



# GREVIO

## Baseline Evaluation Report Liechtenstein

” Group of Experts  
on Action  
against Violence  
against Women and  
Domestic Violence  
(GREVIO)



**Istanbul Convention**

**GREVIO's (Baseline) Evaluation Report**  
on legislative and other measures  
giving effect to the provisions  
of the Council of Europe Convention  
on Preventing and Combating  
Violence against Women and Domestic Violence  
(Istanbul Convention)  
**LIECHTENSTEIN**

Group of Experts  
on Action against Violence against Women  
and Domestic Violence (GREVIO)

GREVIO/Inf(2023)24

Adopted by GREVIO on 26 October 2023

Published on 4 December 2023

Secretariat of the monitoring mechanism of the Council of Europe Convention  
on Preventing and Combating Violence against Women and Domestic Violence  
Council of Europe  
F-67075 Strasbourg Cedex  
France

[www.coe.int/conventionviolence](http://www.coe.int/conventionviolence)

---

## Table of contents

<b>Foreword .....</b>	<b>4</b>
<b>Executive summary .....</b>	<b>6</b>
<b>Introduction.....</b>	<b>9</b>
<b>I. Purposes, definitions, equality and non-discrimination, general obligations .....</b>	<b>10</b>
A. General principles of the convention.....	10
B. Scope of application of the convention and definitions (Articles 2 and 3).....	10
C. Fundamental rights, equality and non-discrimination (Article 4).....	12
1. Gender equality and non-discrimination.....	12
2. Intersectional discrimination.....	13
D. State obligations and due diligence (Article 5).....	14
E. Gender-sensitive policies (Article 6).....	14
<b>II. Integrated policies and data collection.....</b>	<b>16</b>
A. Comprehensive and co-ordinated policies (Article 7).....	16
B. Financial resources (Article 8).....	17
C. Non-governmental organisations and civil society (Article 9).....	18
D. Co-ordinating body (Article 10).....	18
E. Data collection and research (Article 11).....	19
1. Administrative data collection.....	20
2. Population-based surveys.....	21
3. Research.....	22
<b>III. Prevention .....</b>	<b>23</b>
A. General obligations (Article 12).....	23
B. Awareness raising (Article 13).....	24
C. Education (Article 14).....	24
D. Training of professionals (Article 15).....	26
E. Preventive intervention and treatment programmes (Article 16).....	28
1. Programmes for perpetrators of domestic violence.....	28
2. Programmes for sex offenders.....	29
F. Participation of the private sector and the media (Article 17).....	30
<b>IV. Protection and support.....</b>	<b>31</b>
A. General obligations (Article 18).....	31
B. Information (Article 19).....	32
C. General support services (Article 20).....	33
1. Social services.....	33
2. Healthcare services.....	33
D. Specialist support services (Article 22).....	34
E. Shelters (Article 23).....	36
F. Telephone helplines (Article 24).....	36
G. Support for victims of sexual violence (Article 25).....	37
H. Protection and support for child witnesses (Article 26).....	39
I. Reporting by professionals (Article 28).....	40
<b>V. Substantive law .....</b>	<b>41</b>
A. Civil law.....	41
1. Civil remedies against the state – ensuring due diligence (Article 29).....	41
2. Compensation (Article 30).....	42
3. Custody, visitation rights and safety (Article 31).....	43
B. Criminal law.....	45
1. Psychological violence (Article 33).....	45
2. Stalking (Article 34).....	46
3. Physical violence (Article 35).....	46
4. Sexual violence, including rape (Article 36).....	47

---

5. Forced marriage (Article 37).....	49
6. Female genital mutilation (Article 38).....	49
7. Forced abortion and forced sterilisation (Article 39).....	49
8. Sexual harassment (Article 40).....	50
9. Sanctions and measures (Article 45).....	50
10. Aggravating circumstances (Article 46).....	51
11. Prohibition of mandatory alternative dispute resolution processes or sentencing (Article 48).....	51
<b>VI. Investigation, prosecution, procedural law and protective measures .....</b>	<b>53</b>
A. General obligations, immediate response, prevention and protection (Articles 49 and 50)	53
1. Reporting to, immediate response and investigations by law-enforcement agencies	53
2. Effective investigation and prosecution .....	54
3. Conviction rates.....	55
B. Risk assessment and risk management (Article 51) .....	56
C. Emergency barring orders (Article 52).....	58
D. Restraining or protection orders (Article 53) .....	59
E. Ex parte and ex officio proceedings (Article 55).....	61
1. <i>Ex parte</i> and <i>ex officio</i> proceedings .....	61
2. Victim support in legal proceedings .....	61
F. Measures of protection (Article 56).....	62
G. Legal aid (Article 57) .....	64
<b>VII. Migration and asylum .....</b>	<b>65</b>
A. Residence status (Article 59).....	65
B. Gender-based asylum claims (Article 60) .....	66
1. Gender-sensitive asylum determination procedure .....	66
2. Accommodation.....	67
C. Non-refoulement (Article 61) .....	68
<b>Concluding remarks .....</b>	<b>69</b>
<b>Appendix I List of proposals and suggestions by GREVIO .....</b>	<b>70</b>
<b>Appendix II List of the national authorities, other public bodies, non-governmental organisations and civil society organisations with which GREVIO held consultations .</b>	<b>80</b>

