures in the workplace. An obstacle to the compatibility of family and employment is therefore the limited willingness in the private sector to create better framework conditions. To create incentives for the advancement of women in the workplace, the Equal Opportunity Prize mentioned above has been awarded every second year to woman-friendly and family-friendly businesses.

Since the beginning of 2002, the employees of the National Administration have been able to count on a safe day-nursery within the National Administration. The Day-Care Association of Liechtenstein is responsible for the management, organization, staffing, and administration of the day nursery. The National Administration provides the infrastructure and covers the annual operating deficit. The Office of Education offers job-sharing positions to kindergarten teachers and primary school teachers. These positions were evaluated in the 2001/2002 school year. The results and recommendations were included in a guideline and issued in the spring of 2003. With the establishment of the day nursery and the introduction of job-sharing positions, the National Administration serves as a good example of family-friendly structures for the private sector. Since January 2004, one Liechtenstein company has been offering an internal nursery for 10 children based on the model of the National Administration.

In particular given the hesitant advancement of women in the private sector, care of children outside the home and scholastic support are a key prerequisite for the compatibility of career and family and for equal opportunity in employment. In 2006, the Day-Care Association of Liechtenstein is providing 120 spots in its eight facilities. 218 children in total attend a day-care center run by the association. The average waiting period for a spot in a center is two months. Two other day-care facilities offer a total of 19 spots, which were used by 55 children in May 2006. The Parent-Child Forum trains and places childminders. In May 2006, 52 children were cared for by 24 childminders. The flexible child-care service "Children's Oasis", which opened in the summer of 2004, accepts children without appointments for short care periods. In total, over 320 are being taken care of by third parties in Liechtenstein in 2006. Since the establishment of the Day-Care Association of Liechtenstein and the Parent-Child Forum in 1989, the demand for care outside the home has thus greatly increased.

The Liechtenstein State supports the Day-Care Association with a fixed contribution according to spots and care-days, and bears part of the remaining operational deficit. The Parent-Child Forum also receives public funds. Parents who depend on care of their children by child-care facilities or childminders due to their work may obtain financial support for care indexed to their income.

The Child Care Ordinance was adopted in 2002 to provide a legal basis for ensuring the quality of care outside the home. According to the Ordinance, private care arrangements and child-care facilities must obtain a license. The Office of Social Affairs reviews care facilities and, in general, has found them to be of high quality.

Further progress was made in the reporting period with respect to the implementation of block scheduling in school. The School Organization Ordinance<sup>30</sup> of 2004 provides that instruction in primary schools should last the same amount of time every morning and that kindergarten hours should, to the extent possible, be coordinated with the classroom schedule in primary schools. With one exception, all secondary schools offer lunch. In one municipality, a lunch table is now also being offered for kindergarten and primary school teachers, which has proven to be very popular.

Already since the 1970's, there have been discussions concerning day structures and day schools at the primary school level in Liechtenstein. After an analysis of the PISA results from 2000 and 2003, the topic has again become timely. The Government appointed a commission with representatives of different institutions working in the field of day structures and care outside the home. The commission's mandate was to evaluate existing support systems in the scholastic and family-support area and to perform a needs assessment. As part of the needs assessment<sup>31</sup>, the parents of two thirds of all primary school children and 30 other experts and key persons were interviewed. A considerable share of the surveyed parents indicated a desire to use new support structures. The majority of interviewees also agreed that the need for care offerings outside the home would increase over the short or long run. In its report of August 2005, the commission recommended a dual strategy implementing the models: "Day school with profile" and "Lunch tables and tutoring/care of pupils in the municipalities". With respect to the first model, the Government decided in May 2006 to establish one day school or one part-day school in each of the two Liechtenstein regions by the 2007/08 school year, in cooperation with the municipalities. Both the kindergarten and primary school level will be integrated into these schools. With respect to the second model, the commission recommends that the municipalities undertake coordination and development efforts with a focus on promoting the social, cultural, and linguistic skills of pupils, integration of children from migrant families, and support of single parents and working parents.

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<sup>30</sup> Ordinance of 6 July 2004 on the Organization of Public Schools (School Organization Ordinance), LGBl. 2004 No. 154.

<sup>31</sup> Report on the needs assessment "Day structures and care outside the home – Situation and needs" by the chairpersons of the municipal school councils with kindergarten and primary school administrators and the administrators of the secondary schools.

