

infra – Information and Contact Center for Women
Parent-Child Forum
Justitia et Pax
Association for Intercultural Education (ViB), P.O. Box 850, FL-9494 Schaan

27 October 2005

Working Group against
Racism, Anti-Semitism, and
Xenophobia
ATTN: Christine Stehrenberger,
Deputy Director, Office for
Foreign Affairs
Heiligkreuz 14
FL-9490 Vaduz

Second and third report of Liechtenstein under the UN Convention on the Elimination of All Forms of Racial Discrimination

Dear Ms. Stehrenberger:

The NGO “Integration” has received country reports 2 + 3 for 2005, and we would like to thank you for the invitation to submit comments.

We have reviewed and discussed the country report and, from our perspective, it corresponds to the facts. We note that the topic of integration of foreigners has been taken more seriously in the last two years, and that it has also been taken up by the political agenda. We are particularly pleased about the expansion of the Office of Equal Opportunity, which now has resources available that can be expressly dedicated to this topic.

Please allow us to briefly show how the NGO “Integration” has contributed to making integration a public and political topic:

To make integration more accessible to the broader public, we hosted a lecture followed by a podium discussion in the lobby of the Vaduzer Saal on 15 March 2002. Politicians, representatives of foreigners in Liechtenstein, and the directors of the Office of Social Affairs and the Immigration and Passport Office discussed the topic: “Immigration – Integration: Where does Liechtenstein stand?”

With the goal of advancing Liechtenstein’s own integration concept, the NGO “Integration” drafted a questionnaire with which we conducted interviews with affected persons and institutions. We have attached the resulting report in its entirety and in summary form for your reference. All interviews conducted clearly indicate that knowledge of the German language is viewed as a central integration concern.

Against this background and for purposes of presenting the report, we again organized a public discussion entitled “Integration – Participation: Where does Liechtenstein stand?” on 19 September 2003 in the Vaduz Museum of Fine Arts. With short talks by the integration officials from Düsseldorf, St. Gallen, and Basle, different models were presented that were then discussed in a hearing with representatives of the Liechtenstein authorities mentioned above and a representative of the Liechtenstein Chamber of Commerce and Industry. The integration officer from Dornbirn was unable to attend for health reasons.

In conjunction with this event, we organized an expert meeting on 20 September 2003 with the aforementioned integration officials from Germany and Switzerland.

In connection with this event and the following expert meeting with the foreign participants, it was noted in different contexts that a demographic survey in Liechtenstein is largely absent. Since it would be extraordinarily important for sustainable integration measures to make use of a demographic foundation and to derive developments over the next 10 to 15 years, we approached the Liechtenstein Institute in Bendern to suggest a survey of the economic and socio-political population movements.

The goal of the survey is primarily to show the current status of the social stratification with respect to age and economic integration. This should provide a basis for deriving the situation of the population in about 10 to 15 years with respect to integration and subcultures within the culture. What problems arise from the aging of the population? Key terms such as immigration pressure, freedom of movement, but also the integration capacity and limits of society would be of great interest. We have been able to entrust the weighting of the conceptual structure of a survey and the precise design of the questions and hypotheses to the Liechtenstein Institute. We are supporting the Liechtenstein Institute with our own modest financial resources. We expect a first interim assessment by the end of November 2005.

In conclusion, we would like to assure you that we will continue to critically observe the situation in Liechtenstein with respect to integration and we will continue to make a constructive contribution where possible.

Yours sincerely
on behalf of the NGO “Integration”

[signed]

M. Marxer-Schädler, Parent-Child Forum

Enclosure

Preliminary report of the NGO working group “Integration”

1. Preliminary remarks on the situation in Liechtenstein

In 2002, an autonomous NGO working group was formed (members: Peter Dahmen, Anita Frick, Brigitta Hutter, Maja Marxer-Schädler, and Dr. André Ritter) to consider questions of immigration and integration in the Principality of Liechtenstein – initially independently of a Government mandate. As part of its work, the working group drafted a short questionnaire with which interviews with affected persons and institutions here in the country were conducted. These interviews will now be documented in the present short report, providing a basis for further targeted efforts with the goal of ensuring Liechtenstein’s own integration concept. For this purpose, the working group is currently also preparing an expert meeting on 19/20 September 2003, at which integration officials from Germany, Austria, and Switzerland will report on their various approaches and, in this way, will assist the internal efforts towards Liechtenstein’s own integration concept.

