



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
6 February 2002

Original: English

**Committee on the Elimination of Discrimination
against Women**
Twentieth session

Summary record of the 410th meeting

Held at Headquarters, New York, on Monday, 25 January 1999, at 10 a.m.

Chairperson: Ms. González

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The meeting was called to order at 10.30 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Initial report of Liechtenstein (CEDAW/C/LIE/1)

1. *At the invitation of the Chairperson, Ms. Fritsche (Liechtenstein) and Ms. Willi (Liechtenstein) took places at the Committee table.*

2. **Ms. Fritsche** (Liechtenstein) said that, during her tenure as Minister for Foreign Affairs, Ms. Willi, had been instrumental in making human rights questions, including the rights of women, a priority in Liechtenstein's United Nations activities. Liechtenstein was currently sponsoring various projects undertaken by the United Nations Development Fund for Women (UNIFEM) and funding humanitarian aid in conflict areas, where women and children were among the most vulnerable. It was also promoting the role of women in peacekeeping and preventive diplomacy. In her capacity as Minister of Family Affairs and Equality between Men and Women, Ms. Willi had helped to achieve greater equality for women in Liechtenstein, despite the conservative outlook of the population.

3. **Ms. Willi** (Liechtenstein), introducing the report of Liechtenstein (CEDAW/C/LIE/1), said that, since the adoption in 1992 of a constitutional amendment recognizing the equal rights of men and women and the enactment in 1996 of a law guaranteeing that principle, efforts in Liechtenstein had been focused on achieving de facto equality. The Principality was a constitutional hereditary monarchy. Its strong economy was based on industry and the services sector. The fundamental rights of the people of Liechtenstein were guaranteed in the Constitution and, in case of violations, they were entitled to seek redress before the courts.

4. Compliance by Liechtenstein with its international human rights obligations was monitored by the State Court. In addition to the instruments enumerated in paragraph 45 of the report, Liechtenstein had also acceded to the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and its two optional protocols. It had accepted the individual communication procedure provided for in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and strongly supported the adoption of an optional protocol to the

Convention on the Elimination of All Forms of Discrimination against Women to establish an analogous procedure under that Convention. Liechtenstein was a State party to the European Convention for the Protection of Human Rights and Fundamental Freedoms and, in case of violations, its nationals could have recourse to the European Court of Human Rights. The requirement that all international instruments, as well as domestic laws, should be ratified by Parliament ensured that those documents were in the public domain. Her Government had also taken a number of steps to raise awareness of human rights questions, including the publication of a brochure on the implementation of the Beijing Platform for Action and the holding of special events to mark the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights.

5. With regard to the general situation of women in Liechtenstein, she emphasized the progress made in the field of education (paras. 51-60). No distinction was made between girls and boys in current legislation on education. Moreover, while only 20 years earlier, girls had been significantly under-represented in the Principality's *Gymnasium*, an academically oriented secondary school, they had represented almost half of its pupils in the school year 1997/1998.

6. Differences remained, however, in the trajectories of young people after the completion of basic education. With respect to vocational education, while girls had narrowed the gap with boys in terms of numbers, they still tended to choose among a handful of occupations. Thus, in 1997, approximately two thirds of the 120 girls who had received vocational education had trained as clerical workers. As to higher education, male students still accounted for around two thirds of the total and were more likely than their female counterparts to opt for technical subjects and courses in such subjects as law and economics, which appeared to offer better career prospects. Generally, the educational level among women was lower than that among men, although there had been a significant improvement among women in the age group 25 to 44, whereas the figures for men had remained almost static.

7. With regard to the labour market (paras. 61-75), she said that, while women represented more than half the population of working age, they accounted for only 38 per cent of the active population. In the public service, according to statistics published in January

1999, almost half of the employees were women, although they tended to occupy the more subordinate posts and, as in the private sector, they were more likely to work part-time. Women's social position (paras. 81-92) was linked to their economic status, which was generally lower than that of men. In order to address that problem, there must be wider recognition of women's work in the home, including child-rearing, and stereotyped perceptions of gender roles must be changed.