## Foreword

The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) is an independent human rights monitoring body mandated to monitor the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, “the Istanbul Convention”) by the parties to the convention. It is composed of 15 independent and impartial experts appointed on the basis of their recognised expertise in the fields of human rights, gender equality, violence against women and/or assistance to and protection of victims.

GREVIO’s statutory activities include country-by-country monitoring of the Istanbul Convention (evaluation procedure), the initiation of inquiries into specific circumstances within a party to the convention (inquiry procedure) and the adoption of general recommendations on themes and concepts of the convention.

This report is the fruit of the first (baseline) evaluation procedure carried out in respect of Liechtenstein. It covers the Istanbul Convention in its entirety<sup>1</sup> and thus assesses the level of compliance of Liechtenstein’s legislation and practice in all areas covered by the convention. In light of the scope of the convention – as set out in its Article 2, paragraph 1 – the baseline evaluation focuses on measures taken in relation to “all forms of violence against women, including domestic violence, which affects women disproportionately”. Hence, the term “victim” used throughout this report is to be understood as referring to a woman or girl victim.

Based on this assessment, the report proposes measures to strengthen the implementation of the convention. In proposing such measures, GREVIO has adopted the use of different verbs which correspond to different levels of urgency, noting that all of them are important. These are, in order of priority, “urges”, “strongly encourages”, “encourages” and “invites”. GREVIO uses the verb “urges” where it considers that immediate action is required to bring the party’s legislation or policy into compliance with the Istanbul Convention, or to ensure its implementation. “Strongly encourages” is used where GREVIO has noted shortcomings which need to be remedied in the near future in order to ensure comprehensive implementation of the convention. A third level of urgency is indicated by the use of the verb “encourages”, which is used for shortcomings that require attention though possibly at a later stage. Last, the verb “invites” points to small gaps in implementation which the party is requested to consider closing or to proposals made to provide guidance in the implementation process.

The first (baseline) evaluation procedure is made up of several steps, each of which allows GREVIO to obtain critical information upon which to base its report. It is carried out as a process of confidential dialogue with the aim of offering country-specific proposals and suggestions for improvement developed within the national context of the party under review. These include the following:

- submission, by the party, of a report drawn up on the basis of GREVIO’s baseline questionnaire (the state report);
- an evaluation visit to the party under review to meet with governmental and non-governmental representatives working in this field;
- comments by the party on GREVIO’s draft report;
- publication of GREVIO’s report after its adoption together with any comments received from the party.

In addition, GREVIO also collects additional information from various other sources, including non-governmental organisations (NGOs), other members of civil society, national human rights institutions and Council of Europe bodies (Parliamentary Assembly, Human Rights Commissioner and other pertinent bodies), as well as other international treaty bodies. Within the framework of the evaluation of Liechtenstein, GREVIO received a joint written contribution from eight

---

1. With the exception of Chapter VIII of the convention, which GREVIO considered as less relevant in assessing the national situation in each contracting party.

---

non-governmental organisations: Probation Service (Bewährungshilfe), Liechtenstein Women's Shelter (Frauenhaus Liechtenstein), Women's Network Liechtenstein (Frauennetz Liechtenstein), Information and Counselling Centre for Women (Informations- und Beratungsstelle für Frauen, infra), Association for Child Protection (Verein kinderschutz.li), Liechtenstein Association for Persons with Disabilities (Liechtensteiner Behinderten-Verband), Counselling Centre love.li (Beratungsstelle love.li), Association for Men's Issues (Verein für Männerfragen), prepared under the auspices of the Liechtenstein Human Rights Association.

The state report and the written contributions submitted by civil society have been made public and are available on the official website of the Istanbul Convention.

The analysis, suggestions and proposals contained in this first baseline evaluation report were drawn up under the exclusive responsibility of GREVIO. It covers the situation as observed by the GREVIO delegation during its evaluation visit to Liechtenstein. Where available, significant legislative and policy developments up until 26 October 2023 have also been taken into account.

According to the convention, national parliaments shall receive this report from the national authorities (Article 70, paragraph 2). GREVIO requests the national authorities to translate this report into their official national language(s) and to ensure that it is widely disseminated, not only to the relevant state institutions at all levels (national, regional and local), in particular to the government, the ministries and the judiciary, but also to NGOs and other civil society organisations which work in the field of violence against women.

