



**International Convention on
the Elimination
of all Forms of
Racial Discrimination**

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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Seventieth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 1800th MEETING

Held at the Palais Wilson, Geneva,
on Tuesday, 27 February 2007, at 3 p.m.

Chairperson: Mr. de GOUTTES

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* The summary record of the second part (closed) of the meeting appears as document CERD/C/SR.1800/Add.1.

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The meeting was called to order at 3.15 p.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 5) (continued)

Second and third periodic reports of Liechtenstein (CERD/C/LIE/4)

1. At the invitation of the Chairperson, the members of the delegation of Liechtenstein took places at the Committee table.
2. Mr. RITTER (Liechtenstein), introducing his country's second and third periodic reports (CERD/C/LIE/4), said that United Nations human rights treaty bodies were an essential element of the international human rights protection system. His country was actively engaged in the process of treaty body reform.
3. As part of its efforts to raise public awareness of the importance of addressing racial discrimination and the potential represented by genuine integration, Liechtenstein had officially launched the "European Year of Equal Opportunities for All" campaign in early February 2007. By taking a participatory approach to action to combat racial discrimination, his Government hoped to build a solid basis for the implementation of relevant policies. The potential of direct democracy in fighting racism was illustrated by the submission of a parliamentary petition by a group of young people that called for amendments to the Criminal Code to enhance protection against racial discrimination. Such initiatives showed that the close involvement of civil society in awareness-raising activities was indeed bearing fruit.
4. Mr. JEHLE (Liechtenstein), recalling that his country had expanded its criminal legislation in preparation for the ratification of the Convention, said that the definition of racial discrimination enunciated in article 283 of the Criminal Code was consistent with article 1 of the Convention. Among other offences, article 283 criminalized membership of associations that promoted or incited racial discrimination. In individual cases, parliament was authorized to enact special legislation to prohibit such associations.
5. Since the presentation of the initial report, five proceedings had been instituted under article 283 in alleged cases of discrimination against foreigners or persons of a different race, possession of propaganda material and religious fanaticism. Four of the cases had resulted in a conviction; one defendant had been acquitted.
6. In October 2006, a petition had been submitted to parliament by a group of young people to expand the scope of article 283. The petitioners had called for a ban on both the display of Nazi emblems and symbols of racial discrimination, and the propagation of inhuman ideologies. The Ministry of Justice was currently assessing the legal implications of the petition.
7. Following the amendment of the Constitution by popular vote in 2003, the Constitutional Court Act had been revised to extend the competence of the Court to hear individual complaints, in accordance with article 14 of the Convention.

8. Ms. MARXER (Liechtenstein) informed the Committee of the establishment in February 2005 of the Office of Equal Opportunity and the Equal Opportunity Commission, whose members were appointed by the Government. The responsibilities of the two bodies included government-wide coordination of issues relating to equal opportunities and the development of anti-discrimination strategies, recommendations and proposals. They were required to observe developments in the area of equal opportunities, monitor the implementation of relevant policies and conduct outreach activities.

9. Issues relating to migration and the integration of foreigners also fell under the purview of the two bodies. Foreigners accounted for approximately 34 per cent of the population; 57 per cent of the foreigners were of Swiss, Austrian or German origin, the remainder coming mostly from Italy, Turkey, Portugal, Serbia, Montenegro and Spain. Most immigrants had come to Liechtenstein to work some 40 years before or through family reunification. Additional information on the composition of the population was provided in the brochure "Liechtenstein in figures", which had been circulated in the meeting room. The Office and the Commission had developed a concept of integration based on the revised Ordinance on the Movement of Persons of November 2004, which legally enshrined integration as a political objective. Additional information on the topic was contained in her delegation's written replies to question 7 of the list of issues, which had been transmitted to the Government. The replies had been distributed to members of the Committee.

10. While most Liechtenstein residents were of the Christian faith, some 5 per cent were Muslims and thus the largest non-Christian religious community in the country. In 2004, her Government had established a special working group on the promotion of Muslim integration, which was currently considering the acquisition of premises for Muslim worship and cemeteries, and the introduction of Islamic religious instruction in primary schools. In 2005, the Prime Minister had presented an inventory of books on Islam procured by the National Library in order to enhance public knowledge and understanding of the cultural and religious background and values of Islam. In 2006, the Government had decided to make annual monetary grants to Muslim communities, which corresponded approximately to the State per capita contributions made to Christian denominations.

