



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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10 September 2014

Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the fourth report of the Principality of Liechtenstein at the Committee's forty-eighth session, held in February 2011. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/LIE/CO/4). You may recall that in the concluding observations, the Committee requested the Principality of Liechtenstein to provide, within two years, further information regarding the specific areas of concern identified by the Committee in paragraphs 25 and 29 of the concluding observations.

The Committee welcomes the follow-up report received in November 2013 (CEDAW/C/LIE/CO/4/Add.1), although it was received with an eight-month delay, under the CEDAW follow-up procedure. At its fifty-eighth session, held in January 2014 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 25** of the concluding observations that the State party “apply a standard procedure for identifying victims of sexual or gender-based violence when considering the admissibility of asylum applications on formal grounds or the return of applicants”: The State party indicated that gender-based grounds for asylum are explicitly set out as a basis for granting refugee status in the Principality of Liechtenstein Asylum Act, which entered into force on 1 June 2012, as they already were included in the Refugee Act. The Committee considers that, while legal provisions exist providing for gender-based grounds for asylum, the State party failed to take action since the issuance of the concluding observations to ensure the application of a standard procedure for identifying victims of sexual or gender-based violence when considering the admissibility of asylum applications on formal grounds or the return of the applicant. The Committee considers that the recommendation **has not been implemented**.

Regarding the recommendation that the State party “ensure that international protection needs are determined comprehensively, including by recognizing refugee claims on the basis of sexual or gender-based violence and by taking into account the factual situation of asylum-seeking women and girls in their countries of origin”: The State party indicated that in cases of gender-based violence, the Principality of Liechtenstein follows the non-refoulement requirement and takes into account the situation in the home country or country of origin in every asylum decision. The Committee considers that the State party failed to provide information on actions taken to

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ensure the effective implementation of the non-refoulement requirement in cases of gender-based violence and to ensure that international protection needs are determined comprehensively, including by recognizing refugee claims on the basis of sexual or gender-based violence and by taking into account the factual situation of asylum-seeking women and girls in their countries of origin. The Committee considers that it **did not receive sufficient information** to assess whether the recommendation has been implemented.

Regarding the recommendation that the State party “ensure a gender-sensitive approach throughout the refugee status determination procedure by providing special rights such as counselling services for female asylum-seekers, in line with article 23, paragraph 6, of the State party’s Refugee Act”. The State party indicated that all asylum seekers are provided with free legal and opportunity counselling at all levels of the asylum procedure, which gives another opportunity to point out additional counselling options to persons affected by gender-specific violence. The Committee considers that the State party has been implemented.

The Committee recommends that, in relation to paragraph 25 of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

- 1) Ensure application of a standard procedure for identifying victims of sexual or gender-based violence when considering the admissibility of asylum applications on formal grounds or the return of applicants; and
- 2) Ensure that international protection needs are determined comprehensively, including by recognizing refugee claims on the basis of sexual or gender-based violence and by taking into account the factual situation of asylum-seeking women and girls in their countries of origin.

Regarding the recommendations **made in paragraph 29** of the concluding observations that the State party “adopt temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation No. 25, such as statutory quota, a gender parity system for nominations for Government bodies, and conditioning the financing of political parties on equal representation of women in their internal bodies and on candidate lists, to increase the representation of women in decision-making positions in elected and appointed political bodies”: The State party indicated that, in October 2012, the Gender Equality Commission prepared a report on the introduction of gender quotas on the party lists for municipal and national elections. The Government took note of the Commission’s report on 18 December 2012. In May 2013, the Commission discussed the possible introduction of list quotas and their advantages and disadvantages with the responsible Minister of the Government that was newly appointed. In addition, as mandated by the Gender Equality Commission and the Office of Equal Opportunity, the Liechtenstein Institute prepared a study on “The 2013 Parliamentary Elections —A Focus on Women”. The report formulated possible causes of the underrepresentation of women and strategies to improve their election chances. The report has been presented to the public in October 2013. The Committee notes the steps taken towards the adoption of gender quotas for municipal and national elections, while noting the absence of actions taken towards the adoption of a gender parity system for nominations for Government bodies, and conditioning the financing of political parties on equal representation of women in their internal bodies and on candidate lists. The Committee considers that the recommendation **has been partially implemented**.

Regarding the recommendation that the State party “provide training on gender equality to civil servants and politicians, especially men, with a view to enhancing the understanding that full and equal participation of women and men in political and public life is a requirement for the full implementation of the Convention, and thus creating a more favourable environment for women’s participation in political and public life”: The State party indicated that the Office of Equal Opportunity organized talks with female Members of Parliament on the topic “Diversity through quotas” (November 2011), and that continuing education, which includes courses that address

gender equality and other relevant themes, were offered to State employees by the National Public Administration. While noting that events were organized for female Members of Parliament, the Committee considers that the State party failed to provide training on gender equality to civil servants and politicians, especially men, with a view to enhancing the understanding that full and equal participation of women and men in political and public life is a requirement for the full implementation of the Convention. The Committee considers that the recommendation **has been partially implemented**.

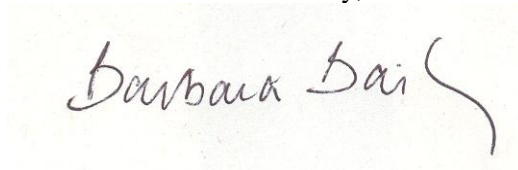
The Committee recommends that, in relation to paragraph 29 of the concluding observations, the State party provide, **in its next periodic report**, additional information on actions taken to:

- 1) Adopt temporary special measures, such as statutory quota, a gender parity system for nominations for Government bodies, and conditioning the financing of political parties on equal representation of women in their internal bodies and on candidate lists, to increase the representation of women in decision-making positions in elected and appointed political bodies; and
- 2) Provide training on gender equality to civil servants and politicians, especially men, with a view to enhancing the understanding that full and equal participation of women and men in political and public life is a requirement for the full implementation of the Convention.

The Committee looks forward to pursuing its constructive dialogue with the authorities of the Principality of Liechtenstein on the implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Barbara Bailey  
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Committee on the Elimination of Discrimination against Women