



EVALUATION REPORT

LIECHTENSTEIN

Third evaluation round

GRETA

Group of Experts
on Action against
Trafficking
in Human Beings

Access to justice
and effective remedies
for victims of trafficking
in human beings

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Preamble

The Group of Experts on Action against Trafficking in Human Beings (GRETA) was established pursuant to Article 36 of the Council of Europe Convention on Action against Trafficking in Human Beings ("the Convention"), which entered into force on 1 February 2008. GRETA is responsible for monitoring the implementation of the Convention by the parties and for drawing up reports evaluating the measures taken by each party.

In accordance with Article 38, paragraph 1, of the Convention, GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions of the Convention on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by State Parties. The second evaluation round of the Convention examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings, the protection of the rights of victims of trafficking, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking and the vulnerability of children to trafficking.

GRETA has decided that the third evaluation round of the Convention will focus on trafficking victims' access to justice and effective remedies, which is essential for victims' rehabilitation and reinstatement of rights, and reflects a victim-centred and human-rights based approach to the fight against human trafficking. A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic, in particular articles 12, 15, 23, 26, 27, 28, 29, 30 and 32.

Access to justice and effective remedies is contingent on the fulfilment of a number of preconditions, including prompt and accurate identification of victims of trafficking, the provision of a recovery and reflection period, the availability of material, psychological, medical and legal assistance, access to translation and interpretation, when appropriate, regularisation of the victim's stay, the right to seek and enjoy asylum, and full respect for the principle of *non-refoulement*. These preconditions, corresponding to various provisions of the Convention, have been examined at length during the first and second evaluation rounds of monitoring of the Convention. Consequently, GRETA has decided to ask each State Party for an update on the implementation of GRETA's previous recommendations on selected topics through a separate country-specific part of the questionnaire. GRETA's findings and analysis of these topics are presented in a separate chapter.

List of acronyms

ABGB	General Civil Code
CC	Criminal Code
CPC	Criminal Procedure Code
FAST	Finance Against Slavery and Trafficking
FIU	Financial Intelligence Unit
GRECO	Group of States against Corruption
GRETA	Group of Experts on Action against Trafficking in Human Beings
ILO	International Labour Organisation
IOM	International Organization for Migration
JIT	Joint Investigative Team
LANV	Liechtenstein Employees' Association
OHCHR	Office of the High Commissioner for Human Rights
OHG	Victim Assistance Act
UNHCR	United Nations High Commissioner for Refugees
UNODC	United Nations Office on Drugs and Crime
VMR	Association for Human Rights
WKL	Liechtenstein Chamber of Commerce
ZPO	Civil Procedure Code

Executive summary

Since the second evaluation round of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, there have been no changes in Liechtenstein's legislative and policy framework for action against trafficking in human beings. GRETA considers that the Liechtenstein authorities should take further steps to ensure that national action to combat human trafficking is comprehensive, including by adopting a comprehensive national action plan or other policy document which addresses all aspects of the fight against trafficking in human beings, as well as promoting the involvement of civil society organisations in action against trafficking.

Liechtenstein is a country of destination for trafficked persons. In the period 2018-2023, nine presumed victims of trafficking (eight women and one man), all foreign nationals, were detected by the National Police. None of them were formally identified as victims of trafficking following investigations.

The focus of the third evaluation round of the Convention being on trafficking victims' access to justice and effective remedies, the report analyses in detail the implementation of provisions of the Convention establishing substantive and procedural obligations relevant to this topic.

General information for victims of crime on their rights is available on a government website, in German and English, but it does not include specific information for victims of trafficking. GRETA considers that the Liechtenstein authorities should take additional measures to ensure that all presumed victims of trafficking are proactively informed of their rights, including the right to a recovery and reflection period, the available support services and how to access them, and the consequences of being recognised as victims of trafficking.

In Liechtenstein, victims of crime have the right to be assisted by a legal representative in criminal proceedings and the Victim Assistance Office covers the costs. In civil and administrative proceedings, the Victim Assistance Office can cover the cost of up to four hours of initial legal counselling, and victims who are destitute can apply for free legal aid. There is no information available with regard to the practical application of these rules because none of the presumed victims of trafficking have contacted the Victim Assistance Office. GRETA considers that the Liechtenstein authorities should make additional efforts to guarantee access to justice for victims of trafficking, in particular by ensuring that legal assistance is provided as soon as there are reasonable grounds for believing that a person is a victim of human trafficking, before the person concerned has to decide whether or not he/she wants to co-operate with the authorities and/or make an official statement.

Victims of trafficking may seek compensation from the perpetrator as part of a criminal procedure or in a separate civil procedure. They can also apply for state compensation for a crime committed on the territory of Liechtenstein. State compensation covers both material and moral damages. However, no compensation of any kind has been awarded to victims of trafficking in Liechtenstein as there have been neither formally identified victims nor perpetrators convicted. GRETA considers that the authorities should take steps to guarantee effective access to compensation by ensuring that all victims of trafficking are systematically informed, at an early stage, and in a language that they can understand, of the right to seek compensation from the perpetrator or the State, and the procedures to be followed.

In the period 2018-2023, three investigations were initiated by the National Police under section 104a of the Criminal Code (trafficking in human beings), but none resulted in prosecutions. It appears that these investigations stalled because the victims could not be interviewed. GRETA notes that, in practice, the main evidence remains the testimony of the victims. GRETA considers that the Liechtenstein authorities should take additional measures to strengthen the criminal justice response to human trafficking including by ensuring that all human trafficking offences are proactively investigated, regardless of whether a report has been filed or not, making use of all possible evidence gathered through special investigation techniques and financial investigations, and not having to rely mainly on the testimony of victims or witnesses. Furthermore, the authorities should strengthen the investigation and prosecution of human trafficking for the purpose of labour exploitation.

Noting that there have been no legal developments in Liechtenstein regarding the non-punishment provision, GRETA once again urges the authorities to adopt a specific legal provision and/or to develop guidance and training for law enforcement officials and prosecutors on the aims and scope of the non-punishment provision, in order to ensure compliance with Article 26 of the Convention.

GRETA welcomes the efforts made by Liechtenstein in the area of international co-operation against human trafficking and invites the authorities to continue developing multilateral and bilateral co-operation in combating human trafficking.

The report also examines progress made on the implementation of previous GRETA recommendations on selected topics. Noting with concern the low number of labour inspectors in Liechtenstein, GRETA urges the authorities to intensify their efforts to prevent and combat trafficking for the purpose of labour exploitation, including by providing sufficient staff and resources to the Labour Inspectorate, stepping up inspections in at-risk sectors, and increasing the legal protection for domestic and live-in care workers by making labour law applicable to all such workers and developing the conditions under which access to private households can be granted to inspection.

Pursuant to the Guidelines against Trafficking in Human Beings, the identification of victims is the responsibility of the National Police and the Office of the Public Prosecutor. GRETA urges the Liechtenstein authorities to ensure that, in practice, the identification of victims of trafficking is not linked to the prospects of a successful investigation and prosecution, and to strengthen multi-agency involvement in the identification of victims of trafficking by formally recognising the role of specialised NGOs in the decision-making process leading to identification. The authorities should also pay increased attention to the identification of victims of trafficking among asylum seekers and migrants. Furthermore, GRETA calls on the authorities to strengthen the procedure for identifying child victims of trafficking through collaboration between relevant institutions and input from child protection specialists.

There is no specialised shelter for victims of trafficking in Liechtenstein. The authorities in principle co-operate with the Swiss NGO FIZ to provide assistance to victims of trafficking, however, there has been no contact with this NGO since 2019. GRETA urges the authorities to ensure that adequate financial and human resources are made available to enable all presumed and identified victims of trafficking, including those who were exploited abroad, to benefit from the assistance measures provided for under the Convention.

Finally, GRETA once again urges the Liechtenstein authorities to ensure that a recovery and reflection period of at least 30 days is specifically defined in law and systematically offered to presumed foreign victims of trafficking, including EU and EEA citizens, together with all the measures of protection and assistance envisaged in Article 12, paragraphs 1 and 2, of the Convention.

I. Introduction

1. The Council of Europe Convention on Action against Trafficking in Human Beings (“the Convention”) entered into force for Liechtenstein on 1 May 2016. GRETA decided to join the first and second evaluation rounds of the Convention in respect of Liechtenstein. The report drawn up as a result of this assessment was published on 25 September 2019.¹
2. On the basis of GRETA’s report, on 18 October 2019, the Committee of the Parties to the Convention adopted a recommendation to the Liechtenstein authorities,² requesting them to inform the Committee within a two-year period of measures taken to comply with the recommendation. The report submitted by the Liechtenstein authorities was considered at the 29th meeting of the Committee of the Parties (17 December 2021) and was made public.³
3. On 5 December 2022, GRETA launched the third round of evaluation of the Convention in respect of Liechtenstein by sending the questionnaire for this round to the Liechtenstein authorities. The deadline for submitting the reply to the questionnaire was 5 April 2023, and the authorities’ reply was received on 29 June 2023.
4. In preparation of the present report, GRETA used the reply to the third-round questionnaire by the Liechtenstein authorities,⁴ the above-mentioned report and additional information submitted by them in reply to the Committee of the Parties’ recommendation. The Liechtenstein authorities asked GRETA to postpone its third evaluation visit to 2024 due to a busy schedule of monitoring by other Council of Europe and United Nations bodies. An evaluation visit to Liechtenstein took place from 5 to 7 March 2024 in order to hold meetings with relevant governmental and non-governmental actors, collect additional information and examine the practical implementation of adopted measures. The visit was carried out by a delegation composed of:
 - Ms Rita Penedo, member of GRETA;
 - Mr Georgios Vanikiotis, member of GRETA;
 - Mr Roemer Lemaître, Administrator in the Secretariat of the Convention.
5. During the visit, the GRETA delegation met Mr Andreas Schädler, Head of the Crime Investigation Division of the National Police, who acts as Chairman of the Roundtable on Trafficking in Human Beings, as well as officials from the Office of Social Services and its Children and Youth Service Division, the Migration and Passport Office, the Office for Foreign Affairs, the Office of Economic Affairs, the Labour Inspectorate, the Victim Assistance Office and the Financial Intelligence Unit. Further, meetings were held with prosecutors and members of the judiciary. Discussions were also held with Members of Parliament (Landtag).
6. Separate meetings were held with non-governmental organisations (NGOs) and the trade union Liechtenstein Employees’ Association (LANV).
7. In the course of the visit, the GRETA delegation visited a refugee reception centre in Vaduz, which accommodates vulnerable asylum seekers, including unaccompanied children and possible victims of human trafficking.

¹ <https://rm.coe.int/greta-2019-12-fgr-liechtenstein-en/168097e558>

² <https://rm.coe.int/recommendation-on-the-implementation-of-the-council-of-europe-conventi/1680986112>

³ <https://rm.coe.int/report-submitted-by-the-authorities-of-liechtenstein-on-measures-taken/1680a5b408>

⁴ <https://rm.coe.int/reply-from-liechtenstein-to-the-questionnaire-for-the-evaluation-of-th/1680ae2cdd>

8. The list of the national authorities, NGOs and other organisations with which the delegation held consultations is set out in Appendix 2 to this report. GRETA is grateful for the information provided by them.

9. GRETA wishes to place on record the excellent co-operation provided by the Liechtenstein authorities in the preparation and carrying out of the evaluation visit, and in particular by Mr Claudio Nardi, counsellor, Office for Foreign Affairs, Division for Economic Affairs and Development, fulfilling the role of contact person for GRETA at the time of the evaluation.

10. The draft version of the present report was approved by GRETA at its 51st meeting (1 to 5 July 2024) and was submitted to the Liechtenstein authorities for comments. The authorities' comments were received on 4 October 2024 and were taken into account by GRETA when adopting the final report at its 52nd meeting (18-22 November 2024). The report covers the situation up to 22 November 2024; developments since that date are not taken into account in the following analysis and conclusions. GRETA's conclusions and proposals for action are summarised in Appendix 1.

II. Overview of the current situation and trends in the area of trafficking in human beings in Liechtenstein

11. Liechtenstein is a country of destination for trafficked persons. In the period 2018-2023, nine presumed victims of trafficking in human beings (THB) were detected by the National Police in Liechtenstein: five (four women and one man) for the purpose of labour exploitation and four women for the purpose of sexual exploitation.⁵ All presumed victims were foreign nationals (four from Brazil, four from Thailand and one from North Macedonia). None of the presumed victims were formally identified as victims of THB following investigations (see paragraph 68).

12. Liechtenstein has a population of 39 677 inhabitants on a territory of 160 km², landlocked between Austria and Switzerland.⁶ Due to its Customs Treaty with Switzerland, Liechtenstein has an open border to the west and south. The eastern and northern borders with Austria are guarded by the Swiss Border Guard on the basis of the Customs Treaty. There are no airports in Liechtenstein.

13. Similar to the situation described in the previous GRETA report, groups at risk of being victims of THB include foreign nightclub dancers, agricultural workers arriving in Liechtenstein on a trainee scheme and domestic workers providing live-in care for the elderly (see paragraphs 119-121).

