



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-first session

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION**

Concluding observations: Liechtenstein

1. The Committee considered the second periodic report of Liechtenstein (CRC/C/136/Add.2), at its 1092nd and 1094th meetings (see CRC/C/SR.1092 and 1094), held on 13 January 2006 and adopted at the 1120th meeting held on 27 January 2006 the following concluding observations:

A. Introduction

2. The Committee welcomes the submission of the second periodic report prepared in a participatory way. The Committee welcomes the written replies to its list of issues (CRC/C/LIE/Q/2), which gave a clearer understanding of the situation of children in the State party. It further welcomes the frank and constructive dialogue held with the members of the inter-ministerial delegation.

B. Follow-up measures undertaken and progress achieved by the State party

3. The Committee welcomes the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (in 2001) and of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (in 2005). It further welcomes the declaration made under article 14 of the Convention on the Elimination of Racial Discrimination allowing for individual complaints.

C. Main areas of concern and recommendations

1. General measures of implementation (arts. 4, 42 and 44, para. 6 of the Convention)

Reservations

4. The Committee welcomes the withdrawal by the State party of its reservation to article 10 (2) and its willingness to consider withdrawing remaining reservations. However, the Committee regrets that despite indications in 2001 of the intention to withdraw its reservation to article 7 of the Convention, the State party still has not done so. The Committee further regrets that despite its previous recommendations (CRC/C/15/Add.143, paras. 6 to 9) the reservation to article 10 (1) has not been withdrawn either.

5. **The Committee reiterates its recommendation that the State party take the necessary legal and other measures to establish a practice in the area of family reunification and access to citizenship in accordance with the principles and provisions of the Convention. It further recommends that the State party consider withdrawing its reservations to articles 7 and 10 (1) of the Convention in the near future.**

The Committee's previous recommendations

6. The Committee regrets that some of the concerns and recommendations (CRC/C/15/Add.143 of 21 January 2001) it made upon consideration of the State party's initial report (CRC/C/61/Add.1) have been insufficiently addressed, especially those regarding withdrawal of reservations (paras. 6-9) and data collection (para. 15).

7. **The Committee urges the State party to make every effort to address those recommendations from the concluding observations of the initial report that have not yet been implemented and to address the list of concerns contained in the present concluding observations on the second periodic report.**

Legislation

8. The Committee welcomes the revision of the Youth Act with a view to incorporating diversion measures in criminal law better and to liberalize the curfew. However, the Committee remains concerned that the Youth Act has not yet been adopted.

9. **The Committee recommends that the State party adopt and implement the revised Youth Act.**

Independent monitoring

10. The Committee notes that the establishment of an ombudsman for children is under consideration. However, the Committee is concerned that there is still no mechanism that can independently monitor the implementation of the Convention and address violations of the rights of the child.

11. **The Committee reiterates its recommendation to establish an independent, child-friendly monitoring mechanism such as an ombudsman for children in accordance with the Paris Principles (A/RES/48/134), and draws attention to its general comment No. 2 on National Human Rights Institutions.**

Data collection

12. The Committee reiterates its concern about the lack of adequate data-collection mechanisms within the State party to ensure the collection of disaggregated data on all aspects of the Convention and to monitor and evaluate progress achieved effectively as well as to assess the impact of policies adopted with respect to children.

13. **The Committee recommends that a comprehensive system of data collection be introduced in Liechtenstein incorporating all areas of the Convention, if necessary by strengthening cooperation in this respect with Switzerland and Austria.**

Government monitoring

14. The Committee is concerned that, due to the size of the State party, a number of children with special needs, for example with respect to education, health, alternative care and juvenile justice, are sent abroad and fall out of the jurisdiction and protection of the State party.

15. **The Committee underlines the fact that the children sent to institutions and who receive special care abroad remain under the responsibility of the State party and recommends that the State party take all necessary measures to ensure appropriate monitoring and protection of the rights of these children.**

2. General principles (arts. 2, 3, 6 and 12 of the Convention)

Discrimination

16. The Committee welcomes the adoption in 2003 of the five-year National Action Plan on the follow-up to the Durban Programme of Action and welcomes the inclusion in school curriculum of activities on the prevention of exclusion, intolerance and racism. It also welcomes the appointment of the working group dealing with questions of social discrimination.

17. **The Committee requests that specific information be included, in the next periodic report, on the results of measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party as part of the National Action Plan on the follow-up on the Durban Declaration and Programme of Action.**

3. Family environment and alternative care (arts. 5; 9-11; 18, paras. 1-2; 19-21; 25; 27, para. 4; and art. 39 of the Convention)

Parental responsibilities

18. The Committee is concerned that the father of a child born out of wedlock has no standing to claim custody and that custody is automatically given to the mother.

19. **The Committee recommends that the State party amend its legislation to provide fathers the opportunity to request custody of their children born out of wedlock, where possible as a joint custody with the mother.**

Violence, abuse and neglect

20. In the context of the Secretary-General's ongoing in-depth study on the question of violence against children (A/RES/56/138) and the related questionnaire to Governments, the Committee acknowledges with appreciation the submission by the State party of responses to the questionnaire and its participation in the Regional Consultation for Europe and Central Asia held in Slovenia from 5 to 7 July 2005. However, the Committee remains concerned about the increase of cases of violence due to extreme rights groups, including in schools.