2. Integration policy and the law concerning foreigners in Liechtenstein

In its second report on Liechtenstein (adopted on 28 June 2002), the European Commission against Racism and Intolerance (ECRI) discussed, *inter alia*, the special problem of immigration policy in Liechtenstein:

“Although over 34% of the total population of Liechtenstein are non-citizens, around two-thirds of these are from Switzerland, Austria, Germany and thus share a similar linguistic and cultural background with the majority population. Other foreigners come from Italy (7.6%), Turkey (7.5%), ex-Yugoslavia (3.5%), Portugal (3.3%), Spain (2.4%) and Bosnia-Herzegovina (2.3%). Most of the non-citizens living in Liechtenstein are in the country for work purposes or have come for purposes of family reunification with persons working in the country. (page 13)”

According to the ECRI report, Liechtenstein immigration policy is based on the principle of equal treatment, which is applied together with the principle of reciprocity. In this regard, the “three circles” model is applied: “In practice, this means that nationals of EEA member States, followed by those of Switzerland, are given preferential treatment in comparison to nationals of other countries, on the basis of bilateral and multilateral treaties. Since 1985 there has been a restriction on the possibility for non-citizens to reside and work in Liechtenstein: the small size of the country, in which only about one third of the 160 km² of territory is habitable, is cited by the authorities as one reason for this restriction. Since Liechtenstein’s adhesion to the EEA in 1995, EEA nationals receive preferential treatment; however, annual quotas have been introduced as regards EEA nationals wishing to work and reside in Liechtenstein: again, according to the authorities, because of the small size of the country. Around 50 EEA nationals per year now receive permanent residence permits with the right to work; a few more receive permission to reside in Liechtenstein but not to work. Nationals of all other countries are treated equally in terms of the procedure for granting residence permits, provided that they meet the requirements as established in the Movement of Persons Ordinance and the Act on the Procedure for the Granting of Residence Permits. Very few persons from outside the EEA area or Switzerland are now granted permanent residence permits: such persons are generally highly-qualified specialists. The determining principle for the granting of work permits is the principle of qualifications. (ibid)”

Because temporary residence permits are only valid for a maximum of 12 months, depending on the duration of the employment contract in question, the issue of integration in Liechtenstein is very particular. Such a temporary residence permit can only be renewed once, for a maximum duration of an additional six months. In general, temporary residence is only approved once every three years. Moreover, the system of permits for seasonal workers is being abolished step by step.

“ECRI is concerned at reports that the system of residence and work permits may leave some persons in a difficult or vulnerable situation. For example, it has been reported that persons originating from countries outside the EEA or Switzerland may have to wait very long periods before they are accorded the right to family reunification: such persons can apply for their spouses and minor children to come to Liechtenstein once they have been continuously and permanently resident for four years but have to be considered to be in a position to support all family members... It has also been commented that persons who lose their employment may also risk losing their permission to stay in Liechtenstein. ECRI considers that the authorities should take steps to ensure that the system of work and residence permits does not leave individuals in an unnecessarily precarious or vulnerable situation in areas such as those outlined above. (pages 13-14)”

Against this backdrop, the second ECRI report reaches the following conclusion expressly with respect to the problem of integration: “Many persons of immigrant origin have resided in Liechtenstein for long periods and have made their lives in the country. However, it is reported that in many cases it is very difficult for persons who are not citizens of Liechtenstein or who are of foreign origin to integrate fully into the society. (page 15)” This in turn results in “issues of particular concern” that go beyond the problem of linguistic understanding and fundamentally also affect social acceptance of the affected persons with respect to their foreign culture and religion (see in particular pages 17-19).

The Office of Economic Affairs and the Immigration and Passport Office confirm this assessment in principle on the basis of their own statistical documentation: With respect to seasonal work permits, for instance, Hanspeter Walch from the Immigration and Passport Office remarks that the applicable legislation expires at the end of 2005; by then, all seasonal work permits must be converted into residence permits, and no new seasonal permits can be granted. Already now, there no longer are any seasonal workers from third countries in Liechtenstein. In 1997, there were 811 EEA seasonal workers, of which only 133 have so far requested that their seasonal permits be converted into residence permits. A particular problem has arisen for third State nationals after Liechtenstein’s accession to the EEA in 1995, since they now – with only few exceptions – have practically no possibility to move to Liechtenstein. According to Hanspeter Walch, there are also specific difficulties in integrating Turkish immigrants, for example, where linguistic and cultural obstacles are combined in a special way, as is discussed and confirmed from different perspectives in the following report.

3. LCCI, Liechtenstein Chamber of Commerce and Industry, employer perspective

With respect to jobs, there are currently many requests from Germany, i.e., from the same linguistic and cultural region. What is new is that EU citizens may live in Switzerland without obtaining a work permit, which is, however, still quite attractive given the possibility of working in Liechtenstein as a cross-border commuter.