14. Asylum seekers, including unaccompanied asylum-seeking children, are also vulnerable to human trafficking. The number of applications for asylum and temporary protection in Liechtenstein was 165 in 2018, 53 in 2019, 40 in 2020, 97 in 2021, 584 in 2022 and 392 in 2023. The increase in 2022 and 2023 was due to the arrival of Ukrainian refugees following the full-scale invasion by the Russian Federation.

III. Developments in the legislative, institutional and policy framework for action against human trafficking

15. As already indicated in the previous GRETA report, section 104a ("trafficking in human beings") of the Criminal Code (CC) was amended in 2019, adding forced begging and forced criminality to the purposes of exploitation, as well as increasing the maximum penalties for THB.⁷

16. On the institutional level, the Roundtable on Trafficking in Human Beings, created in 2006, has been meeting once a year. It is chaired by the Head of the Crime Investigation Division of the National Police. Its composition, consisting of representatives of the National Police, the Office for Foreign Affairs, the Office of Economic Affairs, the Migration and Passport Office, the Victims Assistance Office and the Office of the Public Prosecutor, has not changed. There is no dedicated budget for the activities of the Roundtable.

17. No representatives of civil society organisations take part on a regular basis in the Roundtable. According to the Liechtenstein authorities, this is due to data protection and official secrecy rule because ongoing investigations into THB cases are discussed at the Roundtable meetings. NGOs and other relevant stakeholders may be invited on an *ad hoc* basis in relation to a specific issue, but this did not happen in 2018-2023. For example, GRETA notes that NGOs were not invited when the Roundtable met in September 2020 to discuss the recommendations of GRETA's first report. Neither were NGOs invited in November 2022 when the Roundtable discussed co-operation with specialised NGOs in Switzerland and the creation of a national hotline for reporting cases of THB.

⁵ In addition, as already explained in the previous GRETA report, a Nigerian woman who had applied for asylum in Liechtenstein was detected as a presumed victim of THB for the purpose of sexual exploitation in November 2018. As her exploitation had taken place more than seven years previously, she was not considered by the authorities to be a victim of trafficking. Nevertheless, the woman was provided with support and was granted a renewable residence permit. See paragraph 137 for more information.

⁶ [Liechtensteinische Landesverwaltung Statistikportal](#)

⁷ GRETA's first report on Liechtenstein, paragraphs 42 and 143.

18. According to the authorities, combating THB is a priority for Liechtenstein both domestically and in foreign policy. As already mentioned in the first report, in 2007 the Liechtenstein Government adopted Guidelines against THB, which were updated in 2017.⁸ The Guidelines define the roles and responsibilities of different stakeholders in the identification and referral to assistance of victims of THB (see paragraph 126). In addition, in 2015 the Roundtable on THB, in co-operation with the Office of Social Services, adopted a flowchart for detecting children who are forced to beg (see paragraph 147). The Liechtenstein authorities consider that these documents are sufficient and there is no need for a national action plan on combating THB, taking into consideration the limited human resources of the national administration.

19. GRETA notes that, to be effective, national action against human trafficking must be comprehensive and multi-sectoral, taking on board the required multidisciplinary expertise. While there is no provision in the Convention specifically on the adoption of national action plans, the purposes of the Convention (Article 1), which include designing a comprehensive framework for the protection and assistance of victims and witnesses, the requirement to develop effective policies and programmes to prevent THB (Article 5 of the Convention), and the requirement of co-ordinated action (Article 29(2) of the Convention), can only be met if State Parties adopt comprehensive policies, in the form of a strategy, action plan or some other policy document against trafficking in human beings, covering prevention, protection of victims, prosecution of traffickers, and partnerships.

20. **GRETA considers that the Liechtenstein authorities should take further steps to ensure that national action to combat THB is comprehensive, including by:**

- **adopting a comprehensive national action plan or other policy document against THB which addresses all aspects of the fight against trafficking in human beings;**
- **promoting the involvement of civil society organisations in action against THB, including in the work of the Roundtable on Trafficking in Human Beings when appropriate.**

IV. Access to justice and effective remedies for victims of human trafficking

1. Introduction

21. Victims of human trafficking, by virtue of their status as victims of crime and victims of human rights violations, have the right to access to justice and effective remedies for any harm committed against them. These rights must be guaranteed, in a gender and age-sensitive manner, to all victims of trafficking subject to the jurisdiction of parties to the Convention, irrespective of their immigration status or presence on the national territory, and notwithstanding their capacity or willingness to co-operate in any criminal investigation.

22. The right to effective remedies is a reflection of the human rights-based approach underpinning the Convention. Regardless of whether a State is implicated in the trafficking or directly responsible for the harm, the positive obligations arising from international human rights law require States to facilitate and guarantee effective access to remedies if they have failed to take reasonable steps to prevent human trafficking, protect potential or actual victims of THB, and effectively investigate trafficking offences.⁹

⁸ See GRETA first report on Liechtenstein, paragraphs 18 and 94.

⁹ *Rantsev v. Cyprus and Russia*, application No. 25965/04, judgment of 7 January 2010; *L.E. v. Greece*, application No. 71545/12, judgment of 21 January 2016; *Chowdury and Others v. Greece*, application No. 21884/15, judgment 30 March 2017; *S.M. v. Croatia*, application No. 60561/14, Grand Chamber judgment 25 June 2020.

23. According to the Basic Principles on the Right to an Effective Remedy for Victims of Trafficking in Persons,¹⁰ the right to an effective remedy is considered to include restitution,¹¹ compensation,¹² rehabilitation,¹³ satisfaction¹⁴ and guarantees of non-repetition.¹⁵ All victims of trafficking require access to appropriate and effective remedies, starting with access to justice. The provision of effective remedies serves multiple purposes. The remedy of compensation, for instance, for any injury, loss or harm sustained, can provide critical support in victims' recovery and empowerment, help their social inclusion and prevent re-victimisation. The remedy of rehabilitation can similarly help in the victims' recovery, as well as social inclusion. Of relevance in this respect is also the 1985 United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power¹⁶ and the Council of Europe Committee of Ministers Recommendation CM/Rec(2023)2 on rights, services and support for victims of crime,¹⁷ which outline the main steps to be taken to improve access to justice, and fair treatment, restitution, compensation and social assistance for victims of crime.

24. The Convention provides specifically for the substantive right of victims of trafficking to compensation and legal redress, as well as for a number of procedural rights necessary to ensure access to these entitlements. These include the rights to be identified as a victim of trafficking, to be granted a recovery and reflection period, as well as a residence permit (to enable a victim to remain in the country and seek access to remedies), and to receive counselling, information, legal assistance and free legal aid. Another important procedural right is provided by the non-punishment provision of the Convention (Article 26), according to which victims of human trafficking must not be subjected to penalties for their involvement in unlawful activities that they have been compelled to commit. Further, the Convention requires State Parties to enable the seizure and confiscation of the assets of traffickers, which could be used to fund State compensation schemes for victims.

¹⁰ UN General Assembly, Basic principles on the right to an effective remedy for victims of trafficking in persons, Annex to the Report by the Special Rapporteur on trafficking in persons, especially women and children, 28 July 2014, A/69/33797.

¹¹ Restitution includes restoration of liberty, including release of the victim from detention; enjoyment of human rights and family life, including reunification and contact with family members; safe and voluntary repatriation; temporary or permanent residence status, refugee status, complementary/subsidiary protection or third-country resettlement; recognition of the victim's legal identity and citizenship; restoration of the victim's employment; assistance and support to facilitate social integration or reintegration; return of property, such as identity and travel documents and other personal belongings.

¹² Compensation may cover damages for physical or mental harm; damages for lost opportunities, including employment, education and social benefits; reimbursement of costs of necessary transportation, child care or temporary housing; material damages and loss of earnings; moral or non-material damages; reimbursement of legal fees and other costs relating to the participation of the victim in the criminal justice process; reimbursement of costs incurred for legal, medical or other assistance.

¹³ Rehabilitation includes medical and psychological care, legal and social services, shelter, counselling and linguistic support, independently of the capacity or willingness of the victims to co-operate in legal proceedings.

¹⁴ Satisfaction includes effective measures aimed at the cessation of continuing violations; verification of the facts and full and public disclosure of the truth to the extent that such disclosure does not cause further harm or threaten the safety, privacy and other interests of the victims of their families; an official declaration or a judicial decision restoring the dignity, reputation and rights of the victim; public apologies; judicial and administrative sanction against the perpetrators.

¹⁵ Guarantees of non-repetition include ensuring the effective investigation, prosecution and sanctioning of traffickers; all measures necessary to protect victims from re-trafficking; providing or strengthening training of relevant officials; strengthening the independence of the judiciary; modifying practices that cause, sustain or promote tolerance to trafficking, including gender-based discrimination and situations of conflict and post-conflict; effectively addressing the root causes of trafficking; promoting codes of conduct and ethical norms for public and private actors; protecting legal, medical and other professionals and human rights defenders who assist victims.

¹⁶ United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, Adopted by General Assembly resolution 40/34 of 29 November 1985, available at: https://www.unicef-irc.org/portfolios/documents/472_un-declaration-crime.htm

¹⁷ Council of Europe Committee of Ministers Recommendation CM/Rec(2023)2 on rights, services and support for victims of crime, available at: https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=0900001680aa8263

25. Children need special support to access remedies, the best interests of the child being the primary consideration in all actions concerning trafficked children.¹⁸ The appointment of legal guardians to represent unaccompanied or separated children plays a vital role in enabling child victims of trafficking to access justice and remedies. Further, facilitating family reunification can be an important element of restitution.¹⁹

26. Civil society, including NGOs, trade unions, diaspora organisations and employer organisations, plays a vital role in enabling victims of THB to claim compensation and other remedies.²⁰ In this context, reference should be made to the international projects COMP.ACT - European Action on Compensation for Trafficked Persons²¹ and Justice at Last - European Action for Compensation of Victims of Crime,²² which aim to enhance access to compensation for trafficked persons.

27. The private sector should also play a role in enabling access to, as well as providing, remedies to trafficked persons, in accordance with the UN 'Protect, Respect and Remedy' Framework and the United Nations Guiding Principles on Business and Human Rights.²³ The role of businesses includes steps to ensure that their supply chains are free of trafficked labour, as well as the adoption and implementation of measures to facilitate victims' access to remedies for any harm that occurs. Further, businesses have the potential to help trafficked persons regain economic autonomy.²⁴ States should therefore ensure that business enterprises implicated in human trafficking are held responsible and take steps to reduce barriers that could lead to a denial of access to remedies.

28. Because human trafficking is often a transnational crime, effective international co-operation is essential for fulfilling the obligations with regard to the right to justice and effective remedies. This includes co-operation in tracing and seizing criminal assets, and in returning confiscated proceeds for the purpose of compensation.

2. Right to information (Articles 12 and 15)

29. Victims who are no longer under their traffickers' control generally find themselves in a position of great insecurity and vulnerability. Two common features of victims' situation are helplessness and submissiveness to the traffickers, due to fear and lack of information about how to address their situation. Article 12, paragraph 1, sub-paragraph d, of the Convention provides that victims are to be given counselling and information, in particular as regards their legal rights and the services available to them, in a language that they understand. Further, pursuant to Article 15, paragraph 1, of the Convention, Parties must ensure that victims have access, as from their first contact with the competent authorities, to information on relevant judicial and administrative proceedings, in a language they can understand.

30. The information that victims of trafficking must be provided with deals with essential matters, including availability of protection and assistance arrangements, the various options open to the victim, the risks they run, the requirements for legalising their presence in the Party's territory, the various possible forms of legal redress, and how the criminal-law system operates (including the consequences of an investigation or trial, the length of a trial, witnesses' duties, the possibilities of obtaining compensation from persons found guilty of offences or from other persons or entities, and the chances of a judgment being fully and effectively enforced). The information and counselling should enable victims to evaluate their situation and make an informed choice from the various possibilities open to them.²⁵

¹⁸ Article 3(1) of the UN Convention on the Rights of the Child.

¹⁹ UNODC, ICAT Issue Paper, Providing Effective Remedies for Victims of Trafficking in Persons, 2016, pages 7 & 8, available at: http://icat.network/sites/default/files/publications/documents/Ebook%20ENG_0.pdf

²⁰ OSCE Compensation for Trafficked and Exploited Persons in the OSCE Region, 2008, pages 48 to 53.

²¹ <http://www.compactproject.org/>

²² <http://lastradainternational.org/about-lsi/projects/justice-at-last>

²³ United Nations Guiding Principles on Business and Human Rights, implementing the UN 'Protect, Respect and Remedy' Framework, Doc. A/HRC/17/31 (2011).

²⁴ UNODC, ICAT Issue Paper, Providing Effective Remedies for Victims of Trafficking in Persons, 2016, pages 8 & 9.

²⁵ See Explanatory Report on the Convention, paragraphs 160 to 162.