21. **The Committee recommends that the State party use the outcome of the regional consultation as a tool to strengthen action, in partnership with civil society, to ensure the protection of every child from all forms of physical, sexual or mental violence and to gain momentum for concrete and, where appropriate, time-bound actions to prevent and respond to such violence and abuse, in particular in schools.**

Corporal punishment

22. The Committee is concerned that all forms of corporal punishment are not specifically prohibited by law in all settings where it may occur.

23. **The Committee urges the State party to prohibit expressly by law all forms of corporal punishment, in particular in the family and in private alternative care settings. The State party is further encouraged to undertake awareness-raising campaigns and education programmes aimed at parents, professionals and children concerning non-violent forms of discipline and participatory forms of child-rearing and education, and to study the prevalence of corporal punishment of children in the family.**

4. Basic health and welfare

(arts. 6; 18, para. 3; 23; 24; 26; and art. 27, paras. 1-3 of the Convention)

Adolescent health

24. The Committee welcomes the measures taken to strengthen prevention of drug, alcohol and tobacco abuse by children and adolescents. However, the Committee remains concerned at the high number of adolescents who consume alcohol and drugs and about the little attention given to early pregnancies.

25. **The Committee recommends that the State party, taking into account its general comment No. 4 of 2003 on Adolescent Health and Development (CRC/GC/2003/4):**

(a) **Strengthen efforts to provide children and parents with accurate and objective information about the harmful consequences of substance abuse;**

(b) **Ensure that children using drugs and narcotics are treated as victims and are provided with the necessary recovery and reintegration services;**

(c) **Strengthen measures to prevent drug abuse problems among children and adolescents; and**

(d) **Strengthen measures to provide adolescents with access to sexual and reproductive information, including on family planning and contraceptives.**

HIV/AIDS

26. The Committee is concerned that the State party does not possess reliable data about the number of children and adolescents infected or affected by HIV/AIDS and therefore cannot provide support for these children and their families.

27. **The Committee recommends that the State party collect accurate and up-to-date information on the number of children and adolescents affected or infected by HIV/AIDS and that it provide appropriate support for these children and their families.**

5. Special protection measures (arts. 22, 30, 38, 39, 40, 37 (b)-(d), and 32-36 of the Convention)

Migrant children

28. The Committee, while welcoming measures taken for the integration of migrant children, remains concerned about the difficult integration of certain migrant children.

29. **The Committee recommends that the State party strengthen measures and programmes for the integration of migrant children, inter alia, by supporting particularly the NGOs working in this field.**

Sexual exploitation

30. The Committee welcomes the criminalization of child pornography and abuse abroad as well as the tighter criminal law with respect to sexual offences against children. However, the Committee is concerned that the number of unreported cases may be large, as pointed out by the expert group dealing with sexual abuse of children in the State party (see CRC/C/136/Add.2, para. 319).

31. **The Committee recommends that the State party take measures:**

(a) **To raise awareness about the phenomenon and increase the resources available to support victims; and**

(b) **To establish a mechanism that promotes and facilitates reporting of cases of sexual abuse of children.**

Juvenile justice

32. The Committee welcomes the introduction of a programme aiming at avoiding the penal procedure for a number of minor offences and establishing an educational intervention as an alternative measure. The Committee notes the positive evaluation of this method.

33. **The Committee encourages the State party to go further with the programme, promoting the use of extrajudiciary means as often as possible, as provided for in article 40 (3) (b) of the Convention and in the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) on article 11 (2).**

34. The Committee is further concerned about the lack of legislation setting a clear limit for pretrial detention of persons under 18.

35. **The Committee recommends that the State party set by law a clear maximum length for pretrial detention of persons under 18. This should be less than that allowed for adults bearing in mind that detention should be used only as a last resort, for the shortest appropriate time and in appropriate conditions.**

6. Optional Protocols to the Convention on the Rights of the Child

36. The Committee welcomes the ratification by the State party of the Optional Protocol to the Convention on the Rights of the Child the involvement of children in armed conflict and regrets that it is not party to the Optional Protocol on the sale of children, child prostitution and child pornography.

37. **The Committee recommends that the State party submit its initial report under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict in 2007. It further invites the State party to ratify the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography as soon as possible.**

7. Follow-up and dissemination

Follow-up

38. The Committee recommends that the State party take all appropriate measures to ensure full implementation of the present recommendations, inter alia, by transmitting them to the members of the Council of Ministers or the Cabinet or a similar body, the Parliament, and to provincial or State Governments and Parliaments, when applicable, for appropriate consideration and further action.

Dissemination

39. The Committee further recommends that the second periodic report and written replies submitted by the State party and related recommendations (concluding observations) it adopted be made widely available, including (but not exclusively) through the Internet, to the public at large, civil society organizations, youth groups, professional groups and children in order to generate debate and awareness of the Convention, its implementation and monitoring.

8. Next report

40. As an exceptional measure, the Committee invites the State party to submit its third and fourth periodic reports in one consolidated report by the due date of the fourth periodic report, i.e. 20 January 2013. This consolidated report should not exceed 120 pages (see CRC/C/118). However, owing to the large number of reports received by the Committee every year and the consequently significant delay between the date of submission of a State party's report and its consideration by the Committee, the Committee invites the State party to submit the consolidated third and fourth report 18 months before its due date, that is, by 20 July 2011.