## Executive summary

This report provides an assessment of the measures taken by the authorities in Liechtenstein to implement the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the “Istanbul Convention”).

This assessment has been carried out by the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), an independent human rights body mandated to evaluate the implementation of the convention. GREVIO’s findings are based on the information obtained throughout the various steps of the first (baseline) evaluation procedure set out in Article 68 of the convention. This includes written reports (a state report submitted by the country authorities and additional information submitted by the Probation Service, Liechtenstein Women’s Shelter, Women’s Network Liechtenstein, Information and Counselling Centre for Women (infra), Association for Child Protection, Liechtenstein Association for Persons with Disabilities, Counselling Centre love.li, Association for Men’s Issues, and the Liechtenstein Human Rights Association) as well as information gathered and discussions held over a four-day evaluation visit to Liechtenstein in February 2023. A list of the bodies and entities with which GREVIO held exchanges can be found in Appendix II.

The report assesses the wide variety of measures taken by the authorities in Liechtenstein. Given the solidity of the legal framework, law-enforcement and the judiciary have all the necessary tools at their disposal to bring perpetrators of violence against women to justice. Several measures are in place to reduce secondary victimisation in the justice sector, such as the audio-visual recording of the witness statement of a woman victim of violence, which can contribute to reducing the attrition rate in cases of violence against women, and the support from the Victim’s Assistance Office, lawyers and women’s rights NGOs, who can accompany victims throughout the criminal justice system.

There is strong awareness among the authorities in Liechtenstein that domestic violence and violence against women are not a private matter, but a problem that the authorities and society as a whole need to tackle. A combination of general services and specialist women’s rights NGOs offers victims of domestic violence, sexual violence, sexual harassment and other forms of violence against women the support they need, including sufficient space in the women’s shelter. The NGOs and the shelter are substantially funded by the authorities, though the funding may not always suffice for additional advocacy work in addition to the NGOs’ core counselling business. Some general and specialist services for women victims of violence are made available in collaboration with the neighbouring countries Austria and Switzerland, which is a constructive and necessary solution given the small size of Liechtenstein. Multi-agency co-operation is very well established in the country, ensuring that relevant authorities communicate cases of domestic violence and offer the victim all necessary support. Cases in which a police barring order is issued against a perpetrator of domestic violence are continuously monitored by the Threat Management Service at the police, even after the order has expired.

There is a strong understanding among all relevant professionals that children who witnesses domestic violence are victims of violence in their own right. Comprehensive measures of support are enshrined in law in Liechtenstein for the protection and support of child victims in criminal, civil and non-contentious proceedings. In general, the courts and authorities take instances of violence by one parent against the other into account when taking decisions on child custody and visitation rights. In addition, much is being done throughout the education system in Liechtenstein to prevent violence against children, and among children, in particular addressing sexual violence, the digital manifestations of violence and harassment. Great effort is made to involve parents in violence prevention and in media literacy.

However, so far, there is no comprehensive policy document, national action plan or other strategy that could serve as a strategic framework to prevent and combat violence against women and domestic violence in Liechtenstein. Government measures and policies are largely focused on domestic violence, sexual violence, sexual harassment and stalking, but have paid little to no

attention to less prevalent forms of violence, such as female genital mutilation, forced marriage and violence related to so-called “honour”. In addition, there is no dedicated women’s helpline that complies with all of the requirements of Article 24 of the Istanbul Convention. In order to create evidence-based policies, there is a strong need for harmonised data collection across all sectors, population-based surveys and research in all areas relating to violence against women and domestic violence. The report shows a lack of systematically collected and disaggregated statistical data on the forms of violence against women covered by the Istanbul Convention. No data are available on the number of convictions for such cases, on the sentences handed down and on whether the sentences imposed on perpetrators are effective, proportionate and dissuasive. GREVIO identified the urgent need to collect and analyse data from the justice system on the forms of violence against women covered by the Istanbul Convention to identify and address the factors that may contribute to attrition in these cases.

GREVIO noted that it is not possible to determine the share of public funding that is spent on preventing and combating violence against women, as there is no document listing amounts specifically allocated to this area in the various ministries and institutions. In that respect, GREVIO underlined the added value of adopting gender budgeting at all levels of public administration in order to plan and monitor public funding devoted to the prevention and eradication of violence against women. In addition, GREVIO reiterated the obligation of the state to ensure that the funding of women’s rights NGOs providing crucial specialist services to women victims of violence is sufficient and sustainable.