31. Many victims do not speak, or barely speak, the language of the country they have been brought to for exploitation. Ignorance of the language adds to their isolation and is one of the factors preventing them from claiming their rights. The provision of translation and interpretation, where needed, is an essential measure for guaranteeing access to rights, which is a prerequisite for access to justice. GRETA has stressed the need for ensuring the availability, quality and independence of interpreters.²⁶

32. In Liechtenstein, the rights of victims of crime, including THB, are set out in sections 31a and 31b of the Criminal Procedure Code (CPC) and the Victim Assistance Act (OHG). All authorities involved in criminal proceedings are obliged to inform victims about their rights. Victims of crime have the right to have a legal representative, to be informed about the subject matter of the proceedings and their rights before they are interviewed, to receive access to the case file, to be informed about the status of the criminal case,²⁷ to have access to interpretation and translation services, to take part in investigation and trial proceedings, including the adversarial interrogation of witnesses and accused, to obtain compensation and to receive assistance from the Victim Assistance Office. Section 8 of the OHG states that the National Police, the Office of the Public Prosecutor and the courts must inform victims about the Victim Assistance Office, the procedure for requesting assistance and the deadline for submitting a compensation claim. Unless victims object to it, their names and contact details are transmitted to the Victim Assistance Office. Victims must be informed about the conditions for receiving assistance from the Victim Assistance Office at the latest before their first interview with the National Police (section 31b(2) of the CPC).

33. General information for victims of crime on their rights is available on a government website, in two languages (German and English), but it does not include specific information for victims of THB.²⁸ According to the authorities, all victims of crime are provided with an information sheet from the Victim Assistance Office, and a flyer of the Swiss Platform against Human Trafficking, which contains 18 languages, is available at the Victim Assistance Office and on its website.²⁹

34. GRETA notes that the above-mentioned website and brochures do not explain trafficking victims' rights in an accessible language and the information provided to victims of THB does not explain specific rights, such as the recovery and reflection period.

35. Pursuant to section 31a(1.5) of the CPC, read in conjunction with section 23a of the CPC, translation and interpretation for trafficking victims who do not speak German is organised free of charge by the National Police, the Victim Assistance Office or the courts. Interpretation into sign language is available if required. Interpretation is provided by telephone or by an interpreter who is physically present. Outside of criminal proceedings foreign victims of THB rely on a person who can communicate with them in a mutually understandable language (usually English). The authorities indicated in their comments on GRETA's draft report that interpreters working with the Swiss NGO FIZ, which collaborates with the Victim Assistance Office on an ad hoc basis for support services (see paragraph 45), have been trained and sensitised to the issue of THB. If, for any reason, it is not possible to find interpreters through FIZ, the authorities will use an internal list of interpreters who have experience with official interpretation.

36. GRETA considers that the Liechtenstein authorities should take additional measures to ensure that all presumed victims of trafficking are proactively informed of their rights, including the right to a recovery and reflection period, the available support services and how to access them, and the consequences of being recognised as victims of trafficking. The information should take into account the victims' age, maturity, intellectual and emotional capacity, literacy and any mental, physical, or other disabilities which may affect their ability to understand the information provided.

²⁶ See 8th General Report on GRETA's activities, paragraphs 168 and 169.

²⁷ Pursuant to sections 32(4) and 173 of the CPC the victim also has the right to file a subsidiary application against the prosecutor's dismissal of the criminal case.

²⁸ <https://www.llv.li/de/privatpersonen/notfall-und-katastrophenfall/unterstuetzung-fuer-betroffenen-von-straftaten>

²⁹ <https://plattform-menschenhandel.ch/publikationen/>

3. Legal assistance and free legal aid (Article 15)

37. Article 15(2) of the Convention obliges Parties to provide in their internal law for the right of victims of trafficking to legal assistance and free legal aid. As court and administrative procedure is often very complex, legal assistance is necessary for victims to be able to claim their rights. It is for each Party to decide the requirements for obtaining such free legal aid. Parties must have regard not only to Article 15(2) of the Convention, but also to Article 6 of the ECHR. Even though Article 6(3)(c) of the ECHR provides for free assistance from an officially appointed lawyer only in criminal proceedings, European Court of Human Rights case-law³⁰ also recognises, in certain circumstances, the right to free legal assistance in a civil matter on the basis of Article 6(1) of the ECHR. Thus, even in the absence of legislation granting free legal assistance in a civil matter, it is for the courts to assess whether, in the interest of justice, an applicant who is without financial means should be granted legal assistance if unable to afford a lawyer.

38. GRETA's reports highlight the value of a lawyer being appointed as soon as there are reasonable grounds for believing that a person is a victim of trafficking, before the person makes an official statement and/or decides whether to co-operate with the authorities. Early access to legal assistance is also important to enable victims to take civil actions for compensation and redress.³¹

39. In Liechtenstein, victims of crime, including THB, have the right to be assisted by a legal representative in criminal proceedings (section 31a(1.1) of the CPC). A lawyer, the Victim Assistance Office, a specialised NGO or another suitable person can be authorised to act as a legal representative (section 34(1) of the CPC). The Victim Assistance Office pays for victims' legal representation (section 25(1) of the OHG).

40. In civil and administrative proceedings, the Victim Assistance Office can request a staff member of the Office of Justice to provide legal advice to victims and, if necessary, a lawyer can be contacted at the expense of the Victims Assistance Office. The Victims Assistance Office covers the cost of up to four hours of initial legal counselling. Furthermore, pursuant to sections 63 to 73 of the Civil Procedure Code (ZPO) victims who are destitute can apply for free legal aid during civil and administrative court proceedings. The application for free legal aid along with the supporting documents is to be submitted to the court hearing the case. If the financial situation of the victim improves within 10 years after the court has granted free legal aid, the victim might be required to repay the free legal aid (section 71(1) ZPO). In addition, the trade union LANV can cover the fees of a lawyer for workers claiming unpaid wages before a civil court.

41. There is no information available with regard to the practical application of the above rules because none of the presumed victims of THB have contacted the Victim Assistance Office.

42. The Liechtenstein Bar Association (*Rechtsanwaltskammer*) organises periodic training for lawyers, but there has never been a specific training on THB. GRETA points out that an online course on combating THB is available through the Council of Europe's European Programme for Human Rights Education for Legal Professionals (HELP).³²

43. **GRETA considers that the Liechtenstein authorities should make additional efforts to guarantee access to justice for victims of trafficking, in particular by:**

³⁰ *Airey v. Ireland*, application No. 6289/73, judgment, 9 October 1979.

³¹ See 8th General report on GRETA's activities, paragraph 167.

³² <https://www.coe.int/en/web/anti-human-trafficking/help-online-training-course>

- **ensuring that legal assistance is provided as soon as there are reasonable grounds for believing that a person is a victim of human trafficking, before the person concerned has to decide whether or not he/she wants to co-operate with the authorities and/or make an official statement;**
- **making sure that access to free legal aid for victims of THB in civil and administrative proceedings does not depend on proof of lack of financial means to pay for a lawyer;**
- **sensitising the Liechtenstein Bar Association to the need to encourage training and specialisation of lawyers, with a view to providing legal assistance to victims of trafficking. In this regard, the online course on combating THB offered through the Council of Europe HELP programme could serve as a valuable resource.³³**

4. Psychological assistance (Article 12)

44. Human trafficking and exploitation may have serious psychological and physical consequences for the victims, including mental health problems and loss of self-esteem. Psychological assistance is needed to help victims of trafficking overcome the trauma they have been through, and to achieve a sustained recovery and social inclusion. Some victims require long-term therapeutic intervention due to the violence they have suffered. Every victim of trafficking should have a clinical assessment tailored to include an evaluation of their particular readiness for therapy, conducted by an experienced clinician.³⁴ In the case of trafficked children, specialist child psychologists should be employed.

45. The Guidelines against THB (see paragraph 126) state that victims of THB are to be given counselling and care. The Victim Assistance Office co-operates on a case-by-case basis with the NGO FIZ in Switzerland to provide assistance services, including psychological assistance, to victims of THB.³⁵ The costs of services provided by FIZ are covered from the Victim Assistance Office's budget.

46. As none of the presumed victims of THB have contacted the Victim Assistance Office, there are no examples of the provision of psychological assistance to such victims in Liechtenstein.

47. GRETA considers that the Liechtenstein authorities should ensure that presumed and formally identified victims of THB are provided with adequate psychological assistance for as long as their individual situation requires, in order to help them overcome the trauma they have been through, and to achieve a sustained recovery and social inclusion.

5. Access to work, vocational training and education (Article 12)

48. Article 12, paragraph 4, of the Convention requires State Parties to enable victims of trafficking who are lawfully present in the country to have access to the labour market, vocational training and education. An important element of the recovery and successful social inclusion of trafficked persons is their economic empowerment, which can be achieved through job placement, micro-businesses and social enterprises.³⁶ GRETA has stressed the need to develop public-private partnerships with a view to creating appropriate work opportunities for victims of trafficking.³⁷

³³ <https://www.coe.int/en/web/anti-human-trafficking/help-online-training-course>

³⁴ OSCE, *Trafficking in Human Beings Amounting to Torture and Other Forms of Ill-Treatment* (2013), Vienna, page 115.

³⁵ GRETA's first report on Liechtenstein, paragraph 106.

³⁶ Rebecca Surtees, NEXUS Institute, *Re/integration of trafficked persons: supporting economic empowerment*, Issue paper No. 4, King Baudouin Foundation (2012).

³⁷ See 8th General report on GRETA's activities, paragraph 183.

49. There is no information available about access to work, vocational training or education for victims of THB because none of the presumed victims of THB have contacted the Victim Assistance Office. In their comments on GRETA's draft report, the authorities outlined the conditions under which an identified foreign victim of THB would be given access to work in Liechtenstein based on the Foreign Nationals Act. Article 21 allows derogations to the permit requirements in order to take into account serious cases of personal hardship or of important public interests. Further details are provided in the Ordinance on Admission and Residence of Foreign Nationals (ZAV). For serious personal hardship cases (Article 15 of the ZAV), individuals who may have received a short-term residence permit or a residence permit, under certain conditions are generally permitted to work. In cases of important public interest, such as victims or witnesses of crimes (Article 16 of the ZAV), individuals who may be granted a short-term residence permit or residence permit, are generally not allowed to work due to their short stay in Liechtenstein.

50. GRETA notes that victims of THB in general often face barriers in obtaining access to the labour market, due to factors such as the trauma of having been exploited, low level of education or lack of professional skills, and, on the part of prospective employers, prejudice and social stigmatisation.

51. **GRETA considers that the Liechtenstein authorities should adopt such legislative or other measures as may be necessary to ensure effective access to the labour market, vocational training and education for all victims of THB, in line with Article 12(4) of the Convention.**

6. Compensation (Article 15)

52. Article 15(3) of the Convention establishes a right of victims to compensation. The compensation is pecuniary and covers both material injury (such as the cost of medical treatment) and non-material damage (the suffering experienced). However, even though it is the trafficker who is liable to compensate the victim, in practice there is rarely full compensation whether because the trafficker has not been found, has disappeared or has declared him/herself bankrupt. Article 15(4) therefore requires that Parties take steps to guarantee compensation of victims. The means of guaranteeing compensation are left to the Parties, which are responsible for establishing the legal basis of compensation, the administrative framework and the operational arrangements for compensation schemes. In this connection, Article 15(4) suggests setting up a compensation fund or introducing measures or programmes for social assistance to, and social integration of, victims that could be funded by assets of criminal origin. Of relevance in this respect is the European Convention on the Compensation of Victims of Violent Crimes, pursuant to which, when compensation is not fully available from other sources, the State shall contribute to compensate those who have sustained serious bodily injury or impairment of health directly attributable to an intentional crime of violence, as well as the dependents of persons who have died as a result of such crime, even if the offender cannot be prosecuted or punished.

53. Compensation fulfils multiple purposes: payment of reparation for injury, loss or harm caused by the offender, access to justice, empowerment of victims, as well as being seen as a form of punishment and deterrence of traffickers. As such, compensation plays a crucial role in the fight against human trafficking, not only as an instrument of restorative justice, but also by way of prevention and recognition by States of their failure to meet their human rights obligations.

54. Victims often leave the country where they were exploited at the end of the criminal proceedings. This creates obstacles to making civil claims for compensation, which in addition are associated with a number of other barriers, such as high costs, unavailability of free legal aid and victim-support services, as well as the claimant bearing the burden of proof of the amount of the damage. State parties should therefore consider adopting a procedure through which victims are entitled to obtain a decision on compensation by the offender as part of the criminal trial, within a reasonable time.

55. In Liechtenstein, victims of THB may seek compensation from the perpetrator as part of criminal proceedings (sections 32 and 32a of the CPC) or in a separate civil procedure. Section 258(2) of the CPC stipulates that if the accused is convicted, the court should decide on the victims' claim for compensation unless it considers that the compensation cannot be accurately estimated without delaying the criminal proceedings. Victims of labour exploitation can claim compensation for unpaid wages before a civil court pursuant to section 1173a, article 71 of the General Civil Code (ABGB). As already mentioned in paragraph 32, officials must inform trafficking victims of their right to compensation and the requirements for claiming compensation. Victims do not need to be present in Liechtenstein in order to claim compensation (section 34 of the CPC).