8. Non-governmental organizations (paras. 101-113) had played an important role in the advancement of women, campaigning successfully for women's suffrage, which had been granted in 1984. Their current activities ranged from organizing lectures and courses on women's issues to supervising day-care placements and running a women's shelter, which, in 1998, had accommodated some 18 women and their children. Most of those organizations received financial support from the State. In addition, the two major political parties in Liechtenstein had established women's sections.

9. Liechtenstein attached great importance to the Beijing Platform for Action. In May 1998, her Government had adopted a number of measures to ensure equal rights for women, to be implemented by various government departments, including the Equality Bureau. Those measures would cover such areas as civil rights, education, equal opportunities in the workplace, compatibility of work and the family, flexible working hours, household division of labour, divorce laws and sexual offence laws. Liechtenstein had found the work of CEDAW to be extremely helpful in implementing the Convention.

10. Referring to article 1, she said that the term "discrimination against women" was not defined in the Constitution but that the tenor of the Constitution Act of June 1992 prohibited discrimination against women within the meaning of article 1 of the Convention. The term would be specifically defined in the Equal Rights Act to be adopted shortly.

11. With regard to article 2, the Constitution Act guaranteed the rights of women, which were protected by the national courts and all other public institutions. With the adoption of various amendments in 1996, on equality of the sexes, the social security system and civil rights matters, among others, the *de jure* equality of men and women had been achieved. In order to

translate that into reality, a number of commissions had been established, including the Commission on Equal Rights for Men and Women in 1986 and, 10 years later, the Equality Bureau. In 1994, the Government had promulgated guidelines on linguistic equality of treatment of women and men in the national administration and established a working group on the advancement of women, also within the national administration. Draft legislation on flexible working hours, submitted by the Department of Personnel and Organization, would enter into force in 1999. In August 1998, her Government had issued its plan for implementing the Beijing Platform for Action.

12. Turning to article 4, she noted that the Guidelines for Improving the Representation and Occupational Status of Women in the Public Service, dealing with the under-representation of women in middle- and upper-level categories, and their situation with regard to job applications, recruitment, promotion and other matters, had entered into force in June 1998. In July 1997, the Government had decided that neither gender should occupy more than two thirds of the seats in any public body. The proposed Equal Rights Act, submitted to the Landtag in September 1998, would strengthen the enforcement of women's rights in such areas as the prohibition of discrimination and the right to file class-action complaints. It specified that measures to achieve *de facto* equality did not constitute reverse discrimination. The Act, which had been well received in the Landtag, was expected to enter into force in summer 1999.

13. With respect to article 5, she drew attention to successful activities in the area of basic education. Efforts to deal with prejudice and difficulties surrounding women's professional advancement included government-supported child care; the replacement of couples' joint pensions by individual pensions; and the amendment of the Marriage Act (paras. 128-130). In addition, an amendment to the legislation on occupational social insurance and the pension fund for government personnel ensured that, in the event of separation or divorce, women would receive one half of the insurance benefits accumulated by their spouses. It also provided for divorce by mutual agreement and for the joint custody of children.

14. The requirements of article 6 were satisfied by articles 213 to 217 of the Penal Code, which stipulated imprisonment of up to 10 years for procuring, pandering and trafficking in persons for the purposes

of sexual exploitation. Male and female dancers, bar attendants and musicians were protected by guidelines requiring employers to ensure the physical and mental well-being of their employees.

15. A national campaign against violence, conducted from September to December 1997 in cooperation with women's organizations, had built public awareness of, inter alia, public violence (including sexual harassment in the workplace) and domestic violence. In addition, the United Nations Special Rapporteur on violence against women, its causes and consequences, had been invited to visit Liechtenstein in April 1998. Her report would be submitted to the Commission on Human Rights for consideration at its fifty-fifth session. In early 1999, the Landtag would be considering draft legislation prepared by a working group established to review the Penal Code and the Code of Criminal Procedure. The proposed legislation dealt with, inter alia, penalties for sexual offences, the characterization of marital rape as a statutory offence and sexual harassment in the workplace and the prohibition of re-entry to the home in cases of domestic violence.