While GREVIO welcomes the solid legal system of emergency barring orders and ensuing protection orders (interim injunctions) in Liechtenstein, it nevertheless considers that these could be used more frequently in order to send a strong signal that there is zero tolerance of violence in the domestic sphere. Statistics show that there appears to be a strong reluctance within the police to evict a perpetrator of violence from their home. The authorities must step up efforts to make use of police barring orders and protection orders more frequently and rigorously, in order to protect the right to safety of women victims of domestic violence and their children, and to show zero tolerance to the perpetrators of domestic violence. Children who are affected by domestic violence should also be covered by police barring orders, and the authorities must ensure that the perpetrator’s visitation rights do not perpetuate the pattern of abuse against the mother through the childcare arrangements. These measures should be accompanied by risk assessments that are systematically carried out for the victim and her children, from the first steps in the criminal justice chain and in relation to all forms of violence against women covered by the Istanbul Convention, using standardised and evidence-based risk-assessment tools.

While GREVIO welcomes Liechtenstein’s ratification of the Istanbul Convention and the efforts taken in its implementation, it has identified a number of issues that require further action by the authorities to comply fully with the convention’s provisions. These relate to the need to:

- adopt definitions of the terms set out in Article 3 of the Istanbul Convention and, where such definitions already exist, further align them with the convention;
- continue efforts to provide easily accessible information on available support and protection services and legal measures in relation to all forms of violence against women covered by the Istanbul Convention, and in particular for women victims of rape and sexual violence;
- ensure that general and specialist services are embedded in institutionalised multi-agency co-operation structures, in particular including the healthcare sector, and establish guidelines or protocols for relevant professionals on how to respond to cases of violence against women on the basis of multi-agency co-operation;
- continue to strive for gender equality in the labour market, in politics and in society in general, including by taking measures to close the gender pay gap, combat gender stereotypes, empower women, facilitate a balance between work and family responsibilities and aim at gender parity in politics;

- 
- address the rights and needs of women and girls exposed to, or at risk of, intersectional discrimination in all future laws, measures and policies relating to violence against women and domestic violence, including improving the accessibility of services and information on their rights, in particular for migrant women, women with disabilities and LGBTI women;
  - allocate the necessary human and financial resources to the national co-ordinating body, ensure that it carries out the co-ordination and implementation of policies and measures in relation to all forms of violence against women, including the collection of data and their analysis and dissemination, and ensure the monitoring and an independent and objective evaluation of those policies and measures;
  - ensure that all professionals dealing with victims or perpetrators of all forms of violence covered by the Istanbul Convention receive systematic and mandatory initial and in-service training to identify and respond to all forms of violence against women, while focusing on the victims' human rights, safety, individual needs and empowerment, and the prevention of secondary victimisation;
  - ensure that treatment programmes for domestic violence offenders and sex offenders are available in sufficient capacity, and raise awareness among judges, public prosecutors and other relevant authorities of their importance;
  - implement standardised care paths in the public and private healthcare sectors that include the identification of victims, systematic screening, diagnosis, treatment, documentation of the type of violence and the injuries suffered, and referral to the appropriate specialist support services for all forms of violence covered by the Istanbul Convention;
  - ensure that forensic examinations and medical care, as well as psychological counselling are available free of charge for women victims of sexual violence, including rape;
  - develop policies and/or guidelines based on the recognition that, in a context of domestic violence, joint parenting leads to a situation in which the abuser can continue to maintain control and domination over the mother and her children, and ensure that all relevant professionals are trained on domestic violence and on their obligation to ensure the safety of women victims of violence and their children in any decisions related to custody and visitation rights;
  - further align the criminal provisions on sexual harassment, FGM and forced marriage with the requirements of the Istanbul Convention, and ensure an appropriate range of sanctions for all sexual acts committed without the consent of the victim;
  - actively screen women asylum seekers for experiences of gender-based violence; and inform them of the right to request an interviewer and interpreter of the same sex during the entire asylum procedure, and systematically interview women asylum seekers separately from their husband and any other family members at the outset of the asylum procedure.

Furthermore, GREVIO has identified a number of additional areas in which improvements are required in order to comply fully with the obligations of the convention. These relate to, among other things, formalising NGO involvement in policy making and involving them more actively in multi-agency co-operation; continuing to actively support and promote the involvement of the private sector in the prevention of violence against women in all its forms; encouraging all domestic media to apply and monitor the use of self-regulatory standards in relation to the non-stereotypical and non-sexist portrayal of women in the media, including when reporting on violence against women; and continuing to support women victims of violence in the areas of employment, employment training and housing.

## Introduction

Liechtenstein ratified the Istanbul Convention on 17 June 2021. The convention entered into force in respect of Liechtenstein on 1 October 2021. In accordance with Article 78, paragraph 2, of the convention, Liechtenstein reserves the right not to apply the provisions under Article 44, paragraph 1e and Article 44, paragraph 3, with regard to forced abortion and forced sterilisation (Article 39); and to apply only in specific cases or conditions the provisions laid down in Article 59 of the Istanbul Convention. This reservation is valid for a period of five years from the day of the entry into force of the convention in respect of Liechtenstein and may be renewed.