Various measures have been taken to facilitate the reentry of women into the workforce. In the summer of 2001, the qualitative survey on "Optimal planning and realization of reentry" was concluded. Based on the recommendations of the survey, the Office of Equal Opportunity developed measures for reentrants, for employees, and for the Administration. It developed guidelines targeting employers on the successful reentry of women into the workforce. For reentrants themselves, a checklist was developed with tips for job applications, which is being provided together with the information brochure "infra special – Reentering the workforce". The Vocational Guidance Center also offers individual, differentiated career counseling free of charge for reentrants. Counseling includes a personal evaluation, including an assessment of psychological preferences and talents.

In cooperation with various project partners, the project group "Images of Men" organized the expert meeting entitled "Family and career: Joint challenges – Joint solutions" on the compatibility of family and career. The target group of the event was primarily composed of human resource officers. The attending experts presented the needs, burdens, and obstacles for employees and employers in promoting the compatibility of family and career. They also showed what advantages arise for employees and employers by dividing family and career work.

With its traveling exhibition "Family and Career in Balance", the Gender Equality Conference of the Cantons of Eastern Switzerland and the Principality of Liechtenstein realized its first joint project. The exhibition presents the status of division of family and career work between partners in Eastern Swiss and Liechtenstein households, why child-care facilities make national economic sense, and what positive experiences businesses have had with family-friendly measures. The exhibition was present in various locations in Liechtenstein in September 2004 and from October 2005 to January 2006.

### Social insurances

It is especially important for women to think about their financial situation in old age. Autonomous old-age provision above the subsistence level can only be achieved through a women's own, continuous employment or indirectly via her husband. Financial security arrangements for old age must depend on the family and employment situation. In Liechtenstein, *infra* – the Information and Contact Office for Women offers personal counseling especially for women. In cooperation with *infra*, the Office of Equal Opportunity organized two information evenings in 2003 on the topic of "Old Age Provision – What Women Need to Know". On the first evening, State Old Age and Survivors' Insurance (AHV) as the first pillar of the Liechtenstein pension system was presented. On the second evening, occupational pension funds and private savings (2nd and 3rd pillars) were discussed. The brochure "Old Age Provision – What Women Need to Know" introduces the three-pillar model of the State Old Age and Survivors' Insurance (AHV) system and the old-age provision situation for women depending on their phase in life, along with important contact information.

### Research activities

In line with the suggestions made by the Committee on the occasion of the presentation of the first period report, Liechtenstein has strengthened its research activities. In the winter semester 2005/2006, the Liechtenstein Institute hosted a lecture series entitled "Men and Women in Education, Career, and Politics". The following research papers were presented: "Changes in Women's Employment: Serving or Earning" by lic. phil. Julia Frick, "Professional Development after the *Realschule*: Wishes and Reality" by lic. phil. cand. Martina Sochin, "Women Managers in Liechtenstein: Children or Career?" by mag<sup>a</sup>. phil. Sonja Hersche, and "Woman, Man, Person: Perspectives on Equality" by Dr. Wilfried Marxer.

## **Article 12 Health**

### Revision of the Health Insurance Act

During the reporting period, the Liechtenstein Health Insurance Act was again revised in 2003, and further amendments are planned for 2006/2007. Since the 2003 revision, only a specific number of domestic and international physicians, determined by a needs analysis, are admitted to bill through the compulsory health insurance schemes. Several cost-control and cost-reduction measures in the health insurance sector have been introduced.

The waiver of premiums for children and the contributions to low-income policyholders have been extended to the entire compulsory health insurance system. Policyholders may submit an application for reduction of premiums on an official form to the municipal administration of the municipality of residence or work. The reduction of premiums is based on taxable income and the premium for compulsory health insurance calculated according to the national average. The applicable State contributions have remained unchanged. The waiver of cost

participation for children and the reduction of cost participation for pensioners and the chronically ill have also been maintained.

With the planned further amendments to the Health Insurance Act, recommendations of the Data Protection Commissioner will be implemented to provide more precise rules concerning the position and responsibilities of medical examiners in Liechtenstein. Related rules will govern the disclosure of medication information by the service providers to the insurance schemes or the medical examiners. Provisions concerning the processing and communication of personal data will also be supplemented.

#### Preventive care and family planning

Every five years, persons between the age of 17 and 70 receive a written invitation from the Office of Public Health for a preventive check-up. Women receive an additional invitation every 2 1/2 years for a gynecological preventive check-up. If needed, this check-up also includes consultation on family planning. The doctor's office will arrange any follow-up examinations. Upon request, persons over the age of 70 may continue to participate in the preventive check-ups. Preventive check-ups are voluntary and free of charge.