16. With regard to article 7, she said that women had been guaranteed the right to vote since 1984. Until early 1997, two of the five members of the Government had been women. Since April 1997, one woman — herself — was represented in the Government. One of the 25 representatives in the Landtag and three alternate representatives were women. An analysis of the 1997 elections to the Landtag had revealed that the causes for women's under-representation in politics included a general image problem, a low level of recognition and lack of political experience. The Commission on Equal Rights for Men and Women and the Equality Bureau had drawn up measures to remedy the situation. Although political life continued to be dominated by men, women had made inroads, particularly as political party leaders. In addition, the Chairperson of the Liechtenstein Employees' Association was a woman. Women participated without restriction in non-governmental organizations, which had called for improvements in the status of women and provided input on draft legislation on, inter alia, nationality, separation and divorce, pensions and disability benefits and sexual offences.

17. There were no legal obstacles in Liechtenstein to the implementation of article 8 of the Convention; in that connection, she noted the strong female presence

in the foreign service. She herself was Minister for Foreign Affairs in addition to holding the posts of Minister for Family Affairs and Equality and Minister for Culture and Sport. Until early 1997, a woman had headed the Departments of Construction and Traffic. The Permanent Representative of Liechtenstein to the United Nations was a woman; its representative to the Organization for Security and Cooperation in Europe was also a woman. One out of three public prosecutors was female, and the Office of Protocol, the Office for Press and Information and the Equality Bureau were headed by women.

18. With regard to article 9, she said that a reservation concerning citizenship entered at the time of Liechtenstein's ratification of the Convention had been withdrawn in 1996. The law on citizenship had been amended to provide for the equality of men and women, particularly with regard to the citizenship of foreign spouses and of children.

19. Referring to article 10, she said that the principle of coeducation had been established in Liechtenstein in 1968. In 1994, the Government had established the Commission on Promotion of Equality of Opportunity for Girls and Women in Education. In addition, gender equality would be taken into account in a revised curriculum to be introduced in the 1999-2000 school year. While there was scarcely any difference between girls and boys at primary school level, fewer women sought professional training or attended university. An exhibit held in 1997, the preparation of course materials for teachers, and a painting and drawing contest organized by the Equality Bureau in 1998 had been designed to encourage girls to expand their choice of occupation. Male participation in sports exceeded that of females, although girls and boys were given equal encouragement in school. Lastly, State offices, the communes and private organizations provided educational and advisory services with a view to ensuring the health and well-being of families.

20. Turning to article 11, she said that the unemployment rate in Liechtenstein was low in comparison with that of its neighbours. The Labour Contract Act of 1993 prohibited discrimination on the grounds of sex; it also stipulated equal pay for equal work or work of equal value and the free choice of profession and employment. In practice, however, women lagged behind men in terms of vocational training, continuing education and salary. The authorities believed that implementation of the Equal

Rights Act and of a European Union directive on part-time work would strengthen the principle of equal pay for equal work.

21. The Equality Bureau had publicized the Equal Rights Act at an industrial and trade exhibit, in a leaflet containing the Act's main provisions and on radio broadcasts. In addition, the Department of Personnel and Organization was designing a programme to implement the Guidelines for Improving the Representation and Occupational Status of Women in the Public Service. In 1996, with the amendment of legislation on old-age and survivors' pensions and occupational social insurance, all traces of discrimination had been eliminated from the social security legislation. Since 1995, women had been entitled to maternity leave of 20 weeks. Mothers who were not gainfully employed received a lump-sum tax-free maternity allowance. Amendments introduced in the Employment Act in 1996 required employers to ensure that tasks assigned to pregnant women and nursing mothers would not be detrimental to their health or the health of their children.

22. Commenting on the implementation of article 12, she said that health insurance was obligatory for women and men. Women had free choice of doctors; State contributions ensured that they paid the same premiums as men. Concerning article 13, she said that, in cases where more than one person was entitled to claim a family allowance, it was paid to the person who had custody of the child. A 1997 report on poverty indicated that unemployed persons, single-parent families and pensioners were particularly vulnerable. Draft legislation on the introduction of a special child allowance for single parents and the provision of affordable housing or rent subsidies geared to income level was currently before the Landtag. National legislation in no way discriminated against women with respect to the right to obtain bank loans, mortgages and other forms of financial credit.

