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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS
Pre-sessional working group
29 November-3 December 2004

**IMPLEMENTATION OF THE INTERNATIONAL COVENANT
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**List of issues to be taken up in connection with the consideration
of the initial report of LIECHTENSTEIN concerning the rights
referred to in articles 1-15 of the International Covenant on
Economic, Social and Cultural Rights (E/1990/5/Add.66)**

I. GENERAL FRAMEWORK WITHIN WHICH THE COVENANT IS IMPLEMENTED

1. According to the State party's report, the Covenant has been incorporated into domestic law. Please provide examples of domestic case law invoking the Covenant, if any.
2. Please indicate whether the State party intends to adopt and implement a national plan of action on human rights in accordance with the Vienna Declaration and Programme of Action of 1993.
3. Please indicate whether the State party intends to establish an independent national human rights institution in accordance with the Paris Principles (General Assembly resolution 48/134 of 20 December 1993, annex), mandated with the promotion and protection of all human rights, including economic, social and cultural rights.
4. Please indicate whether the State party intends to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
5. According to the State party's report, the Reigning Prince is responsible for appointing judges, who are elected by parliament on the recommendation of "a special body". Please indicate how the independence of the judiciary is guaranteed in the State party.
6. To what extent was civil society consulted during the preparation of the State party's initial report?

II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)

Article 2.2. Non-discrimination

7. Please explain why, in the State party, equality between nationals and foreigners with respect to the enjoyment of fundamental rights is not an established principle, but depends on the bilateral treaties applicable in each case.
8. Please provide information on measures taken by the State party to combat racial discrimination and xenophobia.
9. Please indicate the number and the nationalities of the asylum-seekers who applied for refugee status the past five years and the number of accepted applications. Please describe the measures taken to ensure that asylum-seekers and refugees are treated without discrimination.

Article 3. Equality between men and women

10. Please provide information on the measures taken to eliminate de facto discrimination against women with respect to the enjoyment of economic, social and cultural rights.

Article 4. Limitations

11. Please indicate whether, in the period covered by the report, there have been any limitations on the enjoyment of rights that the State party has sought to justify by reference to article 4 of the International Covenant on Economic, Social and Cultural Rights (paragraph 23 of the report).

III. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)

Article 6. The right to work

12. According to the report, the unemployment rate for persons under the age of 25 has risen in recent years to 25 per cent. Please describe the main reasons for that trend and provide information about the effectiveness of the measures undertaken by the State party to remedy the situation.

13. Please indicate whether the State party intends to become a member of the International Labour Organization in the near future.

Article 7. The right to just and favourable conditions of work

14. Please explain whether the Disability Insurance Act, which is intended to facilitate the reintegration of persons with disabilities who are able to work part-time, guarantees equal wages for work of equal value.

15. Please indicate what measures are being taken by the State party to ensure that the wage levels agreed on the basis of the principle of freedom of contract provide workers with a fair wage that is appropriate to the standard of living in the State party.

16. Please indicate the minimum legal age for employment in the State party and what other specific measures the State party has undertaken to protect minors who work.

17. Please describe the regulations governing the employment of migrant workers in the State party, including resident workers and cross-border or temporary workers (contractual status, wages, social security, etc.). Please also describe how the employment of domestic labour is regulated.

Article 8. Trade union rights

18. Please indicate what measures the State party is considering adopting in order to translate the existing presumption of the right to strike into an explicit provision of domestic law.

19. Please indicate whether the State party intends to take measures to guarantee and regulate the freedom of association and the right to organize for employees in the public sector.

Article 10. Protection of family, mothers and children

20. Please indicate what effective measures the State party intends to adopt in order to deal with the problem of domestic violence, especially against women.

21. Please provide information on the extent to which the State party faces the problem of trafficking in persons, especially women and children.

Article 12. The right to physical and mental health

22. Please provide information on the measures taken to combat alcohol abuse and the consumption of tobacco and illicit drugs.

23. Please provide detailed information, including statistics, on persons infected by HIV/AIDS and on the measures taken by the State party to combat HIV/AIDS.

Articles 13 and 14. The right to education

24. Please indicate whether the possibility available to nationals through bilateral treaties to study abroad is also open to foreigners who are legally resident in the State party.

25. According to the report, the school curriculum includes human rights education for children. Are there also programmes in place to raise awareness of the International Covenant on Economic, Social and Cultural Rights among the public in general and among judges and members of the police and security forces in particular?

Article 15. Cultural rights

26. In view of the high proportion of foreigners living in Liechtenstein, mainly for the purpose of work, please indicate if there are any programmes aimed at promoting intercultural relations.