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

The Liechtenstein Cancer Society offers a monthly meeting for those affected by breast cancer.

#### Abortion

Except for serious endangerment of the pregnant woman or pregnancies of women under the age of 14, abortion is subject to strict punishment in Liechtenstein. According to doctors' estimates, approximately 50 abortions are performed abroad each year. There is a widespread view that punishment is not an effective protection of nascent life. A working group composed of doctors, the Professional Association of Psychologists, the Evangelical-Reformed Church, the Women's Union, the Women in the FBP, the Free List, the Bureau for Sexual Matters and HIV Prevention, and infra – the Information and Contact Office for Women has dealt intensively over the last two years with the subject of pregnancy conflicts and is searching for sustainable solutions. The focus is on the protection of unborn life, the protection of the pregnant woman, and decriminalization.

The recommendations on Liechtenstein's first periodic report include the call to investigate the connection between the strict abortion legislation and the supposedly high number of

children born out of wedlock. There is no indication of a causal connection between the legislative situation and the number of children born out of wedlock. In the last five years, just over one fifth of children were born out of wedlock in Liechtenstein<sup>32</sup>. A comparison with neighboring countries shows that this figure is not alarmingly high and can likely be attributed to the general rise in tolerance for non-marital partnerships in recent decades: In 2001, 17.5% of children were born out of wedlock in Liechtenstein, 11% in Switzerland, 33% in Austria, 23% in Germany, and 22% in Luxembourg.<sup>33</sup>

In August 2005, the "For Life" initiative was submitted with 1,891 signatures. The initiative called for the comprehensive "protection of human life from contraception to natural death" to be laid down in the Constitution as a responsibility of the State. The parliamentary groups of all three political parties elaborated a counterproposal with the argument that the formulation chosen by the drafters of the initiative left too many questions open. The counterproposal provided a new article 27bis of the Constitution under the heading "General Rights and Obligations of Liechtenstein Citizens" enshrining respect for and protection of human dignity, the prohibition of inhuman or degrading treatment or punishment, the right of every person to life, and the prohibition of the death penalty. In the popular vote on both proposals on 25/27 November 2005, 18.7% of voters supported the "For Life" initiative, while the counterproposal of Parliament was adopted by 79.3% of voters. The Constitution was amended by the Constitutional Act of 27 November 2005<sup>34</sup>.

#### Contraception and AIDS prevention

In addition to counseling on sexuality and HIV/AIDS, the Bureau for Sexual Matters and HIV Prevention offers various information programs. The Bureau provides gender-specific counseling in schools and youth centers for young women going through puberty. The content of its youth work includes sex education topics such as first menstruation, partner relationships, masturbation, first sexual intercourse, homosexuality, and pornography. Under the heading of "More desire than frustration", courses on the development of female sexuality are offered. A course for couples on "Sensuality and sex in long-term relationships" offers information and gender-specific work for women and men.

In cooperation with the youth information office "aha – Tips and Info for Young People" and the Gutenberg House, the Bureau for Sexual Matters and HIV Prevention offers "Girl Power Days" and "Boy Power Days". These are gender-specific offerings for girls and boys going through puberty. The Boy Power Days for 12 to 13-year-old boys cover the four areas of body knowledge and changes in puberty; dealing with aggression; male role images; and sexuality, contraception, and protection in relationships. During the Girl Power Days, girls between 11

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<sup>32</sup> See Office of Economic Affairs. Family Statistics 2001-2004. Percentage of children born out of wedlock: 17.5%/2001, 15.2%/2002, 18.4%/2003, 20.8%/2004.

<sup>33</sup> Höpflinger, François: *Familiengründung im Wandel - im europäischen Vergleich*. Sociological Institute, University of Zurich.

<sup>34</sup> Constitutional Act of 27 November 2005 amending the Constitution of 5 October 1921 (Human Dignity and Right to Life), LGB1. 2005 No. 267.

and 13 deal with topics such as friendship, "My Body", puberty, menstruation, and ejaculation. The goals are to promote awareness, improve communication abilities, and expand behavioral competence. The Girl Power Days/Boy Power Days project was runner-up for the 2004 Gender Equality Prize.