The Istanbul Convention is the most far-reaching international treaty to tackle violence against women and domestic violence. Its comprehensive set of provisions spans far-ranging preventive and protective measures as well as a number of obligations to ensure an adequate criminal justice response to such serious violations of human rights. It covers new ground by asking that root causes of violence against women (such as gender stereotyping, traditions harmful to women and general manifestations of gender inequality) be addressed.

The convention sets up a monitoring mechanism to assess the level of implementation by its parties. This monitoring mechanism consists of two pillars: the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), an independent expert body, and the Committee of the Parties, a political body composed of official representatives of the parties to the convention.

In accordance with Article 68 of the convention, GREVIO initiated the baseline evaluation in respect of Liechtenstein by letter and transmission of its questionnaire on 16 February 2022. The order of reporting to GREVIO is based on a combination of regional groupings and order of ratification. The authorities in Liechtenstein subsequently submitted their state report on 7 October 2022 – the deadline set by GREVIO. Following a preliminary examination of the country state report, GREVIO carried out an evaluation visit to Liechtenstein, which took place from 14 to 17 February 2023. The delegation was composed of:

- Marie-Claude Hofner, Member of GREVIO
- Grzegorz Wrona, Member of GREVIO
- Sabrina Wittmann, Administrator at the Secretariat of the monitoring mechanism of the Istanbul Convention

During the evaluation visit, the delegation was welcomed by high-level public figures, including Markus Biedermann, Secretary General at the Ministry of the Interior, Economy and Environment, Stephan Jäger, Secretary General at the Ministry of Foreign Affairs, Education and Sport and Dr Maximilian Rüdissler, Secretary General at the Ministry of Infrastructure and Justice. In addition, the delegation met with a wide range of governmental and non-governmental representatives working in the area of preventing and combating violence against women. A list of the national authorities, non-governmental organisations and others met is set out in Appendix II of this report. GREVIO is grateful for the valuable information provided by all of them.

The evaluation visit was prepared in close co-operation with Martina Edlund, Diplomatic Officer at the Office for Foreign Affairs, who was appointed as contact person for the evaluation by GREVIO. GREVIO wishes to extend its gratitude for the co-operation and support provided throughout the entire evaluation procedure, and for the constructive approach adopted by the authorities in Liechtenstein.

As part of this first baseline evaluation, GREVIO examined the implementation measures taken by the authorities in Liechtenstein concerning all aspects of the convention. For the sake of brevity, this report gives priority to some provisions over others. While it covers all chapters of the convention (with the exception of Chapter VIII), it does not present detailed assessments and conclusions for each provision.

## **I. Purposes, definitions, equality and non-discrimination, general obligations**

### **A. General principles of the convention**

1. Chapter I of the Istanbul Convention sets out general principles which apply to all the substantive articles contained in Chapters II to VII. These include, among other things, that it is a fundamental human right for everyone, particularly women, to live a life free from violence in both the public and the private sphere, that the convention must be implemented without discrimination on any ground and that the potential for, and effects of, multiple forms of discrimination should be borne in mind. They also spell out that a gender perspective must be integrated into the implementation of the convention and the evaluation of its impact.

2. From the information reviewed, it transpires that the general principles of the Istanbul Convention and many of its specific provisions have informed legislative reform in Liechtenstein, notably in the area of criminal law, but also in relation to civil and administrative proceedings. The findings and proposals outlined in this report are intended to guide the authorities in Liechtenstein towards a more comprehensive approach in implementing the full range of provisions of the Istanbul Convention – in law, in policy and in practice.

3. Liechtenstein is a constitutional, hereditary monarchy on a democratic and parliamentary basis. The power of the state is embodied in the reigning Prince of Liechtenstein and the people and is exercised under the conditions set forth in the provisions of the constitution. The reigning Prince is the Head of State. Liechtenstein is a double-landlocked country with a total size of 160 km<sup>2</sup>, bordering Switzerland and Austria. Its population amounts to 39 680 people,<sup>2</sup> of which women make up around 50%. One third of the population are foreign nationals, the majority of them being of Swiss, German, Austrian or Italian nationality.<sup>3</sup> Liechtenstein is a member of the European Economic Area (EEA) and an associate member of the European Union's Schengen agreement, and participates in the "Dublin" System.<sup>4</sup>

### **B. Scope of application of the convention and definitions (Articles 2 and 3)**

4. In light of the scope of the Istanbul Convention set out in its Article 2, paragraph 1, the first baseline evaluation focuses on measures taken in relation to all forms of violence against women, including domestic violence, which affects women disproportionately. Article 3 of the Istanbul Convention sets out key definitions of concepts that are fundamental to its implementation. According to paragraph *a*, the term "violence against women" refers to "all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life", whereas the expression "domestic violence" is to be understood as referring to "all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim". The definition of "gender-based violence against women" offered in paragraph *d* of Article 3 seeks to ensure more clarity regarding the nature of the violence covered by explaining that this is "violence that is directed against a woman because she is a woman or that affects women disproportionately".