23. With regard to article 14, she said that there was no discrimination against women in rural areas, noting that agriculture played a very minor role in the national economy.

24. Consistent with article 15 of the Convention, equality before the law was enshrined in the Constitution, which placed no restrictions on the right to establish residence. The law of contracts contained no provisions that restricted women's legal capacity

and the Marriage Act, since its amendment in 1992, provided that spouses jointly determined the location of the conjugal home.

25. Referring to article 16, she said that, overall, there was no legal distinction between men and women concerning marriage, except that the marriageable age for men was 20 and for women, 18. An amendment to enter into force in April would establish 18 years as the marriageable age for both men and women. Under the same draft legislation, restrictions on marriages to acquire citizenship would apply equally to both spouses.

26. As to future plans, she said that the Equal Rights Act would shortly have its second reading. Its passage would be a major step towards de facto equality between women and men. The Ministry for Family Affairs and Equality between Men and Women would be submitting a further set of measures for implementation by March 1999. Also in 1999 the Equality Bureau would deal with two main subjects: first, it would tackle the under-representation of women on all political bodies, establishing a pool of suitable women, compiling statistics on communal and national commissions and organizing courses. Secondly, it would evaluate the issues of caring for the family, help for single people — especially women — combining work and family responsibilities, and the man's role in the equal rights process. Although Liechtenstein had been relatively late in working towards full equality, there had been rapid progress over the past few years. Membership of international organizations and treaties had been an important element in Liechtenstein's policy on gender equality, and the Government was determined to continue to take appropriate legislative and administrative measures. Full equality, however, required changes involving the whole of society and would naturally take time.

27. **Ms. Ryel**, after noting that the oral presentation had covered many of her questions, suggested that where a country had a population as small as Liechtenstein's it might be helpful for future reports to concentrate on percentages rather than numbers. That would make it easier for the outsider to make comparisons and would show up the underlying patterns, which were often surprisingly similar from one country to the next. For example, was the birth rate high or low in comparison with other European countries? The pace of change in Liechtenstein had

been remarkably fast. Much had happened, even during the two years since the report had been prepared. In that context, she wondered who had been involved in drawing up the report: the Equality Bureau, presumably, but perhaps also women's non-governmental organizations, of which there were many active examples in the country. For future reference, she said that it would have been more useful to present some of the information on an article-by-article basis.

28. **Ms. Abaka** was interested that a European country, too, could have gone through so many turbulent historical changes. In the light of the fact that 39.1 per cent of the population were foreigners and that 54.5 per cent of those were Roman Catholics (in a predominantly Roman Catholic society), she asked whether religion determined which foreigners received residence permits. Also, as a Roman Catholic herself, she was struck by the fact that the high proportion of people living together outside marriage was so widely tolerated. With regard to tertiary education, she noted that those wishing to attend university had — understandably — to go to neighbouring countries. Inevitably, that was harder for women than for men. She wondered whether the Government had given consideration to the possibility of a distance education programme, such as existed successfully in the British Commonwealth. It enabled women, in particular, to study at the same time as performing their family obligations. In relation to paragraph 31, she requested further information on the statement that the Prince could annul criminal proceedings. That was a matter of concern, on the face of it, since it cast the independence of the judiciary into question.

29. **Ms. Myakayaka-Manzini** was surprised that the women of Liechtenstein had obtained the vote as recently as 1984 and wondered why the achievement had been so late in coming. If the reason was gender stereotypes, culture or tradition, she asked whether, despite the removal of legal obstacles to equality, cultural ones still existed. She also wanted to know the percentage of women in the population. As for the fact that international agreements were publicized through government publications, she was concerned that that might be insufficient. Were there no other measures to reach out to women? Did the ordinary woman know of the Convention? Had any women made use of its provisions before the courts?

30. **Ms. Schöpp-Shilling** said that it was gratifying for the Committee that the ratification of the

Convention had clearly had an impact in Liechtenstein. The report and the oral presentation had left her somewhat confused, with its reference to numerous laws, past, present and future. She welcomed the fact that Liechtenstein had withdrawn its reservations to the Convention.