Liechtenstein supports the fight against the spread of HIV/AIDS through annual contributions to UNAIDS and voluntary contributions to the Global Fund to fight HIV/AIDS. Liechtenstein Foreign Minister Rita Kieber-Beck confirmed Liechtenstein's continuing commitment to the fight against HIV/AIDS at the UN High Level Meeting on AIDS on 1/2 June 2006 in New York. In addition, the Liechtenstein Development Service supports a wide range of projects to curb the spread of AIDS in African countries, but it also funds other projects relating to women's health, such as nutrition campaigns and campaigns on mothers' and children's health (see Contributions by Liechtenstein to Women's Projects, Appendix 2).

#### Drugs and rehabilitation programs

No changes of fundamental trends took place during the reporting period with respect to drug consumption. The share of smokers continues to rise, however, especially among young people between 15 and 16. Alcohol consumption and abuse as well as narcotics abuse are considerably higher among young men than among young women, while prescription drug abuse tends to be more widespread among young women. Outpatient rehabilitation programs are offered in hospitals and therapeutic institutions. In addition, Liechtenstein patients have access to rehabilitation programs in the neighboring countries.

#### **Article 13 Other areas of economic and social life**

Although Liechtenstein is a wealthy country, low-income population groups exist. In particular single parents (especially single mothers) with children, but also families with multiple children and only one working parent are often confronted with financial challenges. Families in Liechtenstein are therefore supported by various measures (see remarks relating to article 5(b)).

If, despite the relief mentioned under article 5(b), the income of the parents is not sufficient to cover the costs of living for family members, the affected persons may apply for income support (welfare) from the Liechtenstein State. Financial support is determined on a case-by-case basis, taking into account a reasonable expenditure of the family's own efforts and resources.

Participation in cultural life and the achievements of scientific progress is guaranteed equally in Liechtenstein to women and men. As an advisory commission to the Government, the Cultural Advisory Council plays an important role in the State promotion of culture, supporting the promotion and coordination, information and documentation of cultural activities and assuming responsibility for the administration and use of the foundation assets



of "Pro Liechtenstein", a non-autonomous foundation under public law. The main activity of the Cultural Advisory Council consists in reviewing applications for State support. The Office of Cultural Affairs, established in 1999, advises the Minister of Cultural Affairs and the Cultural Advisory Council on the fulfillment of their responsibilities. Additionally, it implements diverse cultural projects. The Office of Cultural Affairs is represented in the Steering Committee for Gender Mainstreaming and thereby actively participates in the implementation of Liechtenstein gender equality policy. The Office of Cultural Affairs is participating in the cross-border project "LänderGender" on implementation of gender mainstreaming in public administrations (see remarks relating to article 2) with the implementation example "Opening and Operating an Artists' Studio in Berlin". The goal is to establish an artists' studio that offers an optimal environment to both women and men. In this way, artists from Liechtenstein are to be given the opportunity to create and present works abroad. In 2006, a needs assessment among artists will be conducted by means of a questionnaire. In particular, the survey aims to determine whether women and men have different demands on studios. Different desires would be conceivable with respect to the location and accessibility of the studio, the rules of the house, possibilities for taking care of children in the studio or its surroundings, and differing views on the rental costs due to the different backgrounds of women and men. The survey used for the needs assessment will take these aspects into account.

#### **Article 14 Promotion of women in rural areas**

While there is no specific promotion of women in rural areas within Liechtenstein due to the small size and structural uniformity of the country, Liechtenstein is heavily involved in this area at the international level. The Liechtenstein Development Service (LDS) primarily works in rural areas in education, health, and rural development. As part of the focus on rural development, the LDS conducts projects specifically aimed at women. In 2005, for instance, the LDS promoted women in Senegal with respect to fishing and in the region of Thies, supported women's projects of the Indian aid organization in Halkarni in India, and promoted several well-construction projects in Asia and Africa (see Contributions by Liechtenstein to Women's Projects, Appendix 2).

## IV. Appendices

All Liechtenstein legal texts can be accessed on the website [www.gesetze.li](http://www.gesetze.li) (only in German).

- 2005 Implementation Plan for the Beijing Platform for Action (1995).
- Contributions by Liechtenstein to Women's Projects 2003 – 2005.
- Geser-Engleitner, Erika: *Weil Wände nicht reden können ... schützen sie die Täter. Gewalt in Paarbeziehungen. Eine empirische Untersuchung in Vorarlberg (Österreich), Fürstentum Liechtenstein und Kanton Graubünden (Schweiz)*, Bregenz 2003.