



European network of legal experts in gender equality and non-discrimination

NEWS REPORT

Country:	Liechtenstein
Title:	Government approved new national centre for human rights
Date:	25 May 2016
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Update of news report nr:	14-LI-ND
<u>Context</u>	
Issue at stake:	New non-governmental centre for human rights approved by the Liechtenstein government
Ground of discrimination:	All grounds
Source:	National equality body, policy development
Field:	Employment, social protection, social advantages, access to goods and services, education
Applicable law:	Draft legislation concerning the modification of the Gender Equality Act, Art. 18 and 19

Content

Policy development:

Since 2005, the Office for Equal Opportunities, which operates under the authority of the Ministry of Society,¹ has been designated disability, gender, migration and integration (including race and ethnicity), sexual orientation and social disadvantage.² Additionally, the Commission for Equal Opportunities was set up in the same year as a consultative body to coordinate activities related to equal opportunities and to implement an interdepartmental anti-discrimination policy. Both organisations have a close link to the government and therefore the power of both the Office and the Commission is diminishing.

The close link between the Office for Equal Opportunities and the Liechtenstein government had triggered criticism since 2013 and reached its peak in May 2016, when the head of the Office announced to step down from her position in June 2016.

The repeated demand for a non-governmental human rights institution forced the Liechtenstein government to suggest a new organisation. The government decided to establish an independent national association for human rights and to reorganise the duties of the governmental Offices by law. Therefore, the government proposes to set up

¹ The office is assigned to the Ministry of Society based on the By-law of the governmental and administration organization (Regierungs- und Verwaltungsorganisationsverordnung (RVOV), 28.03.2013, LGBl 2013, no. 163).

² Since 1996 the Office was solely active as an "office for equal treatment between men and women". Before, Liechtenstein had no specific institution in place regarding human rights.

a non-profit organisation which serves as an institution acting independently and on its own initiative and integrating various tasks currently performed by different governmental offices and NGO-institutions in Liechtenstein. This makes it necessary to adjust the current legal provisions and to enact new legal regulations.

The proposal states that on the one hand the former integration department of the Immigration and Passport Office and the Ombudsman Office for Children and Young Persons will be part of the new association for human rights as well as the Office for Equal Opportunities, the Commission for Equal Opportunities and the Gender Equality Commission. On the other hand, the government decided to transfer state-services, which were performed by the Office for Equal Opportunities up to now, into the Office of Social Services. Thus, the integration projects of the Migration and Passport Office, the Specialist Institution for Integration and Equal Opportunities and the statutory task of the Office for Equal Opportunities will be centralized within the Office of Social Services.

The government released a first draft of a recommendation-report in November 2015 for feedback by the involved governmental offices, by NGOs and the communities of Liechtenstein. In May 2016, when the head of the Office announced to step down from her position within 2 months' time, the government felt forced to approve the recommendation-report and hand the resolution for a recommendation over to the Parliament. It is expected that the proposal will be accepted by the Parliament in autumn 2016.

The new independent institution should promote human rights which mainly affect the weakest groups in Liechtenstein's society (physically impaired persons, children, single mothers, asylum seekers, undocumented aliens etc.). The new association would be an independent institution acting on its own initiative and integrating various tasks currently performed by different governmental offices and NGO-institutions in Liechtenstein.

Key points of analysis:

The governmental recommendation will strengthen the credibility of Liechtenstein's human rights policies and work towards the establishment of a comprehensive national anti-discrimination act. The new association for Human Rights will have a legal basis as a private association, a comprehensive mandate, and an appropriate infrastructure and financing. Nevertheless, the institution's activities will be financed mainly through the government budget as the financial resources of the Office for Equal Opportunities will in future be divided up between the new Centre for Human Rights and the Office of Social Services. In order to avoid conflict of interests, it was decided that the newly established organisation will have its own section in the national budget and the competence to decide on its own on the use of these financial resources.

These factors promise considerable degree of independence vis à vis the government.

Internet link source:

Press release from the government of Liechtenstein:

<http://www.llv.li/#/41/medienmitteilungen>

Governmental report for consultation:

http://www.regierung.li/files/attachments/Vernehmlassungsbericht_SCG.pdf?t=635858688162124450

All accessed 11/05/2016.