5. Hence, the violence addressed by the Istanbul Convention differs from other types of violence in that the victim's gender is the primary motive. It is violence that is perpetrated against a woman that is both the cause and consequence of unequal power relations based on perceived differences between women and men that lead to women's subordinate status in the public and private spheres. In accordance with the definition given in Article 3, paragraph *b*, Chapter V of the convention

2. See [www.statistikportal.li/de/news/bevoelkerungsstand-vorlaeufige-ergebnisse-31-dezember-2022](http://www.statistikportal.li/de/news/bevoelkerungsstand-vorlaeufige-ergebnisse-31-dezember-2022).

3. Liechtenstein Office for Statistics, January 2022, available at: [www.llv.li/files/as/liechtenstein\\_in\\_zahlen\\_2022.pdf](http://www.llv.li/files/as/liechtenstein_in_zahlen_2022.pdf).

4. See [www.eas.europa.eu/suisse/union-europeenne-et-le-liechtenstein\\_fr?s=180](http://www.eas.europa.eu/suisse/union-europeenne-et-le-liechtenstein_fr?s=180).

specifies the forms of violence against women that are to be criminalised (or, where applicable, otherwise sanctioned). These are psychological violence, stalking, physical violence, sexual violence, including rape, forced marriage, female genital mutilation, forced abortion, forced sterilisation and sexual harassment. Owing to the seriousness of domestic violence, Article 46 of the convention requires ensuring that the circumstances in which the offence was committed against a former or current spouse or partner, by a member of the family, a person cohabiting with the victim or a person having abused her or his authority, may entail a harsher sentence either as an aggravating circumstance or a constituent element of the offence.

6. GREVIO welcomes the introduction, in 2019, of the offence of “continuous use of force” in Article 107*b* of the Liechtenstein Criminal Code, which criminalises using force against another person, continuously and over a longer period of time.<sup>5</sup> The term “force” is defined in its paragraph 2 and includes causing bodily harm to another person or intentionally committing acts against life and limb or against personal freedom. GREVIO is satisfied that this provision can also be used to sanction the typical course of conduct of domestic violence.

7. The Liechtenstein Police Act mentions “domestic violence” in its Articles 24*g* (the provision on emergency barring orders) and 34*d* (on the disclosure of personal data). The Code of Criminal Procedure contains the term in its Article 131(5), indent 2*a* (on pretrial detention and alternatives thereto). However, none of these or any other generally applicable laws actually define the term.

8. The police instructions on domestic violence define it as threats or acts of physical, psychological or sexual violence against persons who are in a current or previous family relationship, marriage or marriage-like partnership, whether or not they cohabit. GREVIO notes that most of the elements of the definition as set out in Article 3, paragraph *b*, of the convention are present in this definition, except an explicit reference to economic violence. The Victims Assistance Office has issued a policy document on domestic violence, in which it gave its own definition of domestic violence. However, this definition is not legally binding and does not contain all the elements of the definition contained in Article 3, paragraph *b*, of the Istanbul Convention. The terms “violence against women” and “gender-based violence against women”, as set out in Article 3, paragraphs *a* and *d* of the convention, are not defined under domestic law either.

9. GREVIO sees the need to introduce definitions for those terms which are not yet defined under domestic law, and to amend the existing definitions to bring them in line with the requirements of Article 3 of the Istanbul Convention. Adopting universally applicable definitions would not only contribute to making the authorities’ work on combating violence against women and domestic violence more coherent, but it would equally be important for data-collection purposes, international comparison, monitoring and multi-agency co-operation. GREVIO notes, moreover, that the definitions of the different forms of violence against women in domestic criminal law are not always fully in line with the Istanbul Convention.<sup>6</sup>

10. Turning to domestic policies, the information reviewed during the evaluation procedure showed that many policy measures focus mainly on domestic violence, sexual violence, stalking and sexual harassment. GREVIO notes, however, that currently in Liechtenstein no policies, protocols or dedicated service provision exists for other forms of violence against women, such as female genital mutilation (FGM), forced marriage, forced sterilisation or violence related to so-called honour. While acknowledging the infrequency of reports concerning such forms of violence against women, GREVIO notes that they can affect women in Liechtenstein belonging to migrant communities and women with different cultural backgrounds, including those seeking asylum, and women with disabilities. While these forms of violence are addressed in Liechtenstein’s criminal law, the Istanbul Convention requires a comprehensive approach that complements a criminal justice response with policies, services and dedicated measures addressing each form of violence against women identified and defined by the Istanbul Convention.