56. Compensation covers material and moral damages. Material damages can include loss of wages in cases of labour exploitation. In accordance with section 1173a, article 2 of the ABGB, an employer is required to pay remuneration even when there was no valid labour contract, for example because the employee was not authorised to work in Liechtenstein. Moral damages (pain and suffering) are calculated in accordance with the principles of tort law: 200, 400 or 600 Swiss francs (CHF) per day for respectively light, medium or heavy pain and suffering. The authorities indicated in their comments on GRETA's draft report that Liechtenstein follows the guidelines of the Swiss Federal Office of Justice as a basis for the assessment of non-material damages.

57. Victims of THB may also apply for state compensation for a crime committed on the territory of Liechtenstein under sections 18 to 24 of the OHG. State compensation covers material and moral damages (section 3 of the OHG). The maximum amount of moral damages is 70 000 CHF (section 21(2) of the OHG). Compensation for moral damages may be reduced if the victim is domiciled abroad and the amount of compensation would be disproportionate due to the cost of living at the place of domicile (section 22(3) of the OHG). Access to state compensation does not depend on the outcome of the criminal proceedings. Victims or their relatives must file a claim for state compensation within five years of the crime being committed, and in case of children, within five years of the moment they turn 18. Victims do not need to be present in the country to apply for state compensation. Decisions about state compensation are taken by the Government and paid out of the budget of the Victim Assistance Office.

58. No compensation of any kind has been awarded to victims of THB in Liechtenstein as there have been neither formally identified victims nor perpetrators convicted.

59. According to the authorities, the issue of compensation of victims is covered by the ongoing training for different officials (see paragraph 89). However, GRETA notes that the compensation of victims of THB was not part of the agenda of the training that took place in May 2023 (see paragraph 122).

60. **GRETA considers that the Liechtenstein authorities should take steps to guarantee effective access to compensation for victims of THB, in line with Article 15(4) of the Convention, in particular by:**

- **ensuring that all victims of trafficking are systematically informed, at an early stage, in a language that they can understand, of the right to seek compensation from the perpetrator or the State, and the procedures to be followed;**
- **ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim, is part of the criminal investigations with a view to supporting compensation claims in court;**
- **including victim compensation in the training programmes for police officers, prosecutors, judges and other relevant stakeholders.**

7. Investigations, prosecutions, sanctions and measures (Articles 22, 23 and 27)

61. One of the purposes of the Convention is to ensure the effective investigation and prosecution of THB. Article 27(1) of the Convention establishes that the investigation or prosecution of THB offences must not depend on victims' reports. The aim is to avoid traffickers' subjecting victims to pressure and threats in attempts to deter them from complaining to the authorities. Pursuant to Article 27(2), if the competent authority with which the complaint has been lodged decides that it does not itself have jurisdiction in the matter, then it must forward the complaint without delay to the competent authority of the Party in whose territory the offence was committed. Further, under Article 27(3), each Party shall ensure to non-governmental organisations and other associations which aim at fighting trafficking in human beings or protection of human rights, the possibility to assist and/or support the victim with his or her consent during criminal proceedings concerning the offence of trafficking in human beings.

62. Article 23 requires Parties to match their action to the seriousness of the offences and lay down criminal penalties which are “effective, proportionate and dissuasive”. Further, paragraph 3 of Article 23 places a general obligation on Parties to adopt appropriate legal instruments enabling them to confiscate or otherwise deprive offenders (e.g. by so-called “civil” confiscation) of the instrumentalities and proceeds of human trafficking criminal offences. As trafficking in human beings is nearly always engaged in for financial profit, measures depriving offenders of assets linked to or resulting from the offence are an effective anti-crime weapon. The confiscation of criminal assets is crucial for reinforcing the effect of the penalty, as well as ensuring the payment of compensation to the victim. It requires as a prerequisite to detect, identify and seize the illegal assets at the time of the criminal investigations and to have adequate procedures to do so. The identified, seized and confiscated illegal profits of trafficking should be used to compensate victims of trafficking, directly or through a victim compensation fund.

63. Further, Article 22 of the Convention requires Parties to ensure that legal persons can be held liable for human trafficking offences committed for their benefit by any natural person, acting either individually or as part of an organ of the legal person who has a leading position within the legal person. Liability under this article may be criminal, civil or administrative.

64. In Liechtenstein, THB is criminalised in section 104a of the CC, which was amended in 2019 to add forced begging and forced criminality to the purposes of exploitation and increase the maximum penalties for THB. The penalty envisaged for the basic offence of trafficking in human beings is imprisonment for a term of between six months and five years, increased to 10 years’ imprisonment if the victim is below 18 or in the presence of other aggravating circumstances (use of force; use of severe threats; the crime being committed in the context of a criminal association; endangering the life or causing serious harm to the victim).

65. Reference should also be made to sections 104 (“slave trade”) and 217 (“trans-border prostitution trade”)³⁸ of the CC which are relevant to THB. The Liechtenstein authorities indicated that slavery, practices similar to slavery and servitude are punishable under section 104 of the CC with imprisonment of 10 to 20 years, whereas less severe forms of labour exploitation would fall within the scope of section 104(a) of the CC. GRETA notes that there is a certain overlap between the elements of the offences in sections 104a and 217 of the CC. The Liechtenstein authorities have noted that sections 104, 104a and 217 of the Liechtenstein CC are identical to those in the Austrian CC, which enables the use of Austrian case law and literature for purposes of interpretation.³⁹ According to Austrian case law and interpretation, if the elements of both provisions are fulfilled, section 217(1) applies besides section 104a(1), section 217(2) applies instead of section 104a(1), and section 104a(4) applies besides section 217.

66. Plea bargaining does not exist in the Liechtenstein legal system.

67. Under Liechtenstein law, legal entities can be held criminally liable for the offence of THB in accordance with section 74a of the CC.⁴⁰

³⁸ “1) Any person who, even if the person concerned already engages in prostitution, arranges or recruits another person to engage in prostitution in a state other than such other person’s state of citizenship or habitual abode shall be punished with imprisonment of six months to five years, but if such person commits the act on a commercial basis, the punishment shall be imprisonment of one to ten years; 2) Any person who, with the intent to have another person (paragraph 1) engage in prostitution in a state other than such other person’s state of citizenship or habitual abode, induces such other person through deception regarding this plan or coerces such other person by force or a dangerous threat to go to another state, or, by force or by taking advantage of such other person’s mistake with regard to this plan, transports such other person to another state, shall be punished with imprisonment of one to ten years.”

³⁹ In 2019 section 104a of the Liechtenstein CC was amended after Austria had amended the same section of its CC in 2013.

⁴⁰ See GRETA’s first report on Liechtenstein, paragraph 150.

68. According to information provided by the Liechtenstein authorities, in the period 2018-2023, three investigations for THB (one in 2018, one in 2019 and one in 2021) were initiated by the National Police under section 104a of the CC, but none resulted in prosecutions.⁴¹ In the first case, following a tip-off, the police investigated a massage parlour employing four women from Thailand. The police used secret surveillance to monitor the massage parlour, but the suspicion of labour exploitation was not substantiated, and the Office of the Public Prosecutor charged the owner of the massage parlour with social security fraud and violations of the Aliens Act. In the second case, following a traffic accident involving a food delivery man originating from North Macedonia, the police investigated if the person who illegally employed him was involved in THB. The food delivery man left Liechtenstein before he could be interviewed. The investigation into THB was terminated for lack of evidence and the employer was fined for violations of the Aliens Act. In the third case, pursuant to an assistance request from the Office of the Public Prosecutor in Winterthur (Switzerland) the police initiated a criminal investigation into THB for sexual exploitation of four women from Brazil. The women returned to Brazil before they could be interviewed. The criminal investigation is currently pending while the investigative authorities in Liechtenstein have asked their counterparts in Brazil to trace the victims.

69. As regards other offences which could be related to THB, in the period 2018-2023 there was no investigation under section 104 of the CC ("slave trade"), two investigations under section 217 of the CC ("trans-border prostitution trade") and one investigation under section 210 of the CC ("offering for prostitution"). The national authorities provided the following details on these cases. In 2020, the state police reported a case on suspicion of offering prostitution under section 210 of the CC, among other offences. The facts of the case were examined by the public prosecutor's office and no sufficient suspicion was found to justify further investigations into this offence. The person was charged with theft, suppression of documents and coercion and was partially convicted. Also in 2020, the state police reported another individual on suspicion of cross-border trafficking in prostitution under section 217 of the CC. Here too, no sufficient suspicion was found to warrant further investigation into this offence. The proceedings were ultimately entirely discontinued for reasons of evidence, including the offences of forgery of documents, suppression of documents and violation of the Foreign Nationals Act. In 2023, the state police filed a complaint with the public prosecutor's office against unknown persons on suspicion of cross-border trafficking in prostitution under section 217 of the CC, trafficking in human beings under section 104a of the CC, and violation of the Foreign Nationals Act, among other offenses. Two suspects have since been identified and the investigation is ongoing.

70. According to the Liechtenstein authorities, financial investigations are a key aspect of criminal investigations into trafficking cases. The legal framework for the forfeiture of assets, including forfeiture and extended forfeiture of the proceeds of crime, as well as substituted forfeiture of the value of the proceeds of crime, is stipulated in sections 20 to 20c of the CC. Assets subject to forfeiture upon conviction can be temporarily seized at the investigation stage (section 97a of the CPC). Forfeited assets are transferred to the state treasury and a victim who has been awarded compensation by the courts has the right to get compensated from these assets (section 264b of the CPC).

71. The Financial Intelligence Unit (FIU) is responsible for receiving and analysing suspicious transaction reports that might be related to money laundering or organised crime and terrorist financing. The FIU can block transactions for two days. During the visit, GRETA was informed that the FIU was reviewing Liechtenstein's National Risk Assessment report, as well as the indicators used for automated monitoring of financial transactions to make them THB sensitive. The money laundering risk arising from human trafficking in Liechtenstein will be analysed in Liechtenstein as part of the "National Risk Assessment III" (NRA). To increase the number of suspicious activity reports in relation to suspected human trafficking, the FIU plans to draw up a specific document on this topic in 2025 and share it with relevant institutions. The aim is to show how suspicious financial flows in connection with human trafficking can be better detected by the persons subject to due diligence. **GRETA would like to be kept informed on the development of this document.**

⁴¹ Compared to four in the period 2012-2017 (three for sexual exploitation and one for forced begging), see GRETA's first report on Liechtenstein, paragraph 159.

72. GRETA notes that, although the CPC allows the use of special investigation techniques in THB cases,⁴² in practice the main evidence remains the testimony of the victims. It appears that the above-mentioned THB investigations stalled because the victims could not be interviewed.

73. **GRETA considers that the Liechtenstein authorities should take additional measures to strengthen the criminal justice response to THB, including by:**

- **ensuring that all human trafficking offences are proactively investigated, regardless of whether a report has been filed or not, making use of all possible evidence gathered through special investigation techniques and financial investigations, and not having to rely mainly on the testimony of victims or witnesses;**
- **further strengthening the investigation and prosecution of THB for the purpose of labour exploitation (see also paragraph 123);**
- **ensuring that property used to commit THB, or which can reasonably be considered to constitute proceeds of this crime, is seized to the greatest extent possible.**

8. Non-punishment provision (Article 26)

74. Pursuant to Article 26 of the Convention, Parties must provide for the possibility of not imposing penalties upon victims of THB for their involvement in unlawful activities, to the extent that they have been compelled to do so. As previously stressed by GRETA, the criminalisation of victims of THB not only contravenes the state's obligation to provide services and assistance to victims, but also discourages victims from coming forward and co-operating with law enforcement agencies, thereby also interfering with the state's obligation to investigate and prosecute those responsible for THB.⁴³ Furthermore, GRETA has noted that the absence of a specific provision on the non-punishment of victims of trafficking entails a risk of differential treatment, depending on the prosecutor in charge of the case.

75. There have been no legal developments in Liechtenstein with regard to the non-punishment provision. The authorities consider that section 10(1) of the CC on an exculpating state of necessity provides the legal basis for implementing the non-punishment principle to victims of human trafficking. Moreover, they have referred to section 42 of the CC ("low punishability"), and section 22a(1) of the CPC ("withdrawal from prosecution"), as relevant for the application of the non-punishment provision of the Convention. In their comments on the draft report, the authorities argued that discontinuing legal proceedings, for any reason, effectively amounts to the non-punishment of the victim. They also cited additional legal provisions *they* believe are relevant: section 4 of the CC ("no punishment without guilt"), section 5 of the Juvenile Justice Act ("no punishment until the age of 14"), and Article 83a of the Foreign Nationals Act ("foreigners who leave the country immediately"). Additionally, the authorities cited the Report and Motion No. 2018/90,⁴⁴ stating that it provides guidance on how to interpret and apply the law in relation to the amendment of section 104a of the CC ("trafficking in human beings"), including options for discontinuing proceedings against victims of trafficking for related offenses. They emphasise that these measures have been regularly applied in practice.

