

# LIECHTENSTEIN

**Human rights monitoring body fails  
to meet international standards**

*Amnesty International Submission to  
the UN Universal Periodic Review,  
January-February 2013*

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## INTRODUCTION

In its submission to the Working Group for the Universal Period Review of Liechtenstein, Amnesty International notes the lack of progress with regard to establishing a National Human Rights Institution in line with the Paris Principles, as recommended in the 2008 review. Amnesty International also expresses concern at the lack of resources provided for existing mechanisms and the insufficient administrative support in place to receive individual complaints or conduct ongoing human rights monitoring.

## FOLLOW UP TO THE PREVIOUS REVIEW

During the first Universal Periodic Review of Liechtenstein in 2008, recommendations were made to establish an ombudsman institution and national human rights institution in accordance with the Paris Principles.<sup>1</sup> Amnesty International regrets that these recommendations did not enjoy the support of Liechtenstein<sup>2</sup> and is concerned that the alternative mechanisms already in place, including the Office for Equal Opportunity and the planned Ombudsman for children, do not fully meet the criteria set by the Paris Principles and are not the appropriate authorities to consider cases of human rights violations.<sup>3</sup>

Liechtenstein supported the recommendation to consider establishing an independent mechanism to consider complaints of child rights violations<sup>4</sup> and established an Ombudsman for Children in February 2009.

## THE NATIONAL HUMAN RIGHTS FRAMEWORK

### **National human rights institutions**

The body currently charged with overarching responsibility for human rights in Liechtenstein is the Office of Equal Opportunity (OEO). Established in 1996 its mandate has expanded from a focus on gender equality to now cover issues related to equality of women and men, migration and integration of foreigners, disability, social discrimination and sexual orientation. Within these areas the OEO is tasked with advising and making recommendations to authorities and private parties, carrying out investigations, participating in the development and enactment of national programs relevant to its mandate, and carrying out projects to further its aims.

Since its expansion, the OEO has experienced significant resource constraints. The Office was originally structured around two full-time staff members supported by an intern. Since 2008, various staff members have resigned and their posts have not been filled. The Director of the Office resigned in April 2011, but agreed to remain part-time until June 2012. In September 2011, the internship post was converted

into a temporary, full-time position and this is currently the only staffed position in the OEO.

In the context of the general reform of the National Public Administration, the government has recently proposed a merger of the OEO with the Office of Social Affairs and other thematic areas in the Ministry of Social Affairs and the Ministry of Family Affairs and Gender Equality into an Office of Social Issues. Various groups and NGOs have protested against the proposed merger. By integrating the OEO into a larger office there is concern that its independence would be further diminished. The proposed merger would weaken the visibility of the OEO and its autonomy could be curtailed. It would also add an additional level of bureaucracy and direct access to the responsible minister would be restricted.

Amnesty International also has a number of concerns with regard to the mandate of the OEO. The OEO was not set up with a general mandate to monitor human rights and to ensure that laws and regulations meet international human rights obligations and are effectively applied. It also is not mandated to receive and investigate general human rights concerns and does not have an individual complaint mechanism.

## RECOMMENDATIONS FOR ACTION BY THE STATE UNDER REVIEW

### **Amnesty International calls on the government of Liechtenstein:**

#### *Independent national human rights institution:*

- To establish a genuinely independent national human rights institution in accordance with the Paris Principles;
- To ensure that the national human rights institution is mandated to receive and take action on individual complaints, monitor the general human rights situation, coordinate with thematic mechanisms, and participate with government and other authorities on the drafting, enactment and execution of human rights legislation;
- To ensure that the national human rights institution has the necessary financial and human resources to carry out its mandate effectively;
- To ensure that members of the national human rights institution have adequate knowledge and expertise in the field of human rights and are appointed independently of the government.

#### *Ratification of international human rights treaties*

To ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and to opt-in to the inquiry and inter-state mechanisms.

## ENDNOTE

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<sup>1</sup> Human Rights Council. *Report of the Working Group on the Universal Periodic Review of Liechtenstein* (A/HRC/10/77), paragraph 65.6 (Brazil) and 65.7 (Philippines, Russian Federation).

<sup>2</sup> Human Rights Council. *Addendum to the Report of the Working Group on the Universal Periodic Review of Liechtenstein* (A/HRC/10/77/Add.1), paragraph 4.

<sup>3</sup> Principles relating to the status of national institutions (United Nations General Assembly resolution A/RES/48/134), article 3 (a).

<sup>4</sup> Human Rights Council. *Report of the Working Group on the Universal Periodic Review of Liechtenstein*. A/HRC/10/77 Para 64.4 (France)