



Convention on the Rights of the Child

Distr.: General
16 October 2023

Original: English

Committee on the Rights of the Child

Concluding observations on the report submitted by Liechtenstein under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*

I. Introduction

1. The Committee considered the report of Liechtenstein¹ at its 2739th meeting,² held on 12 September 2023, and adopted the present concluding observations at its 2456th meeting, held on 22 September 2023.
2. The Committee welcomes the submission of the report of the State party and the written replies to the list of issues.³ The Committee expresses appreciation for the constructive dialogue held with the multisectoral delegation of the State party.
3. The Committee reminds the State party that the present concluding observations should be read in conjunction with the concluding observations on the combined third and fourth periodic reports submitted by the State party under the Convention,⁴ adopted on 22 September 2023.

II. General observations

Positive aspects

4. The Committee notes with appreciation the State party's ratification of:
 - (a) The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, in 2021;
 - (b) The Council of Europe Convention on Cybercrime, in 2016;
 - (c) The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, in 2014.
5. The Committee welcomes the various measures taken by the State party in areas relevant to the implementation of the Optional Protocol, including the adoption of legislation criminalizing trafficking in persons and providing for strengthened protection of the rights of children who are victims of trafficking.

* Adopted by the Committee at its ninety-fourth session (4–22 September 2023).

¹ [CRC/C/OPSC/LIE/1](#).

² See [CRC/C/SR.2739](#).

³ [CRC/C/OPSC/LIE/RQ/1](#).

⁴ [CRC/C/LIE/CO/3-4](#).



6. The Committee notes with appreciation the progress achieved in the creation of institutions and the adoption of national plans and programmes that facilitate the implementation of the Optional Protocol, including the establishment of the Round Table on Human Trafficking, with a view to strengthening cooperation among law enforcement authorities, migration authorities and institutions responsible for providing assistance to victims of trafficking, and the development of the Guidelines against Trafficking in Human Beings: Responsibilities and Procedures.

III. Data

Data collection

7. The Committee notes the State party's information that it does not have a centralized system for the compilation of data on child protection, that the national police compiles all data relating to investigations (crime statistics) and that no cases of the sale of children, child sexual exploitation in prostitution or other forms of exploitation of children were recorded in the previous three years, while there were 22 cases of child sexual abuse material in 2022. The Committee regrets the absence of disaggregated data on all areas covered under the Optional Protocol and that no information has been provided on any improvements with regard to data collection.

8. **The Committee recommends that the State party develop a comprehensive, coordinated and effective system of data collection, analysis, monitoring and impact assessment relating to all areas covered under the Optional Protocol, including the sale of children, child sexual exploitation in prostitution and child sexual abuse material. The data should be disaggregated by, inter alia, sex, age, nationality, ethnic origin and socioeconomic status, with particular attention paid to children who are at risk of becoming victims of crimes covered under the Optional Protocol.**

IV. General measures of implementation

A. Legislation

9. The Committee notes that the national legislation prohibits some offences covered under the Optional Protocol but does not explicitly address all offences listed under article 3 of the Optional Protocol. It is concerned about the absence of legislation explicitly defining and criminalizing all cases of the sale of children, a concept similar, but not identical, to trafficking in children, and that other manifestations of the sale of children are thus overlooked.

10. **The Committee recommends that the State party ensure that all acts and activities referred to in the Optional Protocol are fully covered under its criminal law, including all forms of sale of children as a separate crime.**

B. Comprehensive policy and strategy

11. **With reference to its concluding observations on the combined third and fourth periodic reports of Liechtenstein,⁵ the Committee recommends that the State party's comprehensive policy on children specifically address all issues covered under the Optional Protocol.**

⁵ Ibid., para. 8.

C. Coordination and evaluation

12. With reference to its concluding observations on the combined third and fourth periodic reports of Liechtenstein,⁶ the Committee recommends that the State party ensure that the interministerial coordinating body responsible for coordinating activities and implementing children's rights be responsible for the monitoring and evaluation of activities under the Optional Protocol at the cross-sectoral, national and municipal levels.

D. Training and awareness-raising

13. The Committee notes the information provided by the State party on training and dissemination activities, including systematic training in the area of sexual violence as part of the implementation of the provisions of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.⁷ It is concerned, however, that the information provided on systematic training of relevant professionals working with and for children on other areas covered under the provisions of the Optional Protocol is insufficient.

14. The Committee recommends that the State party take measures to strengthen its training and awareness-raising activities. In that regard, the State party should ensure that such activities are systematic and multidisciplinary, cover all areas under the Optional Protocol and are provided to all relevant professionals working with and for children, including judges, law enforcement officers, prosecutors, health professionals, social workers, investigators and immigration officials, and should ensure that the Optional Protocol is widely disseminated among children.

E. Allocation of resources

15. The Committee is concerned about the lack of information on specific budget allocations and tracking mechanisms to combat the sale of children, child sexual exploitation and child sexual abuse material, including to prevent offences covered under the Optional Protocol, and to care for, rehabilitate and reintegrate children who are victims thereof.

16. The Committee recommends that the State party establish tracking mechanisms and identify the budget allocated to combating the sale of children, child sexual exploitation and child sexual abuse material, preventing offences covered under the Optional Protocol and providing appropriate care for children who are victims thereof.

V. Prevention of the sale of children, child prostitution and child pornography ((art. 9 (1) and (2))

A. Measures adopted to prevent offences prohibited under the Optional Protocol

17. The Committee notes the efforts undertaken by the State party aimed at preventing offences covered under the Optional Protocol, including a website of the national police that provides information materials for crime prevention, in particular in relation to child sexual abuse images. However, the Committee is concerned that targeted measures to prevent offences covered under the Optional Protocol, and measures to identify the root causes and extent of such offences, remain limited. The Committee is especially concerned about the absence of information on measures taken to prevent children in disadvantaged and marginalized situations, such as children living in poverty and asylum-seeking and refugee

⁶ Ibid., para. 9.