⁴² GRETA's first report on Liechtenstein, paragraph 162.

⁴³ See 2nd General Report on GRETA's activities, paragraph 58.

⁴⁴ <https://bua.regierung.li/BuA/default.aspx?nr=90&year=2018&backurl=modus%3dnr%26filter1%3d2018>

76. In GRETA's view, the possibility to apply the general criminal law provision on state of necessity cannot be considered as an appropriate response because it is narrower than the non-punishment principle enshrined in the Convention. In practice, prosecutors leave it to the courts to determine whether the conditions of necessity are met, thus exposing victims to prosecution and pre-trial detention, and shifting the burden of proof to the victim. Protection from prosecution and detention would also not be ensured by relying on the principle that one cannot be punished for something they are not guilty of (section 4 of the CC). Furthermore, GRETA notes that section 42 of the CC only applies to petty offences and section 22(a)1 of the CPC does not allow for a closing of criminal proceedings but requires actions such as monetary payment, community service, a probationary period, or out-of-court compensation by the person who is charged. Section 5 of the Juvenile Act pertains exclusively to children under the age of criminal responsibility and section 83a of the Foreign Nationals Act applies only to foreign nationals under certain conditions. To ensure compliance with Article 26 of the Convention, more specific and targeted guidance for law enforcement and prosecutors is needed than the Report and Motion No. 2018/90. GRETA considers that the aforementioned provisions and guidance document cannot be regarded as ensuring that victims of THB would not be punished or undergo coercive investigative measures for unlawful acts they were compelled to commit.

77. The Liechtenstein authorities have not provided any examples of the application of the non-punishment principle to victims of THB.

78. GRETA recalls that the fear of reprisals for activities carried out under compulsion can be a persisting factor which deters victims of THB from contacting the authorities and/or support organisations, and co-operating during the investigation. The non-punishment principle is an essential cornerstone in the fight against THB, preventing re-victimisation and ensuring that victims can access services.⁴⁵

79. **GRETA once again urges the Liechtenstein authorities to adopt a specific legal provision and/or to develop guidance and training for law enforcement officials and prosecutors on the aims and scope of the non-punishment provision, in order to ensure compliance with Article 26 of the Convention.** Reference is made to the recommendations on non-punishment with regard to victims of trafficking, issued by the OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, in consultation with the Alliance against Trafficking in Persons Expert Co-ordination Team,⁴⁶ and to the study on the Non-Punishment of Victims/Survivors of Human Trafficking in Practice, which uses the UK as a case study to provide guidance to states on meeting their obligations under Article 26 of the Convention.⁴⁷

9. Protection of victims and witnesses (Articles 28 and 30)

80. Under Article 28 of the Convention, Parties must take the necessary measures to provide effective and appropriate protection from potential retaliation or intimidation to victims and witnesses of human trafficking, as well as to members of civil society organisations supporting victims during criminal proceedings and, where appropriate, to victims' family members. Intimidation of victims and witnesses is nearly always aimed at suppressing evidence against defendants. Effective protection can be of various types (physical protection, relocation, identity change...) and depends on the assessment of the risks that victims and witnesses run. In addition, Article 28(3) provides that a child victim shall be afforded special protection measures, taking into account the best interests of the child. Regarding the period during which the protection measures are to be provided, the Convention aims in a non-exhaustive manner at the period of investigation and of the proceedings or the period following them. The period in which protection measures have to be provided depends on the threats to the persons concerned. Moreover, because trafficking in human beings is often international and some countries are small, Article 28(5) encourages Parties to enter into agreements or arrangements with other countries so as to implement Article 28.

⁴⁵ With regard to the non-punishment provision, see European Court of Human Rights, *V.C.L. and A.N. v. the United Kingdom*, application No. 77587/12 and 74603/12, judgment of 5 July 2021.

⁴⁶ <https://www.osce.org/files/f/documents/6/6/101002.pdf>

⁴⁷ <https://rm.coe.int/non-punishment-of-victims-survivors-of-human-trafficking-in-practice-a/1680ac86f4>

81. Further, Article 30 of the Convention requires Parties to adapt their judicial procedure so as to protect victims' privacy and ensure their safety, including special protection measures for child victims. While the measures provided for in Article 28 address extra-judicial protection, the measures referred to in Article 30 are concerned with the procedural measures to be introduced. The following means can be used, in accordance with the European Convention on Human Rights and the case-law of the European Court of Human Rights, to achieve the objectives of Article 30: non-public hearings, audio-visual technology, recordings of testimony, and anonymous testimony.

82. According to the Guidelines against THB, the National Police is responsible for ensuring the protection of victims of THB and may consult with domestic and foreign authorities about this. If necessary, victims of THB can be included in the witness protection programme (section 30d of the Police Act), but there have been no such cases.

83. On 1 October 2022 amendments to the CPC entered into force, expanding the measures to prevent direct confrontation of vulnerable victims and defendants. Section 115a(2) of the CPC stipulates that it must be ensured that the victim does not meet the accused "if possible". To this end, vulnerable victims, including children, may be questioned by an expert (psychologist) without the presence of the defendant or by videoconference.

84. **GRETA invites the Liechtenstein authorities to ensure that all measures available in law aimed at protecting victims of criminal offences are effectively applied in practice to victims and witnesses of THB, with a view to preventing reprisals and intimidation by the perpetrators during the investigation as well as during and after the court proceedings.**

10. Specialised authorities and co-ordinating bodies (Article 29)

85. Under Article 29(1) of the Convention, Parties have to adopt the necessary measures to promote specialisation of persons or entities in anti-human-trafficking action and victim protection. Each country must have anti-trafficking specialists in sufficient numbers and endowed with appropriate resources. The staff of specialised authorities and coordinating bodies should, as far as possible, be composed of both women and men. To combat trafficking effectively and protect its victims, it is essential that proper training is provided to relevant officials.

86. In Liechtenstein, the investigations of THB offences are carried out by the Crime Investigation Division of the National Police. Two of the Division's officers (one woman and one man) are specialised on THB. The National Police closely co-operates with the law enforcement authorities in Austria and Switzerland. For example, in February 2024 the head of the Crime Investigation Division of the National Police attended the annual meeting of the chairs of the cantonal roundtables on THB organised by the Swiss Federal Office of Police.

87. The Office of the Public Prosecutor has nine prosecutors (five women and four men). Criminal cases continue to be distributed among prosecutors at random but since November 2023, prosecutors are assigned to certain types of crimes for in-depth training. For example, the Deputy Chief Prosecutor and another public prosecutor are attending training courses on THB, violence against women and violence against children to build up more detailed knowledge in these areas.

88. There is no specialisation amongst judges and a judge can be assigned to any case.

89. GRETA was informed that police officers and prosecutors regularly participate in training on THB, but judges have no obligation to undergo further training after their judicial appointment. Apart from the training on THB for labour exploitation mentioned in paragraph 122, police officers and prosecutors have attended specialised courses in Austria and Switzerland. Police recruits attend the Eastern Switzerland Police School in Amriswil. Prosecutors attend the Public Prosecutor's Academy at the University of Lucerne (Switzerland). Before their appointment judges attend training courses for judges at the University of Saint Gallen (Switzerland), or at universities in Austria.

90. GRETA welcomes the participation of professionals from Liechtenstein in training courses held in Austria and Switzerland and considers that the Liechtenstein authorities should continue their efforts in this regard, by ensuring that the regular training of police officers, prosecutors, judges and other relevant professionals covers the topic of THB and enables the proactive investigation and successful adjudication of human trafficking cases.

11. International co-operation (Article 32)

91. Article 32 of the Convention requires parties to co-operate to the widest extent possible to prevent and combat THB, to protect and to provide assistance to victims, and to investigate and prosecute cases of THB. International co-operation between State Parties to the Convention is also essential for enabling access to effective remedies for victims of trafficking. Parties must co-operate with one another "to the widest extent possible". This principle requires them to provide extensive co-operation to one another and to minimise impediments to the smooth and rapid flow of information and evidence internationally. As regards international co-operation in criminal matters for the purposes of investigations or proceedings, the provisions of the Convention neither cancel nor replace the provisions of relevant international or regional instruments⁴⁸ on mutual legal assistance and extradition, reciprocal arrangements between Parties to such instruments and relevant provisions of domestic law concerning international co-operation.

92. The Liechtenstein National Police closely co-operates with the police in Austria and Switzerland on the basis of the Trilateral Police Co-operation Treaty between the Principality of Liechtenstein, the Swiss Confederation, and the Republic of Austria.⁴⁹ As noted in paragraph 89, law enforcement officers from Liechtenstein attend training in Austria and Switzerland.

93. In the period 2018-2023, the Liechtenstein authorities sent two mutual legal assistance requests (to Brazil and North Macedonia) for the purpose of interviewing victims in THB cases.

94. Liechtenstein labour inspectors often work together with their counterparts in Switzerland. The Liechtenstein Labour Inspectorate is a member of the Swiss Inter-cantonal Association for Employee Protection, which supports cantonal labour inspectorates in developing and implementing labour legislation.⁵⁰

⁴⁸ For example, the European Convention on Extradition, the European Convention on Mutual Assistance in Criminal Matters and its protocols, Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member states, the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime.

⁴⁹ See GRETA's first report on Liechtenstein, paragraphs 174 and 176.

⁵⁰ <https://www.iva-ch.ch/>

95. During the reporting period, Liechtenstein has continued to financially support the Finance Against Slavery and Trafficking (FAST) project.⁵¹ In September 2019, FAST published a Blueprint for mobilising the financial sector against slavery and THB, which includes five evidence-based goals and 30 measures that financial institutions, regulatory authorities and other stakeholders can take to achieve the five goals.⁵² FAST advises on the practical implementation of the Blueprint and undertakes research,⁵³ training and campaigns to promote uptake of its recommendations. The FAST Secretariat is based at the Sustainable Finance Hub of the United Nations Development Programme.⁵⁴

96. Liechtenstein also provided financial support to the United Nations Development Programme for a report entitled "Corruption and Contemporary Forms of Slavery: Examining Relationships and Addressing Policy Gaps."⁵⁵

97. GRETA commends the fact that the Government of Liechtenstein co-funded the preparation of "A commentary on the Council of Europe Convention on Action against Trafficking in Human Beings", together with the Austrian Science Fund.⁵⁶

98. GRETA welcomes the efforts made by Liechtenstein in the area of international co-operation against THB and invites the Liechtenstein authorities to continue developing multilateral and bilateral co-operation in combating human trafficking.

12. Cross-cutting issues

a. gender-sensitive criminal, civil, labour and administrative proceedings

99. As noted in CEDAW General recommendation No. 33 on women's access to justice, discrimination against women, based on gender stereotypes, stigma, harmful and patriarchal cultural norms and gender-based violence, which affects women in particular, has an adverse impact on the ability of women to gain access to justice on an equal basis with men.⁵⁷ The Council of Europe Gender Equality Strategy 2018-2023 notes that while accessing justice might be difficult for everyone, it is even more so for women, due to gender inequality in society and in the justice system, and therefore one of the objectives of the Strategy is to ensure the equal access of women to justice.⁵⁸ GRETA notes that in the case of trafficking in human beings, gender stereotypes, prejudices, cultural barriers, fear and shame impact women's access to justice, and these barriers may persist during investigations and trials. This is particularly true for some groups of women, such as victims of gender-based violence, migrant, refugee and asylum-seeking women, ethnic minority women and women with disabilities. On the socio-economic level the obstacles include lack of awareness of one's legal rights and legal procedures or of how to access legal aid, which can stem from gender differences in educational levels, and access to information. A further obstacle may be the lack of financial resources, including the means to pay for legal representation, legal fees, judicial taxes, transportation to courts or child care.⁵⁹ Such obstacles, and remedies to them, are listed in a Council of Europe training manual for judges and prosecutors on ensuring women's access to justice, as well as in the publication "Women's Access to Justice: Guide for Legal Professionals".⁶⁰

⁵¹ [Finance Against Slavery and Trafficking \(fastinitiative.org\)](https://www.fastinitiative.org/)

⁵² <https://www.fastinitiative.org/wp-content/uploads/Blueprint-DIGITAL-3.pdf>

⁵³ [Additional Resources – Finance Against Slavery and Trafficking \(fastinitiative.org\)](https://www.fastinitiative.org/)

⁵⁴ <https://www.undp.org/press-releases/undp-welcomes-finance-against-slavery-and-trafficking-fast-initiative>

⁵⁵ [Corruption and Contemporary Forms of Slavery: Examining Relationships and Addressing Policy Gaps | United Nations Development Programme \(undp.org\)](https://www.undp.org/press-releases/undp-welcomes-finance-against-slavery-and-trafficking-fast-initiative)

⁵⁶ [A Commentary on the Council of Europe Convention on Action against Trafficking in Human Beings \(e-elgar.com\)](https://www.elgar.com/)

⁵⁷ CEDAW General recommendation No. 33 on women's access to justice, paragraph 8, CEDAW/C/GC/33 of 3 August 2015: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/GC/33&Lang=en

⁵⁸ Council of Europe Gender Equality Strategy 2018-2023, pp. 24-26, <https://rm.coe.int/prems-093618-qbr-gender-equality-strategy-2023-web-a5/16808b47e1>

⁵⁹ Council of Europe training manual for judges and prosecutors on ensuring women's access to justice, page 13, available at <https://rm.coe.int/training-manual-women-access-to-justice/16808d78c5>

⁶⁰ Available at: <https://rm.coe.int/factsheet-womens-access-to-justice/16808ff44e>

100. Pursuant to section 31b(3.1&2) of the CPC, victims of sexual offences may ask to be questioned by a person of the same sex, and in case they require interpretation they will be appointed a person of the same sex to serve as an interpreter. Furthermore, in criminal trials involving certain sexual offences there must be at least one judge of the same gender as the victim (section 15(2a) of the CPC).