There are approximately 34,000 people and 30,000 jobs in the Principality of Liechtenstein. 66% of jobs are held by foreigners (approximately 20,000), 13,000 of which are cross-border commuters (approximately 40% of the total number of jobs).

The LCCI would like the provisions concerning third State nationals to be relaxed, since it continues to be very difficult to employ specialists from India, the United States, and Australia, for instance.

With respect to foreign-language employees, the lack of German skills is the greatest obstacle at the workplace. Also difficult is the role of women and the cultural differences with respect to gender roles. Depending on the cultural background, difficulties also arise in accepting women as managers in principle.

4. LANV, Liechtenstein Employees Association (Liechtensteinischer Arbeitnehmerverband)

About 70% of the LANV services are used by cross-border commuters. Of those living in Liechtenstein, 70% are of foreign-language origin, especially Portuguese and Spaniards.

The in part very deficient language skills, which is the main problem, lead to massive consequential problems such as lower salaries, no knowledge of the collective bargaining agreement, no opportunities for continuing training, missing information at the workplace, etc.

LANV would like to increasingly encourage employers to integrate employees more strongly with language courses and in general to strengthen the ties between employee and enterprise and to assume social responsibility.

5. Office of Social Affairs, OSA

52% of the clients of the OSA are foreign citizens. 28% are of foreign-language origin (tendency growing in recent years) and are often burdened by several problem factors (such as debt, psychosomatic complaints, unemployment, inability to work...). Particularly hard-hit are male construction workers in their 50's and older, whose prospects for reintegration in the workforce are practically nil. (It is less expensive for the State to find a Disability Insurance solution combined with a return to the country of origin than paying social assistance for years.)

A key problem relating to integration consists in the adaptation difficulties associated with family reunification:

- After many years and a long period of separation, the seasonal worker receives a residence permit and can have his wife and children, who may already be teenagers, join him in the country. For the family members who grew up in a different cultural area, great difficulties adapting may arise.
- There are increasing problems with foreign-language spouses of Liechtenstein citizens, EEA citizens, and other citizens with a residence permit in Liechtenstein. Moreover, spouses from third countries, especially women, do not speak German and are not sufficiently informed about their status and their rights.
- The attempt to keep up with the standard of living in Liechtenstein often fails since, in some sectors, the minimum subsistence level of a family is not reached, despite overtime. Often, extended families in the country of origin have high expectations and exert pressure to succeed. The consequences may include escape into status symbols such as expensive cars (even if bought on credit), strengthened nationalistic tendencies, or escape into fundamental religious circles, especially among men.

Joint meetings of the different Government Offices (Economic Affairs, Education, Immigration and Passport, Social Affairs) to develop joint strategies and to discuss concrete cases from different perspectives have been dormant. The OSA did not receive a Government mandate to develop an integration concept.

6. Office of Education

Perceptions of the school as a special integration and contact point in Liechtenstein vary. This has much to do with language and language skills, but also with the cultural background and education level of the individual immigrants. As an additional problem of integration in this connection, outsiders also cite the often unclear residence permit application and granting procedures, but also the varying social and cultural context of the immigrants. Often, the search for apprenticeships is subject to difficult conditions, which in turn requires the competent Government Offices to offer differentiated assistance. In order to promote integration in a sustainable way, a comprehensive social policy and education policy concept is being urged, which will support both the affected families and, for instance, the requisite teachers at schools. Relevant considerations of intercultural education should be noted in this respect; in recent years, very different intercultural projects have been organized at various schools that have made important contributions to integration and mutual understanding on site.

7. NGOs

The following NGOs were surveyed for this report: Parent-Child Forum/Association for Assisted Living/Infra/Children's Day-Care/and the Women's Home

Infra: Over the last 4 years, Infra has observed a dramatic increase in the number of women seeking advice (from 0% to approx. 25% in general and 10% for legal advice). When providing counseling, the lack of language skills, the low degree of integration, the fact that women are not employed depending on their national group, and the fact that women associate primarily among themselves are striking. Immigrants whose right to residence depends on that of their husband lose their residence permit in the event of divorce, which particularly exposes them to domestic violence.

Infra has expanded its offerings with the project "Immigrant Women" and the Infra brochure "Guidelines for New Arrivals", also with interpreters and language courses.

In general, it has been noted that foreigners' associations have themselves built up a good network, but that the bridge to us has not yet been built. A contact point for immigrants is necessary.

Association for Assisted Living: Of the current clients, 20% are foreigners who do not speak German, i.e., interpreters are needed for communication. It has been observed that foreigners increasingly lack linguistic integration, especially women. Cultural problems are aggravated when foreign-language individuals also belong to a non-Christian religion.