⁷ CRC/C/OPSC/LIE/RQ/1, para. 11.

children, in particular unaccompanied children, becoming victims of offences covered under the Optional Protocol.

18. **The Committee encourages the State party to strengthen its efforts to identify and detect children at risk of becoming victims of offences covered under the Optional Protocol, in particular children in disadvantaged and marginalized situations, including through mechanisms for the collection of data on victims of such offences. It recommends that the State party take comprehensive measures to address the root causes of children at risk of becoming victims of offences covered under the Optional Protocol and screen professionals in regular contact with children in all areas of their lives, including asylum-seeking and refugee children, for past convictions for sexual exploitation and abuse of children. Furthermore, it recommends that the State party strengthen its social protection measures and mechanisms targeting children at risk of becoming victims of such offences.**

B. Measures to prevent and address online child sexual exploitation and abuse

19. The Committee welcomes the establishment of the Expert Group for Media Literacy, which organizes workshops and issues guides for parents on safe Internet use, but is concerned about the lack of information on measures taken to address online child sexual abuse images and online child sexual exploitation.

20. **With reference to Human Rights Council resolution 31/7 on the rights of the child with regard to information and communications technologies and child sexual exploitation, and to the outcomes of the WeProtect Global Alliance Summit held in Brussels on 1 and 2 June 2022, the Committee recommends that the State party:**

(a) **Strengthen its policy to prevent and respond to online child sexual exploitation and abuse through an appropriate legal framework, a dedicated coordination and oversight entity and specific analysis, research and monitoring capabilities;**

(b) **Strengthen its strategy for preventing online child sexual exploitation and abuse, including a public education programme to raise awareness, knowledge and reporting of online child sexual exploitation and abuse offences and engage technology companies in blocking and removing online child sexual exploitation and abuse content;**

(c) **Create awareness-raising programmes for children on the risks related to the use of self-generated sexual images in digital media and information and communications technologies.**

VI. Prohibition of the sale of children, child pornography and child prostitution and related matters (arts. 3, 4 (2) and (3) and 5–7)

A. Criminal laws and regulations in force

21. The Committee notes the information provided by the State party on the criminalization of some of the offences covered under the Optional Protocol. However, it is concerned that not all offences covered under the Optional Protocol are reflected in the criminal legislation of the State party in a way that allows the uniform interpretation and application of that legislation. In particular, it is concerned that:

(a) The Criminal Code does not define or explicitly prohibit the sale of children as a separate crime as defined under the Optional Protocol and considers it only as part of the crime of trafficking in children;

(b) The Criminal Code does not contain an explicit definition of online child sexual exploitation.

22. The Committee recommends that the State party define and criminalize the sale of children, in conformity with articles 2 and 3 of the Optional Protocol, and that it not limit the definition to cases of trafficking in children. In particular, the State party should explicitly define and criminalize:

- (a) The sale of children, including for the purposes of sexual exploitation and forced labour;
- (b) Online child sexual exploitation and grooming of a child.

B. Liability of legal persons

23. The Committee notes that the Criminal Code provides for the liability of legal persons and recommends that the State party take active measures to enforce its legislation against legal persons who are either complicit or participate in offences covered under the Optional Protocol.

VII. Protection of the rights of child victims (arts. 8 and 9 (3) and (4))

Measures adopted to protect the rights and interests of child victims of offences prohibited under the Optional Protocol

24. The Committee notes that the Criminal Procedure Code and the Victims Assistance Act of 2008 provide for “gentle examination” of children who are victims and witnesses of offences, in particular sexual offences, which involves using audio and video recording of testimonies. The Committee regrets, however, the absence of information on the availability of easily accessible reporting mechanisms for children to enable the disclosure of abuse by children who are victims of abuse.

25. In the light of article 9 (3) of the Optional Protocol, the Committee recommends that the State party:

- (a) Continue to provide appropriate support services for children, including during investigation, prosecution and aftercare, by training professionals working with and for children, including law enforcement officers, border and immigration authorities, judges, prosecutors, social workers and medical staff, in children’s rights, child protection and child-friendly interviewing skills;
- (b) Establish mechanisms and procedures for the early identification of children who are victims of offences covered under the Optional Protocol and accessible, child-friendly procedures for complaints, compensation and remedies;
- (c) Accelerate the establishment of a safe space for providing access to legal aid to all children and other services, based on the *barnahus* (“children’s house”) model, or similar child-friendly and multidisciplinary one-stop centres.

VIII. International assistance and cooperation (art. 10)

26. In the light of article 10 (1) of the Optional Protocol, the Committee encourages the State party to continue to strengthen international cooperation through multilateral, regional and bilateral arrangements, especially with neighbouring countries, including by strengthening procedures and mechanisms for coordinating the implementation of such arrangements, with a view to making progress in respect of the prevention of offences covered under the Optional Protocol and the detection, investigation, prosecution and punishment of those responsible for any such offences.

IX. Implementation and reporting

A. Follow-up and dissemination

27. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented, including by transmitting them to relevant ministries for appropriate consideration and further action.

28. The Committee recommends that the report and the written replies to the list of issues submitted by the State party and the present concluding observations be made widely available, including through the Internet, to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate on and awareness of the Optional Protocol and the implementation and monitoring thereof.

B. Next periodic report

29. In accordance with article 12 (2) of the Optional Protocol, the Committee requests that the State party include further information on the implementation of the Optional Protocol and the present concluding observations in its next periodic report to be submitted in accordance with article 44 of the Convention.