---

5. Liechtenstein’s legislation can be accessed at [www.gesetze.li](http://www.gesetze.li) (in German).

6. See Chapter V, Criminal law.

11. Expanding the scope of policy measures to forms of violence other than domestic violence, sexual violence, stalking and sexual harassment is therefore needed, on the basis of a holistic and comprehensive approach that clearly frames violence against women as a human rights violation and a form of discrimination and that underlines the importance of securing substantive gender equality. Due regard should be paid to the gendered nature of violence against women, which requires a gendered perspective when tackling its different forms. More research on forms of violence against women that are covered by the Istanbul Convention, but that may be less prevalent, is needed to embark on a process of evidence-based policy making.<sup>7</sup> The expertise of existing working groups and other governmental bodies can easily be tapped into, as should the expertise developed by civil society and women's rights organisations, including the specialist support services.<sup>8</sup>

12. **GREVIO strongly encourages the authorities in Liechtenstein to adopt definitions of the terms set out in Article 3 of the Istanbul Convention and, where such definitions already exist, further align them with the convention.**

13. **GREVIO strongly encourages the authorities in Liechtenstein to enhance the implementation of the Istanbul Convention in relation to all the forms of violence against women, beyond domestic violence, sexual violence, stalking and sexual harassment, which are currently less addressed by policies, programmes and support services, with due regard to their gendered nature, and to ensure the application of a gendered perspective in such efforts.**

## **C. Fundamental rights, equality and non-discrimination (Article 4)**

### **1. Gender equality and non-discrimination**

14. The principle of equality between women and men is enshrined in Article 31 of the Liechtenstein Constitution. However, there is no general anti-discrimination legislation in place in the country. The Gender Equality Act only covers work-related discrimination, including sexual harassment, and discrimination as regards access to goods and services. The prohibition of discrimination based on disability is contained in the Act on Equality of Persons with Disabilities. In 2016, "gender" was introduced as a prohibited ground for discrimination in Article 283 of the Criminal Code.

15. GREVIO welcomes the fact that, as early as in 1994 and again in 2004, the government issued directives to the National Administration on the equal linguistic treatment of women and men. In 2021, the Equal Opportunities Unit drew upon these directives to issue guidance on gender-inclusive language,<sup>9</sup> which all ministries and governmental offices were instructed to apply. The government also edits a yearly publication on the human rights situation in Liechtenstein which, among other things, elaborates on gender equality issues, such as the percentage of women in employment and the number of boys and girls in education, and domestic violence.<sup>10</sup>

16. While the participation of women in politics has improved in recent years, gender equality has not been achieved on all political levels. GREVIO shares the concern raised by the UN Committee on the Elimination of Discrimination against Women (CEDAW) that women are still excluded from succession to the throne of the Prince.<sup>11</sup> Discussions around gender representation in politics are ongoing in Liechtenstein, with the umbrella NGO Women's Network repeatedly conducting a campaign on diversity in politics. This campaign was financially supported by the

---

7. See also Chapter II, Article 11.

8. GREVIO baseline evaluation report on Iceland, paragraph 12.

9. Available at: [www.llv.li/files/asd/bro\\_geschlechtergerechtesprache\\_a5\\_2021\\_final\\_web.pdf](http://www.llv.li/files/asd/bro_geschlechtergerechtesprache_a5_2021_final_web.pdf) (in German only).

10. Government of Liechtenstein, 12th Status Report on Human Rights 2021, April 2022, available at: [www.llv.li/inhalt/117523/amtstellen/menschenrechte-in-liechtenstein](http://www.llv.li/inhalt/117523/amtstellen/menschenrechte-in-liechtenstein).

11. CEDAW, Concluding observations on the fifth periodic report of Liechtenstein, CEDAW/C/LIE/CO/5/Rev.1, 3 December 2018, available at: [www.ohchr.org/en/documents/concluding-observations/cedawclieco5rev1-concluding-observations-fifth-periodic-report](http://www.ohchr.org/en/documents/concluding-observations/cedawclieco5rev1-concluding-observations-fifth-periodic-report).

authorities in Liechtenstein, which GREVIO welcomes. Since 2021, 28% of the seats in the Liechtenstein Parliament have been held by women, compared to only 12% in the previous legislative period.<sup>12</sup> Three out of the five ministers in the current government are women.<sup>13</sup> On the other hand, nine of the 11 local mayors are men. The percentage of women in municipal councils is 36%.<sup>14</sup>