In the youth living center, the main problems are cultural differences and perceptions of social roles, discrimination of girls, patriarchy, and vendettas.

Parent-Child Forum: Due to the establishment of children's day-care centers and the increase in parent contributions for childminders, the demand among foreign-language parents has declined.

Work at the low-income level often leads to financial problems that also directly affect child-care (wild, uncontrolled placements).

Foreign-language mothers are also given the opportunity to be trained as childminders. Experiences have been positive.

Children's Day-Care: About one third of children in day-care centers are of foreign-language parents; the tendency is decreasing, since more and more Liechtenstein citizens are also using this institution. Also here, problems arise due to the lack of language skills. In addition, there are many different expectations with respect to cooperation, e.g., keeping appointments, agreements, arrangements, etc.

It is striking that Turkish women speak the least German, while Portuguese women are very committed to learning German.

Women's Home: In the last four years, the number of immigrants seeking protection in the Women's Home has steadily increased (currently more than 60% of all clients). The greatest problems arise from a lack of language skills, resulting in financial dependency and insufficient opportunities on the labor market. The status of the family and the role of women in the country of origin are often different from here, and the absence of the support of her own family in the home country leads to isolation and emotional dependency. For these reasons, women are often exposed unprotected to violence from their husbands/partners. A further problem is the residence status of migrant women, which is often tied to the status of their husbands. In the event of a divorce, women are not allowed to stay in Liechtenstein independently. This also forces many victims of violence to remain in this situation.

A counseling office/meeting point/intercultural center for immigrants would be desirable.

8. Foreigners' Associations

The representatives of foreigners' associations also view language as the main problem and criticize the lack of an information/contact point. The various permit procedures and the fear of having to leave the country in the event of unemployment, illness, or accident do not exactly promote integration. However, it has also been noted that there is a broad offering of advice and training opportunities, even if these are insufficiently used. The individual associations are active, but self-contained. Networks are slowly being established.

9. Refugee Center

According to the annual report, 179 refugees lived in the Refugee Center and 19 other accommodations over the course of 2002. At the end of 2002, 143 persons were being taken care of. The duration of stay varies considerably among refugees. For instance, there are families living in Liechtenstein who sought protection in 1998, after entry into force of the Refugee Act. In contrast, others who entered Liechtenstein from a safe third country or whose grounds for asylum were not recognized stay for significantly shorter periods. Since 1998, the Liechtenstein Government has only granted one request for asylum. According to the statistics, the fact that about 100 refugees are from the former Yugoslavia and Kosovo and about 50 from Macedonia is a clear indication that the problem of foreign languages and the difficulties communicating in the Refugee Center cannot be overlooked. Exact data on the age structure of refugees is unfortunately not currently available; the age distribution is likely to be significant, however. At the end of 2002, for example, 47 children were seeking asylum in Liechtenstein.

As long as the Refugee Act of 1998 is applied restrictively by the Government, integration measures that are effective in the long term will hardly be able to have a sustainable impact. Nevertheless, projects such as "Neighborhood Help" since 1993 have attempted to sustain and promote the ability of affected persons to integrate and return, with the help of short-term work.

The Refugee Center offers language courses, for instance in collaboration with the Office of Education, although these courses naturally tend to attract participants who stay in the country for a longer period. The public discussion on the current situation in the Refugee Center is largely determined by the fact that opinions on refugees and asylum-seekers are generally expressed spontaneously (e.g., in letters to the editor); conceptual considerations (such as on the part of the competent authorities and the responsible persons) generally take a back seat. For these reasons, there is currently a need for political action – especially also with respect to a comprehensive integration concept in Liechtenstein.

10. Preliminary conclusions

The second ECRI report mentioned above calls upon all of us here in Liechtenstein to develop a sustainable political integration concept in Liechtenstein as soon as possible: “ECRI is concerned that to date, no comprehensive and targeted integration strategy has existed in Liechtenstein. Although some non-governmental organizations are working in the field, and some initiatives have been taken by different official bodies, such as the Office of Social Affairs and the Office of Education, there seems to have been until now a lack on the part of the Government to develop and put in place an overall vision and strategy of how non-citizens might be fully integrated into Liechtenstein’s society and structures. (page 17)” As a conclusion to this short and certainly only preliminary report, learning to understand integration as a differentiated concept may now be considered a plea to confront the diverse challenges of immigration here in Liechtenstein as well, and to develop joint solutions with the affected persons and groups and in cooperation with the competent institutions in Liechtenstein.

Vaduz, July 2003

On behalf of the NGO working group “Integration”
Brigitta Hutter and Dr. André Ritter