101. GRETA was informed that during the asylum procedure, the interviews are gender sensitive and since the arrival of refugees from Ukraine, questions on THB and experiences of conflict-related violence have been added to the standard questionnaire.

102. The Liechtenstein authorities have referred to various provisions of domestic law which provide for equality and non-discrimination between women and men. For example, Article 8a of section 1173 of the ABGB prohibits discrimination on the basis of gender in employment.

b. child-sensitive procedures for obtaining access to justice and remedies

103. In Liechtenstein law, special measures exist for the protection of child victims and witnesses of THB during criminal proceedings, in addition to the general protection measures mentioned in paragraphs 82-83. The police have specially trained officers to interview children. Pursuant to section 115a(2) and (3) of the CPC, child victims must be interviewed by an expert (psychologist). The defence and other participants of the proceedings can follow the interview from another room and, where necessary, put additional questions to the child via the interviewer. An audio-visual recording is made of the interview, which, as a rule, can be played at the trial *in lieu* of in-person testimony (section 198a(1)2 of the CPC). When asked if there are child-friendly interview rooms in Liechtenstein, the authorities said that the room for video interviews is large, very bright, and friendly.

104. **GRETA welcomes the existence of child-sensitive procedures when investigating, prosecuting and adjudicating cases of THB and invites the Liechtenstein authorities to ensure that child victims of THB are in practice afforded these special protection measures and that arrangements are made for there to be child-friendly interview rooms.**

c. role of businesses

105. According to the authorities the call for working closely with the private sector in line with the UN Guiding Principles on Business and Human Rights is implemented by Liechtenstein through the previously mentioned FAST project (see paragraph 95) and two of the goals of the Blueprint for mobilising the financial sector, which adopt the approaches of the UN Guiding Principles.⁶¹ In their comments to GRETA's draft report, the authorities explained that Liechtenstein initiated the FAST project as a public private partnership, which includes actors from the financial sector, such as the Liechtenstein Bankers Association and the country's largest bank, Liechtenstein Global Trust (LGT). Since Liechtenstein is primarily a hub for private banking, the financial sector places special emphasis on FAST Goals 1, 2, and 3.⁶² Additionally, in response to Russia's full-scale aggression against Ukraine, FAST, in collaboration with the Liechtenstein Bankers Association and the three largest banks, has introduced fee-free accounts for Ukrainian refugees.

⁶¹ See footnote No 51.

⁶² Goal 1: Compliance with laws against modern slavery and human trafficking; Goal 2: Knowing and showing modern slavery and human trafficking risks; Goal 3: Using leverage creatively to mitigate and address modern slavery and human trafficking.

106. During the visit GRETA was informed that officials in Liechtenstein are analysing the impact of the German Act on Corporate Due Diligence in Supply Chains (*Lieferkettensorgfaltspflichtengesetz – LkSG*), adopted in 2021, on companies incorporated in Liechtenstein. On 29 June 2023, the Office of Foreign Affairs, in co-operation with the OSCE Office of the Special Representative and Coordinator on Combating Trafficking in Human Beings organised a workshop “Human rights in supply chains – addressing risks of human trafficking and labour exploitation”. The discussion focused on LkSG as large businesses in Liechtenstein are significantly affected by German regulations.

107. GRETA considers that the Liechtenstein authorities should strengthen engagement with the private sector, in line with the UN Guiding Principles on Business and Human Rights⁶³ and Council of Europe Committee of Ministers Recommendation CM/Rec(2016)3 on human rights and business⁶⁴ and Recommendation CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation⁶⁵ with a view to raising awareness of the important role and responsibility of businesses in supporting the rehabilitation and recovery of victims, and to provide access to effective remedies.

108. Further, GRETA considers that the Liechtenstein authorities should adopt legislation integrating the prevention of THB and labour exploitation in public procurement policies and promoting transparency in supply chains to enable scrutiny of companies’ performance to prevent THB and labour exploitation.

d. measures to prevent and detect corruption

109. Trafficking in human beings can occur in various contexts. Human traffickers may form part of organised criminal groups which frequently use corruption to circumvent the law and money laundering to conceal their profits. Other Council of Europe legal instruments, in particular those designed to combat corruption, money laundering and cybercrime, are also relevant to combating human trafficking. The Council of Europe body with the main role to play in the fight against corruption is the Group of States against Corruption (GRECO). Its country reports are relevant in addressing structural shortcomings in preventing corruption, including potentially in a THB context.

110. In its interim compliance report on Liechtenstein on corruption prevention in respect of parliamentarians, judges and prosecutors (2023), GRECO considered that progress had been made. For example, specific criteria to assess the requirement of integrity in appointments of judges and prosecutors had been introduced.⁶⁶

111. The Liechtenstein authorities reported having no knowledge of cases of corruption or related misconduct of public officials in THB cases. Both active and passive bribery are criminalised in sections 304 to 307b of the CC.

⁶³ http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

⁶⁴ [Recommendation CM/Rec\(2016\)3](#) of the Committee of Ministers to member States on human rights and business, adopted by the Committee of Ministers on 2 March 2016 at the 1249th meeting of the Ministers’ Deputies.

⁶⁵ <https://rm.coe.int/0900001680a83df4>

⁶⁶ <https://rm.coe.int/fourth-evaluation-round-corruption-prevention-in-respect-of-members-of/1680aec936>

V. Follow-up topics specific to Liechtenstein

1. Measures to prevent and combat trafficking for the purpose of labour exploitation

112. In its previous evaluation report, GRETA urged the Liechtenstein authorities to intensify their efforts to prevent trafficking for the purpose of labour exploitation, in particular by sensitising relevant officials, targeting high-risk sectors and working closely with trade unions and the private sector.

113. According to official statistics, at the end of 2022 there were 42 514 individuals employed in Liechtenstein, which is more than the country's total population. A lot of them are cross-border workers from Switzerland, Austria and Germany.⁶⁷

114. The Office of Economic Affairs is responsible for the enforcement of labour legislation, including the Labour Act, the Job Placement and Temporary Employment Services Act, the Posting of Workers Act, and regulations on health and safety at work.⁶⁸ The Office of Economic Affairs has a Working Conditions Division consisting of four persons, who are entrusted with the surveillance of the listed legal acts. Part of their work consists of on-site inspections. The two labour inspectors, both men, are part of this team and responsible for the Labour Act and the regulations on health and safety at work. In addition, another unit in the Office of Economic Affairs is responsible for licensing recruitment and temporary work agencies and their surveillance. If officers of the Office of Economic Affairs detect signs of THB, they must refer the matter to the law enforcement authorities.

115. GRETA is concerned about the low number of labour inspectors in Liechtenstein. Although Liechtenstein is not a member of ILO, officials met during the visit acknowledged that the number of labour inspectors in relation to the number of workers in Liechtenstein (42 514) is well below the ILO benchmark of one labour inspector per 10 000 workers.⁶⁹

116. In 2023, the Labour Inspectorate inspected 32 construction companies and 17 other companies based in Liechtenstein. In addition, the Office of Economic Affairs checked 77 foreign construction companies employing 223 workers on construction sites in Liechtenstein. The Office of Economic Affairs also carried out controls on behalf of the tri-partite commission, consisting of representatives from employees and employers' organisations and government representatives, to inspect two companies in the hospitality sector and five companies in the live-in care sector. Further, the Government has mandated the Central Joint Commission (ZPK) of the Foundation for the Monitoring of the Generally Binding Collective Employment Agreements (SAVE) to check compliance with collective employment agreements in Liechtenstein. In 2023, the ZPK, consisting of an equal number of members from the trade union LANV and the chamber of commerce (WKL), inspected 98 foreign construction companies employing 207 workers on construction sites in Liechtenstein and conducted payroll checks in 56 foreign and 15 local companies. The Government has also mandated the Swiss-based Advice Centre for Accident Prevention in Agriculture⁷⁰ and the Foundation Agriss⁷¹ to conduct inspections in the agricultural sector.

⁶⁷ As regards nationality, there were 12 155 workers from Liechtenstein, 9 559 from Switzerland, 18 815 from EU countries (including 8 790 from Austria, 4 539 from Germany and 1 560 from Italy), 1 242 from other European countries, 342 from Asia, 307 from the Americas, 84 from Africa and 10 from Oceania. As regards sectors of the economy, 27 378 persons worked in services, 14 866 in industry and 270 in agriculture.

⁶⁸ GRETA's first report on Liechtenstein, paragraphs 69 to 73.

⁶⁹ ILO, [Strategies and practice for labour inspection](#), 2006, paragraph 13.

⁷⁰ <https://www.bul.ch/fr-ch>

⁷¹ [Home \(agriss.ch\)](https://www.agriss.ch)

117. During inspections officers of the Office of Economic Affairs may be accompanied by the National Police or officials from the Migration and Passport Office who are responsible for checking the migration status of foreign workers. Employees of the Office of Economic Affairs do not use interpreters during inspections but, national authorities have stated that, at a basic level, a freely accessible online automatic language translator tool on work phones can help when needed. In addition, interpretation can be organised through the National Police or the Victim Assistance Office.

118. In the period 2018-2023 no suspected cases of THB for labour exploitation were detected by the Office of Economic Affairs. For on-site inspections, a small number of cases involving illegal employment and violations of working hours, wage regulations and social security laws were found. Labour inspectors met during the visit stated that if they find underpaid workers, the Office of Economic Affairs requires employers to pay the shortfall and imposes fines as well.

119. As regards prevention in sectors at risk of THB, the authorities provide foreign nightclub dancers with a flyer with basic information on how to contact relevant services. Furthermore, as noted in paragraph 116, the authorities have intensified inspections of construction companies, as well as agencies recruiting care workers to provide live-in care for the elderly.

120. According to official statistics, at the end of 2022 there were 330 foreign domestic workers in Liechtenstein, including live-in care workers. In 2023, 154 households in Liechtenstein received a state subsidy to employ a care worker for the elderly but this number does not include households which do not qualify or have not applied for the subsidy.

121. A 2020 study on the institutional and legal framework for domestic workers providing live-in care for the elderly confirmed certain gaps in their protection.⁷² As noted in GRETA's previous report, labour laws only apply if domestic workers are employed by a company or an association, but not if they are directly contracted by a private household.⁷³ In the aftermath of the study, LANV, together with the Association for Human Rights (VMR) and the Information and Advice Centre for Women (INFRA), set up a website to provide foreign domestic workers with information about their rights and how to get assistance.⁷⁴ However, LANV and VMR have recognised that the website is not widely known and have lobbied the Government to adopt a standard employment contract for domestic workers providing live-in care for the elderly.⁷⁵ The authorities noted in their comments on GRETA's draft report that LANV submitted an application to the Government on 10 July 2024 to adopt a standard employment contract for live-in domestic workers caring for the elderly. Before this standard contract can be adopted, it must be publicly published, with a deadline for written comments, and relevant professional associations and non-profit organisations must be consulted.

122. In May 2023 the Roundtable on THB organised a one-day training on labour exploitation for labour inspectors and other persons that may encounter victims of THB, in co-operation with the Swiss NGO ACT212. The training covered indicators for identifying victims of THB for labour exploitation, with examples being shared from Switzerland.

⁷² <https://www.liechtenstein-institut.li/publikationen/maerk-rohrer-linda-schiess-patricia-2020-24-stunden-betreuung-durch-care-migrantinnen-und-migranten-liechtenstein-analyse-der-in> (in German)

⁷³ GRETA's first report on Liechtenstein, paragraph 74.

⁷⁴ [Start | careforum.li](https://www.careforum.li)

⁷⁵ Standard employment contracts ("*Normalarbeitsvertrag*") are (non-binding) model contracts adopted by the Government for different sectors of the economy. A standard employment contract for household workers, adopted by the Government in 1997, is not adapted to the peculiarities of the live-in care sector.

