

Advance Unedited Version

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Committee on the Elimination of Discrimination  
against Women Thirty-ninth session 23 July-10 August 2007

**Concluding comments of the Committee on the Elimination of Discrimination against Women: Liechtenstein**

1. The Committee considered the second and third periodic reports of Liechtenstein (CEDAW/C/LIE/2 and CEDAW/C/LIE/3) at its 797th and 798th meetings, on 26 July 2007 (See CEDAW/C/SR.797(B) and 798(B)). The Committee's list of issues and questions is contained in CEDAW/C/LIE/Q/3 and the responses by Liechtenstein are contained in CEDAW/C/LIE/Q/3/Add.1.

**Introduction**

2. The Committee expresses its appreciation to the State party for its second and third periodic reports, which follow the Committee's guidelines for the preparation of periodic reports and take into account the Committee's previous concluding comments.

3. The Committee commends the State party for its written replies to the list of issues and questions raised by the pre-Session working group and for the oral presentation and further clarifications offered in response to questions posed orally by Committee members. It expresses its appreciation for the frank and constructive dialogue held between the delegation and the members of the Committee, which provided further insights into the real situation of women in Liechtenstein.

4. The Committee expresses its appreciation to the State party for its delegation headed by the Permanent Representative of Liechtenstein to the United Nations, and which included the Director of the Office of Equal Opportunity.

5. The Committee notes with appreciation that the State party ratified the Optional Protocol to the Convention in October 2001.

**Positive aspects**

6. The Committee commends the State party on the amendments to the Gender Equality Act in 2006 aimed at the realization of equal treatment of men and women in the workplace; the revision of the Code of Criminal Procedure to enhance the protection of victims and the inclusion in the Penal Code of a provision on stalking and the adoption of the Victims Assistance Act in June 2007, which will enter into force on 1 April 2008 and will provide counselling and financial assistance to victims. It also commends the Office of Equal Opportunity (Stabsstelle für Chancengleichheit) for the implementation of training and awareness-raising programmes on different aspects of gender equality.

7. The Committee welcomes the contributions of the State party to women's projects and to the promotion of women's human rights in the context of its development cooperation programmes.

#### **Principal areas of concern and recommendations**

**8. While recalling the State party's obligation to systematically and continuously implement all the provisions of the Convention, the Committee views the concerns and recommendations identified in the present concluding comments as requiring the priority attention of the State party between now and the submission of the next periodic report. Consequently, the Committee calls upon the State party to focus on those areas in its implementation activities and to report on action taken and results achieved in its next periodic report. It also calls upon the State party to submit the present concluding comments to all relevant ministries and to Parliament in order to ensure their full implementation.**

9. While noting that the Convention is directly applicable, the Committee is concerned that the Convention has not received sufficient visibility and is not regularly used as the legal basis for measures, including legislation; aimed at the elimination of discrimination against women and the promotion of gender equality in the State party. The Committee is further concerned that the provisions of the Convention have not been used in court proceedings, which may indicate a lack of awareness of the Convention among the judiciary and legal professions.

**10. The Committee urges the State party to place greater emphasis, in its efforts to achieve gender equality, on the Convention as a legally binding and directly applicable human rights instrument. It also calls upon the State party to take proactive measures to enhance awareness of the Convention, in particular among women and men in the judiciary and the legal profession, political parties, Parliament and Government officials at all levels, including law enforcement officials, in order to strengthen its use in the development and implementation of all legislation, policies and programmes aimed at the practical realization of the principle of equality between women and men. The Committee encourages the State party to systematically promote knowledge and understanding of the Convention and gender equality through its training programmes.**

11. While acknowledging the dual System of the State party, the Committee is concerned about the State party's reservation to article 1 of the Convention with respect to hereditary succession to the throne within the Princely House of Liechtenstein, which denies women's access to the throne, as confirmed by the delegation.

**12. The Committee encourages-the State party to discuss its reservation to article 1 of the Convention with the autonomous Princely House of Liechtenstein with a view to its withdrawal.**

13. While noting recent revisions to the Gender Equality Act of 1999, pertaining to the equal treatment of men and women in the workplace, as well as its 2006 revisions to include definitions of sexual harassment and direct and indirect discrimination in the

labour market, the Committee is concerned that its recommendation, made at the occasion of the consideration of Liechtenstein's initial report in 1999 (A/54/38/Rev.1, part 1, para. 160), that the Act not be limited to working life but extend to all spheres of life in order to accelerate equality in both public and private life, was not reflected in the finalization of the Act nor in its subsequent amendments. The Committee is concerned that the limited scope of the Act may lead to diminished attention being paid to eliminating discrimination against women in all other fields covered by the Convention:

**14. The Committee calls upon the State party to actively pursue the elimination of discrimination against women and the practical realization of the principle of equality of women and men, in accordance with articles 1 and 2 of the Convention, in all spheres of life. It requests the State party to carefully and systematically monitor the implementation of all the provisions of the Convention and to effectively eliminate discrimination against women in all areas covered by the Convention in order to promote and accelerate realization of de jure and de facto equality between women and men.**

15. While noting the increase in women's participation in the labour force, the Committee is concerned that women are over-represented among part-time workers and among the unemployed, which may have long-term effects on their economic situation throughout their life cycle. The Committee remains concerned about the persistent vertical and horizontal occupational segregation, the wage gap and the fact that a significant number of women leave the workforce after childbirth. The Committee is further concerned of the reluctance of the private sector to implement measures to improve women's employment status.