11. Transnational campaigns in which Liechtenstein had participated included the 2005 poster campaign conducted by the Swiss Federal Commission against Racism entitled "No Exclusion" and the 2006 Council of Europe campaign entitled "All Different - All Equal". A detailed description of activities planned in the context of the "European Year of Equal Opportunities for All" campaign was provided in the written replies.

12. Mr. HOCH (Liechtenstein) said that, while incidents involving public manifestations of right-wing extremism had been less frequent in recent years, a small core of right-wing extremists had established close links with similar organizations abroad and was becoming increasingly politicized. In February 2007, his Government had therefore requested the Commission on Protection from Violence to develop a nationwide strategy for combating right-wing extremism, especially in order to prevent such ideologies from spreading among

young people. Details of criminal proceedings instituted in connection with right-wing extremism or racism during the reporting period were provided in the written replies. The Commission was currently conducting a campaign entitled: "Respect - please", which aimed at encouraging a critical assessment of the issue of youth violence in all its manifestations, including right-wing extremism. The campaign promoted the involvement of young persons in finding solutions to the problem and included measures to prevent violence and to promote non-violent communication and conciliation. It was based on a documentary film on youth violence, which emphasized, inter alia, the need to address the social problems underlying youth violence.

13. Ms. LÄNGLE (Liechtenstein) said that the Working Group against Racism, Anti-Semitism and Xenophobia was responsible for implementing the National Action Plan against Racism 2003-2007 and for coordinating the implementation of recommendations made by the Committee and the European Commission against Racism and Intolerance. The Working Group also coordinated activities to combat anti-Semitism and submitted annual reports on its activities to the Government. Its 2006 report was currently being translated into English and could be made available to the Committee. In addition, the Working Group documented incidents involving racial discrimination, anti-Semitism and xenophobia and collected relevant statistical data. In 2004, the Liechtenstein Institute had been given a two-year research mandate to identify shortcomings in data collection. The Institute had found gaps in the collection of both hard and soft data. In response, the Government had appointed a project group to prepare recommendations on ways to improve data collection and evaluation; the group's report was due by the end of 2007.

14. The Working Group against Racism, Anti-Semitism and Xenophobia had also been commissioned to draft a report on the situation of racism and integration by summer 2007; it would focus in particular on the accessibility of soft data. In follow-up to the 2004-2005 research, the Liechtenstein Institute had conducted a second study entitled: "Migration and Integration: History, Problems, Perspectives", which was due for presentation on 28 February 2007. The study had been conducted in close consultation with the Working Group.

15. In reply to the Committee's request for disaggregated data, she highlighted the difficulties arising from the country's size and limited human resources. When providing disaggregated data on a relatively small population, there was a danger of infringing the right of privacy. Also, in cases where reflecting ethnic differences in statistics would give rise to new forms of discrimination, that practice should be duly avoided.

16. Mr. AVTONOMOV, Country Rapporteur, commended the State party for its consultative approach to implementing the Convention and the reporting process. The timely submission of the report and the deployment of a high-level, diverse delegation illustrated the State party's commitment to fulfilling its obligations under the Convention. However, sometimes discrimination persisted despite the political will to combat the phenomenon. The Committee therefore looked forward to hearing the results of the studies conducted by the

Working Group against Racism, Anti-Semitism and Xenophobia and the Liechtenstein Institute in order to gain further insight into the situation on the ground. He was pleased to learn that the State party had both ratified the amendment to article 8 of the Convention and made a declaration under article 14.

17. He commended the State party for enabling temporary immigrants who worked in the State party but lived elsewhere to work as civil servants and judges. That undoubtedly increased the independence of the judiciary. Discrimination could, however, occur unintentionally, as had been reported by some German nationals who had found it difficult to integrate into the State party owing to the different dialects spoken in Germany and Liechtenstein. It would be interesting to learn whether there had been any research into such difficulties.

18. The reporting State's efforts to combat right-wing extremism and neo-Nazism deserved praise. The commission that had been established to investigate the State party's role in the Second World War should facilitate the task of preventing a resurgence of such ideas.

19. He asked whether any members of the Roma community were permanent residents in Liechtenstein. Given that the Roma constituted a vulnerable group, the reporting State should take note of the Committee's General Recommendation XXVII on discrimination against Roma.

20. Mr. VALENCIA RODRÍGUEZ requested additional information on the treatment of migrant workers. The delegation should clarify whether the Convention formed part of domestic legislation. He asked whether the provisions of the Convention took precedence over domestic legislation in the event of conflict between the two. It would be interesting to learn how individuals alleging violation of their rights could address the courts, and whether compensation was ordered by judges or if it was necessary to take civil action.