123. **GRETA urges the Liechtenstein authorities to intensify their efforts to prevent and combat THB for the purpose of labour exploitation, taking into account GRETA's Guidance Note on combating trafficking for labour exploitation⁷⁶ and the CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation.⁷⁷ This should include steps to:**

- **ensure that sufficient staff and resources are made available to the Labour Inspectorate to enable it to play a frontline role in the prevention and identification of THB for the purpose of labour exploitation;**
- **ensure that labour inspectors, law enforcement officers and other relevant actors increase their capacity to detect and identify victims of THB for the purpose of labour exploitation, paying particular attention to at-risk sectors, such as construction, hospitality and personal care workers;**
- **increase the legal protection for domestic and live-in care workers by making labour law applicable to all such workers, whether their formal employer is a company/association or a private person, and by developing the conditions under which access to private households can be granted to labour inspectors.**

124. **Furthermore, GRETA considers that the Liechtenstein authorities should continue providing training to labour inspectors in relation to THB, including on the rights of victims of THB.**

2. Identification of victims of trafficking

125. In its previous evaluation report, GRETA urged the Liechtenstein authorities to disconnect the formal identification of victims of THB from the criminal investigation and to strengthen multi-agency involvement in the identification of victims of trafficking by giving a formal role in the identification process to frontline actors who may come into contact with victims of trafficking.

126. The procedure for the identification of victims of THB, described in GRETA's previous report, has remained unchanged.⁷⁸ The Guidelines against THB, which were last updated in 2017, determine the responsibilities of different authorities regarding victim identification, the provision of information, the granting of a recovery and reflection period and temporary residence permits, victims' rights in criminal proceedings, as well as assistance services and return and re-integration arrangements. A list of indicators to identify victims of THB, adopted by the Swiss Federal Office of Police, is attached to the Guidelines.⁷⁹

127. Pursuant to the Guidelines against THB, the identification of victims of THB is the responsibility of the National Police and the Office of the Public Prosecutor. As noted in paragraph 68, in the period 2018-2023, three cases involving a total of nine presumed victims of THB were investigated by the National Police.⁸⁰ However, the National Police found insufficient evidence of THB and none of the presumed victims were formally identified as victims of THB.

⁷⁶ <https://rm.coe.int/guidance-note-on-preventing-and-combating-trafficking-in-human-beings-/1680a1060c>.

⁷⁷ Recommendation CM/Rec(2022)21 of the Committee of Ministers to member States on preventing and combating trafficking in human beings for the purpose of labour exploitation and Explanatory Memorandum, adopted by the Committee of Ministers on 27 September 2022 at the 1444th meeting of the Ministers' Deputies.

⁷⁸ GRETA's first report on Liechtenstein, paragraphs 94 to 97.

⁷⁹ The [list](#) of indicators of THB of the Swiss Federal Office of Police was last updated in November 2019, see GRETA's third report on Switzerland, paragraph 185.

⁸⁰ Compared to four cases involving 11 presumed victims in the period 2012-2017, see GRETA's first report on Liechtenstein, paragraph 98.

128. GRETA is concerned that the Liechtenstein authorities have not taken steps to disconnect the formal identification of victims of THB from the criminal investigation and the presumed victim's co-operation in it. In this regard, GRETA notes that victims of trafficking are often reluctant to share information with the police and may make contradictory statements. Victims may have a general distrust towards the authorities and may fear punishment, especially if their presence in the country is irregular. Moreover, they may still be dependent on their traffickers and may not see themselves as victims (e.g. they might be used to poor working conditions). On the other hand, few law enforcement officers have the time and expertise to assess possible victimisation related to THB, which may lead to failure to identify the person as a victim of THB. To enable the identification of victims of THB, it is important that the authorities competent to identify victims of trafficking collaborate with relevant support organisations in the identification process.

129. As noted in paragraph 17, in November 2022 the Roundtable on THB discussed the creation of a national hotline for reporting suspected cases of THB, but in August 2023 THB was added to the crimes already covered by the online whistleblower system of the National Police, which allows the submission of anonymous reports about different offences.⁸¹ Since then, the National Police has acted as the national reporting office for human trafficking. Officials met during the visit were of the opinion that it is more efficient if the police deals directly with the whistleblowers. In 2023, a total of 22 suspicious activity reports were submitted, with one report relating to THB.

130. GRETA is concerned that civil society organisations were not invited to the November 2022 meeting of the Roundtable on THB to discuss the creation of a national hotline on THB. NGOs met by GRETA noted that victims of THB are unlikely to contact the online whistleblower system for a variety of reasons, including fear of the consequences of contacting the National Police if they are irregularly residing in Liechtenstein. The authorities indicated in their comments on GRETA's draft report that the whistleblowing system does not record any IP addresses, time stamps, or other metadata. If the whistleblower chooses not to provide their name when submitting the report, their communication is technically guaranteed to be completely anonymous. Additionally, by setting up a separate, protected mailbox, it is possible to communicate with specialists from the criminal investigation department through the system. According to the Liechtenstein authorities, the next meeting of the Roundtable on THB, planned for the end of 2024, will discuss updating the Guidelines against THB to include, among others, the online whistleblower system and the updated list of indicators adopted by the Swiss Federal Office of Police in November 2019. The updated guidelines are to be submitted to the Government by the end of 2024 at the latest.

131. In its previous evaluation report, GRETA urged the Liechtenstein authorities to provide sufficient human resources for the asylum reception centre, as well as training to staff, to enable the identification of presumed victims of THB among asylum seekers.

132. The number of applications for asylum and temporary protection in Liechtenstein was 165 in 2018. It decreased during the Covid-19 pandemic (53 applicants in 2019, 40 in 2020, 97 in 2021) before rising sharply in 2022 and 2023 (respectively 584 and 392 applicants) due to the arrival of refugees from Ukraine.

133. Applicants for asylum and temporary protection are interviewed by the Migration and Passport Office and, in the event of suspicion of THB, the National Police is informed immediately.⁸² As noted in paragraph 101, questions on THB and experiences of conflict-related violence have been added to the standard questionnaire given to all applicants.

134. Concerning training on THB, one staff member of the asylum unit of the Migration and Passport Office attended a training course organised by the Swiss NGO FIZ and two staff members attended the training on THB for labour exploitation organised in May 2023 (see paragraph 122).

⁸¹ [Anonymes Hinweisgebersystem : Landespolizei des Fürstentums Liechtenstein](#)

⁸² See GRETA's first report on Liechtenstein, paragraph 99.

135. During the evaluation visit, GRETA visited a reception centre for asylum seekers in Vaduz, operated by the NGO Flüchtlingshilfe, which has been contracted by the Liechtenstein authorities to provide accommodation and care to asylum seekers and refugees with temporary protection status in Liechtenstein. As of March 2024, Flüchtlingshilfe was responsible for approximately 650 individuals, including 600 Ukrainian refugees. The NGO employs six social workers. Two of them work at the reception centre visited by GRETA. The centre has an official capacity of 80 but at the time of GRETA's visit it was accommodating only 14 persons, including one unaccompanied child. GRETA was told that residents usually stay at the centre for one to two weeks before being transferred to smaller facilities or individual apartments. However, at least one resident had been living at the reception centre for several years.

136. Staff at the reception centre told GRETA that, although they had received no specific training on THB indicators, they had sufficient experience to recognise signs of THB and, in the event of a suspicion of THB, they would immediately refer the matter to a specialised NGO or the police. However, during the visit to the reception centre, GRETA noted that there were no information materials (posters or flyers) about THB displayed anywhere.

137. As noted in GRETA's previous report, one presumed victim of THB for the purpose of sexual exploitation (a Nigerian woman) was detected at the reception centre for asylum seekers in Vaduz in November 2018.⁸³ She was initially considered to fall under the Dublin III Regulation,⁸⁴ but due to an error related to the date on which her fingerprints were taken, the Administrative Court decided that her case should be examined by Liechtenstein. As her exploitation had taken place more than seven years previously, well before her arrival in Liechtenstein, she was not considered by the authorities to be a victim of trafficking. Nevertheless, she was granted a renewable residence permit on humanitarian grounds by the Migration and Passport Office because of having a severely sick child, and was provided with medical support, psycho-social support and shelter, funded by the Victim Assistance Office.

138. **GRETA urges the Liechtenstein authorities to take further steps to ensure that all victims of trafficking are identified as such and can benefit from the assistance and protection measures contained in the Convention, in particular by:**

- **ensuring that, in practice, the identification of victims of trafficking is not linked to the prospects of a successful investigation and prosecution of a THB case;**
- **strengthening multi-agency involvement in the identification of victims of trafficking by formally recognising the role of specialised NGOs in the decision-making process leading to identification;**
- **paying increased attention to the identification of victims of trafficking among asylum seekers and migrants, including by recruiting or otherwise engaging a sufficient number of trained staff, including interpreters and cultural mediators, to more effectively interact with migrants and asylum seekers. In this respect, reference is made to GRETA's Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection.⁸⁵**

⁸³ See GRETA's first report on Liechtenstein, paragraph 100.

⁸⁴ Regulation (EU) No. 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person.

⁸⁵ <https://rm.coe.int/guidance-note-on-the-entitlement-of-victims-of-trafficking-and-persons/16809ebf44>

139. **Furthermore, GRETA considers that the Liechtenstein authorities should strengthen their efforts to proactively identify victims of trafficking, including by:**

- **reinforcing the capacity and training of all relevant officials;**
- **periodically assessing the implementation of the Guidelines against THB and adjusting them in the light of the results.**

3. Assistance to victims of trafficking

140. In its previous evaluation report, GRETA urged the Liechtenstein authorities to ensure that all victims of THB, including asylum seekers and persons exploited abroad but identified in Liechtenstein, benefit from the assistance measures provided in the Convention.

141. The procedure for providing assistance to victims of THB, described in GRETA's previous report, has remained unchanged.⁸⁶ The Guidelines against THB stipulate that victims of THB are to be given counselling and care. Assistance to victims of crime, including THB, is regulated by the OHG and co-ordinated and financed through the Victim Assistance Office. Until February 2024, the Victim Assistance Office had one part-time (50%) employee, which has since been increased to two part-time (50%) employees.

142. Pursuant to sections 3 and 17 of the OHG, only victims exploited in Liechtenstein or holding residence in Liechtenstein when they were exploited abroad are eligible for assistance measures. Referring to the case mentioned in paragraph 137, the Liechtenstein authorities stated that, in practice, victims exploited abroad who are detected in Liechtenstein would also receive assistance.

143. There is no specialised shelter for victims of trafficking in Liechtenstein. According to the Guidelines against THB, the Liechtenstein authorities co-operate with the Swiss NGO FIZ to provide assistance to victims of THB.⁸⁷ However, there has been no contact between FIZ and the Liechtenstein authorities since 2019 and the co-operation reportedly takes place on an *ad hoc* basis.

144. None of the nine presumed victims of THB identified in Liechtenstein in the period 2018-2023 received assistance from the Victim Assistance Office because they left Liechtenstein very soon after being detected.

145. **GRETA urges the Liechtenstein authorities to take additional steps to ensure that adequate financial and human resources are made available to enable all presumed and identified victims of trafficking, including those who were exploited abroad, to benefit from the assistance measures provided for under Article 12 of the Convention.**

4. Identification of, and assistance to, child victims of trafficking

146. In its previous evaluation report, GRETA urged the authorities to improve the identification of, and the assistance to, child victims of THB by developing a procedure for identifying child victims of THB and providing training to stakeholders and guidance on the identification of child victims of THB.

⁸⁶ GRETA first report on Liechtenstein, paragraphs 103 to 108.

⁸⁷ <https://www.fiz-info.ch/en/FIZ-Portrait>

147. The Guidelines against THB contain no specific procedures for presumed child victims of THB, but the list of indicators attached to the Guidelines contains a section concerning child trafficking. In addition, in 2015, the Roundtable on THB, in co-operation with the Office of Social Services, adopted a flowchart for intervention in the case of children involved in forced begging being detected by the National Police. However, this flowchart has never been applied in practice because no children involved in forced begging have been detected since 2015.

148. No child victims of THB have been identified in Liechtenstein during the reporting period.

149. According to the Liechtenstein authorities, there were two unaccompanied foreign children in 2019, none in 2020, one in 2021, two in 2022 and seven in 2023. All of them were boys. As regards the countries of origin of the children, six came from Ukraine (after Russia's full-scale invasion), two from Ivory Coast, and one each from China, Morocco, Somalia and Tunisia.

150. According to the authorities, the Migration and Passport Office immediately notifies the Children and Youth Service Division of the Office of Social Services about the detection of an unaccompanied child. The Office of Social Services names a confidante for the child for the duration of the procedure until the child reaches 18 years of age. If the child is above 16 and the Office of Social Services does not disagree to such a placement, the child is accommodated in a reception centre for asylum seekers. GRETA met one such child during the visit to the reception centre for asylum seekers in Vaduz. GRETA notes that in October 2023 the UN Committee on the Rights of the Child expressed concern that unaccompanied children above the age of 16 are accommodated together with adults and are not provided with the necessary care and protection.⁸⁸

151. GRETA was informed that staff of the Office of Social Services and its Children and Youth Service Division were trained on THB by the National Police. In addition, one staff member also participated in the training on THB for labour exploitation mentioned in paragraph 122.