31. **Ms. Taya** requested further information on the role of the Ombudsman. The Ombudsman provided "personal advice", but from the procedural and substantive point of view, what happened once that advice was given? Secondly what qualifications did the Ombudsman have or need? Lastly, she wondered what real impact the Ombudsman had had on the realization of de facto equality between men and women. Had school curricula or textbooks, for example, ever been changed on the Ombudsman's initiative?

32. **Ms. Kim Yung-Chung** noted that there was a high rate of children born out of wedlock — almost 10 per cent — and, as paragraph 87 showed, single mothers faced a higher risk of poverty. She therefore wondered whether the State paid any maternity allowance or medical insurance. She also asked whether the Information and Contact Network for Women (INFRA) — which she presumed was a non-governmental organization — had a programme catering to single mothers.

33. In view of the very high proportion of foreigners, she requested more information regarding their economic, social and legal status. Did they have full political rights? She also wished to know the average size of a family in Liechtenstein, and the ratio of men to women.

Articles 1 and 2

34. **Ms. Ryel**, noting that Liechtenstein was not a member of the European Union but was part of the European Economic Area, enquired how European Union legislation and court decisions were viewed by the Government. She asked whether any gender discrimination cases had been taken to court, whether the Equality Act pending before the Landtag would include machinery for implementation and whether the Ombudsman would take on additional duties relating to women's issues.

35. **Ms. Regazzoli** requested further information on the functions and duties of the Ombudsman. It appeared that his office had done little to promote equal rights in the 20 years since its establishment. In

the light of the many recent legislative reforms, it might be appropriate to consider constitutional reform as well, since the current Constitution dated from 1921. She requested more information on the mechanism for constitutional reform. Information on specific measures taken to achieve de facto equality for women would also be welcome.

36. She had been surprised at the high rate of single motherhood described in the report, particularly in a country where the vast majority of the population belonged to the Roman Catholic Church. She would like to learn more about the kind of support offered to single mothers, either from the Government, the Church or non-governmental organizations. Finally, more data was needed on violence against women and sexual and psychological abuse.

37. **Ms. Gabr** said that it had been her impression that the desire to grant women the right to vote had originated with the Government and not the women of Liechtenstein themselves, who apparently had tacitly accepted their situation. She would like to hear more about the process which had led to women gaining the right to vote and about the role of non-governmental organizations in that process. Finally, it was regrettable that domestic legislation contained no definition of discrimination against women, as stipulated in article 1 of the Convention.

38. **Ms. Hazelle** said that she was concerned about a lack of information on the implementation of the Beijing Platform for Action and wondered whether a specific Ministry or Department had responsibility for its implementation.

39. **Ms. Myakayaka-Manzini** asked what definition of discrimination had been used in the Constitution and whether the form of equality it provided was formal or substantive. She requested clarification on the coverage of the educational system and whether any special measures had been taken to encourage girls and women to pursue their education. She also wondered whether other Ministers also held more than one portfolio and whether the funding allocated to mechanisms for implementing the Convention was adequate.

Article 3

40. **Ms. Ouedraogo** said that she was concerned at the situation which had occurred in 1992, as described in paragraph 97 of the report, when the members of the Commission on Equal Rights for Men and Women had

resigned because of insufficient political backing. She would like to hear more about the problems which had led up to that action. The question of the national mechanism for implementation of the Convention was crucial to all elements of the advancement of women, and she would like more information on how the relevant department was structured and whether it had technical authority where the Convention was concerned. She would also like to know what share of the national budget was allocated to mechanisms for the advancement of women.

41. Women's rights were a multisectoral issue, yet she could not discern an overall coherent policy in that area. She was also concerned that the interests of women would not receive sufficient attention because the women's portfolio was only one among the three held by the Minister. Finally, she would like to know whether there was a national plan of action for the advancement of women made up of short-, medium- and long-term goals with measurable objectives.

42. **Ms. Corti** said that it appeared to her that the proposal in the Landtag to establish the Commission on Equal Rights of Men and Women in 1986 might have been premature, since most action for equality had not occurred until the early 1990s. She asked for more information on the competence of the Office for Equality of Rights between Men and Women (Equality Bureau) and its relationship to the Ministry for Women's Affairs and the Office of the Ombudsman.

The meeting rose at 1 p.m.