**16. The Committee urges the State party to intensify its efforts to ensure equal opportunities for women and men in the labour market, in both the public and private sectors. The Committee recommends that the State party take proactive measures to eliminate occupational segregation, such as the provision of enhanced educational and training opportunities for women, and continue to expand measures to facilitate women's re-entry into the workforce after childbirth. The Committee recommends that the State party enforce and monitor the application of existing measures on equal pay for equal work and work of equal value, flexible work arrangements and part-time work in the public and private sectors and develop, as necessary, measures to counteract any possible adverse consequences of part-time work for women, especially in regard to their pension and retirement benefits. The Committee further urges the State party to ensure that measures to facilitate the reconciliation of family and work responsibilities be targeted at both women and men and, to work towards greater involvement of men in domestic and care responsibilities. The State party should adopt measures that encourage fathers to make greater use of parental leave and consider creating financial incentives towards that end.**

17. The Committee is concerned about the continued underrepresentation of women in elected and appointed bodies, despite the resolution adopted by the Government in 1997 that no gender should be represented by more than two thirds in appointed bodies. It is also concerned that women remain underrepresented in senior positions within the public administration, including the diplomatic service, the judiciary and educational institutions, as well as the private sector, thus limiting women's participation in decision-making processes in all areas.

**18. The Committee encourages the State party to intensify its efforts to strengthen women's representation in leadership roles and in decision-making positions in political bodies, including Parliament, municipal councils, commissions - and advisory councils, in public administration, including the diplomatic service, and in the private sector. It recommends that the State party expand its current awareness-raising efforts and training activities to a wider range of stakeholders, including leaders of political parties, senior managers in the private sector and boards of trustees of foundations under public law. The Committee recommends that the State party take measures, in particular temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures and general recommendation 23 on women in public life; so as to accelerate the achievement of women's full and equal participation at all levels and in all areas. It requests the State party to monitor the impact of measures taken and results achieved over time and to report thereon in its next periodic report.**

19. The Committee expresses concern at the State party's limited application of article 4, paragraph 1, of the Convention on temporary special measures, which is not in line with the Committee's general recommendation 25.

**20. The Committee recommends that the State party further assess the results achieved with currently applied temporary special measures and, accordingly, consider expanding these to a variety of strategies, including legislative and administrative measures, outreach and support programmes, the allocation of resources and the creation of incentives, targeted recruitment and the setting of time-bound goals and quotas, in different areas of the Convention. In such efforts, the State party should take account of the Committee's general recommendation 25 and article 4, paragraph 1, of the Convention.**

21. While welcoming the State party's efforts to address stereotypical attitudes and behaviours that discriminate against women and perpetuate inequality between women and men, the Committee remains concerned about the persistence of traditional attitudes and stereotypes regarding the roles and responsibilities of women and men in the family and in society. The Committee is concerned that women continue to be stereotyped as mothers and caregivers, while men are stereotyped as breadwinners. Such stereotypes undermine women's social status, as reflected in women's disadvantaged position in a number of areas, including in the labour market and in access to decision-making positions, and affect women's choices in their studies and professions. The Committee notes that such stereotypes constitute a significant impediment to the practical realization of the principle of equality of women and men, as called for in article 2 (a) of the Convention.

**22. The Committee calls upon the State party to put in place a comprehensive policy, targeted at men and women, boys and girls, to overcome traditional stereotypes regarding the roles of women and men in society and in the family, in accordance with articles 2 (f) and 5 (a) of the Convention. Such a policy should include legal, administrative and awareness-raising measures, involve public officials and civil society and target the entire population. It should also focus on the**

**involvement of different media, including print and the Internet, and encompass both specialized and general programmes.**

23. The Committee is concerned about the lack of legal provisions governing de facto unions, which may deny women protection and redress in cases of separation or violence against women.

**24. The Committee encourages the State party to review its current legal system governing marriage and family relations with a view to extending existing legal provisions to couples living in de facto unions.**

25. While noting the ongoing discussions in a multi-stakeholder working group, the Committee is concerned that women who elect to undergo abortion are subject to strict punishment.

**26. The Committee recommends that the State party consider reviewing the laws relating to abortion with a view to removing punitive provisions for women who undergo abortion, in line with the Committee's general recommendation 24 on women and health and the Beijing Declaration and Platform for Action. The Committee also encourages the State party to carefully monitor the delivery of health services in order that it may respond in a gender-sensitive manner to all health concerns of women and in this regard invites the State party to utilize the Committee's general recommendation 24 as a framework for action to ensure that all health policies and programmes integrate a gender perspective.**

**27. The Committee requests the State party to provide, in, its next -report, information on the results obtained from studies and surveys with regard to the impact of laws, policies, plans and programmes aimed at achieving gender equality.**

**28. The Committee urges the State party, in its implementation of its obligations under the Convention to fully utilize the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention; and requests the State party to include information thereon in its next periodic report.**

**29. The Committee also emphasizes that a full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. It calls for the integration of a gender perspective and the explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of the Millennium Development Goals and requests the State party to include information thereon in its next periodic report.**

**30. The Committee notes that the adherence of States to the seven major international human rights instruments<sup>1</sup> enhances the enjoyment by women of their**

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<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the Government of Liechtenstein to consider ratifying the treaty to which it is not yet a party, namely, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

31. The Committee requests the wide dissemination in Liechtenstein of the present concluding comments in order to make the people, including government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure de jure and de facto equality of women and of the further steps that are required in that regard. The Committee requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Convention, its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000. gender equality, development and peace for the twenty-first century".

32. The Committee requests the State party to respond to the concerns expressed in the present concluding comments in its next periodic report under article 18 of the Convention, which is due in January 2009.