152. **GRETA urges the Liechtenstein authorities to take steps to strengthen the identification of, and assistance to, child victims of trafficking, in particular by:**

- **improving the procedure for identifying child victims through collaboration between relevant institutions, with input from child protection specialists and a focus on the best interests of the child as the prime consideration;**
- **ensuring that relevant actors (law enforcement, child protection authorities, education professionals, social workers, NGOs) take a proactive approach and receive training and guidance to identify child victims of trafficking for all different of exploitation;**
- **ensuring that child victims of human trafficking, including unaccompanied and separated foreign children, are provided with accommodation which creates a safe and enabling environment and is staffed with a sufficient numbers of adequately trained professionals.**

⁸⁸ CRC, [Concluding observations on the combined third and fourth periodic reports of Liechtenstein](#), CRC/C/LIE/CO/3-4, paragraph 38.

5. Recovery and reflection period

153. In its previous evaluation report, GRETA urged the Liechtenstein authorities to provide in the country's internal law a recovery and reflection period in compliance with Article 13 of the Convention, and to ensure that all foreigners for whom there are reasonable grounds to believe that they are victims of THB are provided such a period.

154. The Guidelines against THB stipulate that the Migration and Passport Office, in consultation with the National Police, grant a recovery and reflection period of 30 days to victims of THB.⁸⁹

155. GRETA was informed that none of the nine presumed victims of THB identified in Liechtenstein in the period 2018-2023 were granted a recovery and reflection period.

156. GRETA reiterates its concern that the recovery and reflection period for trafficking victims is not established in law but in the Guidelines against THB. In the absence of an explicit legal framework concerning the recovery and reflection period, presumed victims of trafficking risk being deported and not being given the time needed to recover from the trauma experienced and to make an informed decision on possible co-operation with the authorities. There is also a risk that the victims may be unable to provide testimony or speak with the police, which could harm the case.

157. **GRETA once again urges the Liechtenstein authorities to ensure that a recovery and reflection period of at least 30 days is specifically defined in law, and that it is systematically offered to presumed foreign victims of human trafficking, including EU and EEA citizens, together with all the measures of protection and assistance envisaged in Article 12, paragraphs 1 and 2, of the Convention during this period. Officers performing identification should be issued with clear instructions stressing the need to offer the recovery and reflection period as defined in the Convention, i.e. not making it conditional on the victim's co-operation or the prospect of any criminal proceedings taking place, and offering it to victims before formal statements are made to investigators.**

⁸⁹ GRETA's first report on Liechtenstein, paragraphs 119 and 120.

Appendix 1 – List of GRETA’s conclusions and proposals for action

The position of the proposals for action in the text of the report is shown in parentheses.

Topics related to the third evaluation round of the Convention

Right to information

- GRETA considers that the Liechtenstein authorities should take additional measures to ensure that all presumed victims of trafficking are proactively informed of their rights, including the right to a recovery and reflection period, the available support services and how to access them, and the consequences of being recognised as victims of trafficking. The information should take into account the victims’ age, maturity, intellectual and emotional capacity, literacy and any mental, physical, or other disabilities which may affect their ability to understand the information provided (paragraph 36).

Legal assistance and free legal aid

- GRETA considers that the Liechtenstein authorities should make additional efforts to guarantee access to justice for victims of trafficking, in particular by:
 - ensuring that legal assistance is provided as soon as there are reasonable grounds for believing that a person is a victim of human trafficking, before the person concerned has to decide whether or not he/she wants to co-operate with the authorities and/or make an official statement;
 - making sure that access to free legal aid for victims of THB in civil and administrative proceedings does not depend on proof of lack of financial means to pay for a lawyer;
 - sensitising the Liechtenstein Bar Association to the need to encourage training and specialisation of lawyers, with a view to providing legal assistance to victims of trafficking. In this regard, the online course on combating THB offered through the Council of Europe HELP programme could serve as a valuable resource (paragraph 43).

Psychological assistance

- GRETA considers the Liechtenstein authorities should ensure that presumed and formally identified victims of THB are provided with adequate psychological assistance for as long as their individual situation requires, in order to help them overcome the trauma they have been through, and to achieve a sustained recovery and social inclusion (paragraph 47).

Access to work, vocational training and education

- GRETA considers that the Liechtenstein authorities should adopt such legislative or other measures as may be necessary to ensure effective access to the labour market, vocational training and education for all victims of THB, in line with Article 12(4) of the Convention (paragraph 51).

Compensation

- GRETA considers that the Liechtenstein authorities should take steps to guarantee effective access to compensation for victims of THB, in line with Article 15(4) of the Convention, in particular by:
 - ensuring that all victims of trafficking are systematically informed, at an early stage, in a language that they can understand, of the right to seek compensation from the perpetrator or the State, and the procedures to be followed;
 - ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim, is part of the criminal investigations with a view to supporting compensation claims in court;
 - including victim compensation in the training programmes for police officers, prosecutors, judges and other relevant stakeholders (paragraph 60).

Investigations, prosecutions, sanctions and measures

- GRETA considers that the Liechtenstein authorities should take additional measures to strengthen the criminal justice response to THB, including by:
 - ensuring that all human trafficking offences are proactively investigated, regardless of whether a report has been filed or not, making use of all possible evidence gathered through special investigation techniques and financial investigations, and not having to rely mainly on the testimony of victims or witnesses;
 - further strengthening the investigation and prosecution of THB for the purpose of labour exploitation (see also paragraph 123);
 - ensuring that property used to commit THB, or which can reasonably be considered to constitute proceeds of this crime, is seized to the greatest extent possible (paragraph 73).

Non-punishment provision

- GRETA once again urges the Liechtenstein authorities to adopt a specific legal provision and/or to develop guidance and training for law enforcement officials and prosecutors on the aims and scope of the non-punishment provision, in order to ensure compliance with Article 26 of the Convention (paragraph 79).

Protection of victims and witnesses

- GRETA invites the Liechtenstein authorities to ensure that all measures available in law aimed at protecting victims of criminal offences are effectively applied in practice to victims and witnesses of THB, with a view to preventing reprisals and intimidation by the perpetrators during the investigation as well as during and after the court proceedings (paragraph 84).

Specialised authorities and co-ordinating bodies

- GRETA welcomes the participation of professionals from Liechtenstein in training courses held in Austria and Switzerland and considers that the Liechtenstein authorities should continue their efforts in this regard, by ensuring that the regular training of police officers, prosecutors, judges and other relevant professionals covers the topic of THB and enables the proactive investigation and successful adjudication of human trafficking cases (paragraph 90).

International co-operation

- GRETA welcomes the efforts made by Liechtenstein in the area of international co-operation against THB and invites the Liechtenstein authorities to continue developing multilateral and bilateral co-operation in combating human trafficking (paragraph 98).

Child-sensitive procedures for obtaining access to justice and remedies

- GRETA welcomes the existence of child-sensitive procedures when investigating, prosecuting and adjudicating cases of THB and invites the Liechtenstein authorities to ensure that child victims of THB are in practice afforded these special protection measures and that arrangements are made for there to be child-friendly interview rooms (paragraph 104).

Role of businesses

- GRETA considers that the Liechtenstein authorities should strengthen engagement with the private sector, in line with the UN Guiding Principles on Business and Human Rights and Council of Europe Committee of Ministers Recommendation CM/Rec(2016)3 on human rights and business and Recommendation CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation with a view to raising awareness of the important role and responsibility of businesses in supporting the rehabilitation and recovery of victims, and to provide access to effective remedies (paragraph 107);
- Further, GRETA considers that the Liechtenstein authorities should adopt legislation integrating the prevention of THB and labour exploitation in public procurement policies and promoting transparency in supply chains to enable scrutiny of companies' performance to prevent THB and labour exploitation (paragraph 108).

Follow-up topics specific to Liechtenstein***Developments in the legislative, institutional and policy framework for action against human trafficking***

- GRETA considers that the Liechtenstein authorities should take further steps to ensure that national action to combat THB is comprehensive, including by:
 - adopting a comprehensive national action plan or other policy document against THB which addresses all aspects of the fight against trafficking in human beings;
 - promoting the involvement of civil society organisations in action against THB, including in the work of the Roundtable on Trafficking in Human Beings when appropriate (paragraph 20).

Measures to prevent and combat trafficking for the purpose of labour exploitation

- GRETA urges the Liechtenstein authorities to intensify their efforts to prevent and combat THB for the purpose of labour exploitation, taking into account GRETA's Guidance Note on combating trafficking for labour exploitation⁹⁰ and the CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation.⁹¹ This should include steps to:
 - ensure that sufficient staff and resources are made available to the Labour Inspectorate to enable it to play a frontline role in the prevention and identification of THB for the purpose of labour exploitation;
 - ensure that labour inspectors, law enforcement officers and other relevant actors increase their capacity to detect and identify victims of THB for the purpose of labour exploitation, paying particular attention to at-risk sectors, such as construction, hospitality and personal care workers;
 - increase the legal protection for domestic and live-in care workers by making labour law applicable to all such workers, whether their formal employer is a company/association or a private person, and by developing the conditions under which access to private households can be granted to labour inspectors (paragraph 123);
- GRETA also considers that the Liechtenstein authorities should continue providing training to labour inspectors in relation to THB, including on the rights of victims of THB (paragraph 124).

Identification of victims of trafficking

- GRETA urges the Liechtenstein authorities to take further steps to ensure that all victims of trafficking are identified as such and can benefit from the assistance and protection measures contained in the Convention, in particular by:
 - ensuring that, in practice, the identification of victims of trafficking is not linked to the prospects of a successful investigation and prosecution of a THB case;
 - strengthening multi-agency involvement in the identification of victims of trafficking by formally recognising the role of specialised NGOs in the decision-making process leading to identification;
 - paying increased attention to the identification of victims of trafficking among asylum seekers and migrants, including by recruiting or otherwise engaging a sufficient number of trained staff, including interpreters and cultural mediators, to more effectively interact with migrants and asylum seekers. In this respect, reference is made to GRETA's Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection (paragraph 138);
- GRETA considers that the Liechtenstein authorities should strengthen their efforts to proactively identify victims of trafficking, including by:
 - reinforcing the capacity and training of all relevant officials;
 - periodically assessing the implementation of the Guidelines against THB and adjusting them in the light of the results (paragraph 139).

⁹⁰ <https://rm.coe.int/guidance-note-on-preventing-and-combating-trafficking-in-human-beings-/1680a1060c>.

⁹¹ Recommendation CM/Rec(2022)21 of the Committee of Ministers to member States on preventing and combating trafficking in human beings for the purpose of labour exploitation and Explanatory Memorandum, adopted by the Committee of Ministers on 27 September 2022 at the 1444th meeting of the Ministers' Deputies.

Assistance to victims of trafficking

- GRETA urges the Liechtenstein authorities to take additional steps to ensure that adequate financial and human resources are made available to enable all presumed and identified victims of trafficking, including those who were exploited abroad, to benefit from the assistance measures provided for under Article 12 of the Convention (paragraph 145).

Identification of, and assistance to, child victims of trafficking

- GRETA urges the Liechtenstein authorities to take steps to strengthen the identification of, and assistance to, child victims of trafficking, in particular by:
 - improving the procedure for identifying child victims through collaboration between relevant institutions, with input from child protection specialists and a focus on the best interests of the child as the prime consideration;
 - ensuring that relevant actors (law enforcement, child protection authorities, education professionals, social workers, NGOs) take a proactive approach and receive training and guidance to identify child victims of trafficking for all different of exploitation;
 - ensuring that child victims of human trafficking, including unaccompanied and separated foreign children, are provided with accommodation which creates a safe and enabling environment and is staffed with a sufficient numbers of adequately trained professionals (paragraph 152).

Recovery and reflection period

- GRETA once again urges the Liechtenstein authorities to ensure that a recovery and reflection period of at least 30 days is specifically defined in law, and that it is systematically offered to presumed foreign victims of human trafficking, including EU and EEA citizens, together with all the measures of protection and assistance envisaged in Article 12, paragraphs 1 and 2, of the Convention during this period. Officers performing identification should be issued with clear instructions stressing the need to offer the recovery and reflection period as defined in the Convention, i.e. not making it conditional on the victim's co-operation or the prospect of any criminal proceedings taking place, and offering it to victims before formal statements are made to investigators (paragraph 157).

Appendix 2 - List of public bodies, non-governmental organisations and civil society actors with which GRETA held consultations

Public bodies

- Office for Foreign Affairs
- National Police, including the Chairman of the National Roundtable on Trafficking in Human Beings
- Migration and Passport Office
- Office of Economic Affairs, Labour Inspection Bureau
- Office of Social Services, including the Children and Youth Service Division
- Victim Assistance Office
- Financial Intelligence Unit
- Prosecutor's Office
- Landgericht (Court)
- Parliament (Landtag)

Non-governmental organisations and other members of civil society

- Liechtenstein Employees' Association (LANV)
- NGO Association for Human Rights (VMR)
- NGO Refugee Assistance (Flüchtlingshilfe)

Government's comments

GRETA engaged in a dialogue with the Liechtenstein authorities on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version.

The Convention requires that "the report and conclusions of GRETA shall be made public as from their adoption, together with eventual comments by the Party concerned." GRETA transmitted its final report to the Liechtenstein authorities on 3 December 2024 and invited them to submit any final comments. The authorities did not wish to submit any final comments.