

LIECHTENSTEIN

1) What mechanisms have been put in place at national level to ensure the compatibility of legislation (whether draft legislation, laws in force or administrative practice) with the Convention? How do these work (whether or not they are systematic, the competent authorities and any consultations – whether optional or mandatory)? What are the advantages of the mechanism chosen?

- Liechtenstein has a monist legal system. A ratified international agreement becomes part of domestic law upon entry into force without a special law having to be created, and it can be applied directly if its provisions are specific enough to serve as a basis for decision-making.
- As adequately stated in the compilation of replies, in Liechtenstein, every report of the Government to the Parliament regarding new draft legislation contains a section devoted to the compatibility with the Constitution, national law and with international obligations. Particular attention is therefore also paid to the compatibility with the Convention.
- Before a report of the Government regarding new draft legislation is finalised (and thereafter submitted to the Parliament), a wide consultation process is launched. Within this process, associations, NGOs, individuals, etc. may comment on the planned draft legislation.
- Liechtenstein citizens have far-reaching direct-democratic rights, such as the right of initiative. Voters may submit a legislative initiative in the form of a precisely formulated draft or a general suggestion. The Liechtenstein Parliament must then consider the initiative in its next session. Before this consideration, compatibility with the Constitution and international treaties must be assured. Therefore, for instance, an initiative must be in line with the Convention.

2) What obstacles have been encountered in establishing or applying these mechanisms? How have these been overcome?

So far, no obstacles have been encountered in applying the above mentioned mechanisms.

3) Is there any assessment (or planned assessment) of the appropriateness and effectiveness of the mechanisms in question? If so, how does this work? What obstacles have been encountered in setting up or carrying out such an assessment?

For the time being, no assessment of the above mentioned mechanisms is planned.