21. The Committee would appreciate further details on the implementation of the integration projects coordinated by the Office of Equal Opportunity and the results of those projects. It would also be useful to have a summary of the data that had been compiled in 2004 on the access of foreigners to education, housing, employment, health, and social security.

22. Further information on the results of the work of the commission set up to investigate the State party's role in the Second World War would be welcome. The commission's recommendations could serve as an example for other countries. He requested that the Committee should be kept informed of any action taken by social groups in that regard. The following periodic report should include updated information on the results of the measures listed in paragraph 50 of the current report. He wished to know what policies had been implemented in the light of the publication on the Internet of several international instruments and other texts concerning racism, and the outcome of those policies.

23. Mr. KJAERUM commended the Government for making a declaration under article 14 of the Convention, and establishing the Office of Equal Opportunity. It would be useful to learn whether the Equal Opportunity Commission complied with the Paris Principles relating to the Status of National Institutions, or whether the State party planned to set up an independent national human rights institution to monitor human rights in general.

24. He asked what measures, apart from language classes, the Liechtenstein Office of Education had initiated in the light of its survey on additional care and support structures required for families outside the home.
25. He asked what steps the Office of Social Affairs was taking to assist foreign unemployed men aged over 50. Had the Government taken any measures in response to the recommendations of the European Commission against Racism and Intolerance on amending the rules on access to citizenship for long-term residents? In that regard, the State party should take note of the Committee's General Recommendation XXX on discrimination against non-citizens, and particularly paragraph 15 relating to denial of citizenship for long-term residents.
26. He asked whether the Government intended to ratify protocol 12 of the European Convention on Human Rights, which it had signed in November 2000.
27. Mr. YUTZIS asked whether the Government had identified any reasons for the rise in xenophobic and right-wing tendencies among youths and young adults. He failed to understand why the State party had not criminalized associations that promoted or incited racial discrimination, given that it had not entered a reservation to article 4 (b) of the Convention.
28. He welcomed the establishment in 2004 of a working group to improve the integration of Muslims, since an increasing number of Muslims were entering Liechtenstein. He would appreciate information on the results of the working group's activities.
29. Mr. PROSPER asked what was the root cause of extreme right-wing tendencies in youth groups, and whether any programmes had been established to target those causes directly. He wished to know the extent of the threat posed by right-wing extremist groups, and in particular whether they interacted with or were influenced by similar groups in other countries.
30. The CHAIRPERSON welcomed the fact that Liechtenstein had made a declaration under article 14 of the Convention. On the issue of the implementation of article 4 regarding criminal responsibility for acts of racism, he asked whether there were any legislative provisions concerning a general aggravating circumstance relating to the commission of a number of offences. He requested further information on the increase in xenophobia and right-wing extremism, particularly against Muslims and people of Turkish origin, and how it was being tackled. According to paragraph 10 of the periodic report, the Reigning Prince appointed judges and had the power of pardon, mitigation and quashing criminal investigations. He wished to know how those powers were used.
31. Mr. RITTER (Liechtenstein) said that the two-year study conducted by the Liechtenstein Institute was being used as a basis for assessing the situation and making recommendations for its improvement. A project group had been set up, and was working on the basis of the Institute's findings to establish specific ways to improve data collection. The first part of the group's work would be concluded in 2007. The study on the role of Liechtenstein during the Second World War had provided a basis for awareness-raising efforts regarding events that

had taken place before and during the War. One important event in that context was the day of remembrance of the Holocaust, which had been organized for the second time on 27 January 2007. The Minister for Foreign Affairs had invited experts to answer public questions about the Holocaust, and the issue of anti-Semitism and the Holocaust had been included in school curricula to raise young people's awareness of Nazism and xenophobic ideologies and the threat they represented for society.

32. His delegation would endeavour to include more statistical information in the next periodic report. On the issue of right-wing extremist tendencies among youth groups, he said that efforts were being made to raise public awareness and strengthen the provisions of the Criminal Code relating to the use of signs with racist connotations, particularly those connected with neo-Nazism. Young people had taken a number of initiatives to restrict the dissemination of racist ideologies, including the submission to parliament of a petition for the strengthening of the Criminal Code. There were no political parties that used xenophobic ideas to gain voters' support. Extreme right-wing movements did not receive any political support.

33. The delegation of Liechtenstein withdrew.

The public part of the meeting rose at 4.50 p.m.