17. In the labour market, on average, women in Liechtenstein still earn 14% less than their male colleagues. The gender pay gap becomes more pronounced the older a woman gets. While the average monthly salary for women and men is very similar in the age group of 20- to 24-year-olds (4 557 Swiss francs (CHF) for women, and CHF 4 645 for men), women aged 60 to 64 earn almost 25% less than men in the same age group.<sup>15</sup> Since 2017, the Liechtenstein Employee's Union (LANV) has organised a yearly "Equal Pay Day" to raise awareness of the gender pay gap. The union sees the reasons for this gap in persisting gender stereotypes in the country, fewer promotions for women and gender-based discrimination. Moreover, women tend to work part-time in order to comply with unpaid family and care duties at home.<sup>16</sup> More effort will be required to achieve a *de facto* equality of women and men in the labour market. GREVIO welcomes, in that context, the continuous activities of the "pepperMINT" project, which aims to encourage children from kindergarten to high school to take up "STEM" subjects (science, technology, engineering and mathematics) and thereby raise, in particular, the share of women in technical professions and natural sciences.<sup>17</sup>

## 2. Intersectional discrimination

18. Article 4, paragraph 3, of the convention requires parties to secure the implementation of their undertakings under the convention without any discrimination. This provision provides an open-ended list of grounds of discrimination which draws on that of Article 14 of the European Convention on Human Rights as well as the list contained in its Protocol No. 12<sup>18</sup> and, in addition, includes the grounds of gender, sexual orientation, gender identity, age, state of health, disability, marital status, and migrant or refugee status or other status. This obligation stems from the realisation that discrimination of certain groups of women, for example at the hands of law-enforcement agencies, the judiciary or service providers, is still widespread.<sup>19</sup>

19. GREVIO notes that there is no legislation in place in Liechtenstein that defines or covers intersectional discrimination,<sup>20</sup> nor is there case law available that takes this concept into account.<sup>21</sup> It would be beneficial for women subject to, or at risk of, intersectional discrimination, if the particular challenges they face in accessing services, receiving information, and reporting violence against women, were to be addressed in future legal and policy developments.

20. In terms of the availability of and access to services, information made available to women victims of violence and the support of law-enforcement agencies and other statutory agencies, GREVIO received indications from women's rights NGOs that in particular migrant women, women with disabilities, women with addiction issues and LGBTI women still face barriers and in practice do not appear to have the same access to services as other women in relation to the forms of violence

---

12. See [www.landtagswahlen.li/genderstatistik](http://www.landtagswahlen.li/genderstatistik).

13. See [www.regierung.li/regierungsmitglieder](http://www.regierung.li/regierungsmitglieder).

14. See [www.viefalt.li/post/das-wahlergebnis-aus-frauensicht](http://www.viefalt.li/post/das-wahlergebnis-aus-frauensicht).

15. Liechtenstein Office for Statistics, January 2022, p. 26, available at: [www.liv.li/files/as/liechtenstein\\_in\\_zahlen\\_2022.pdf](http://www.liv.li/files/as/liechtenstein_in_zahlen_2022.pdf).

16. Wirtschaft Regional, 17 February 2023, p. 3, available at: [www.lanv.li/Portals/0/2023/003\\_lvwr\\_30\\_2023-02-17%20\(003\).pdf](http://www.lanv.li/Portals/0/2023/003_lvwr_30_2023-02-17%20(003).pdf).

17. See [www.peppermint.li](http://www.peppermint.li).

18. The discrimination grounds in question include sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

19. See paragraphs 52-54 of the Explanatory Report to the Istanbul Convention.

20. For an explanation of the concept of intersectionality, please see: [www.coe.int/en/web/gender-matters/intersectionality-and-multiple-discrimination](http://www.coe.int/en/web/gender-matters/intersectionality-and-multiple-discrimination).

21. European Equality Law Network, A comparative analysis of gender equality law in Europe 2022, 18 January 2023, p. 19, available at: [www.equalitylaw.eu/publications/comparative-analyses](http://www.equalitylaw.eu/publications/comparative-analyses).

covered by the convention.<sup>22</sup> For example, interpreters for sign language are scarce, but can be ordered for public and private services at the Liechtenstein Association for People with Disabilities (for public services the costs are covered by the state). There is no helpline accessible for women with a hearing impairment. Women with addiction issues may not be accepted at the women's shelter, depending on the severity of their addiction and their mental status. If they are referred for medical treatment, they receive support from the women's shelter on an outpatient basis.<sup>23</sup> Migrant women are not systematically informed by the government of their rights when arriving in the country, for example through marrying a national of Liechtenstein. They would need information, in particular, on access to support services for violence against women and domestic violence, mainly because of language and cultural barriers.<sup>24</sup> A website is available with information for migrant women; however, it appears to be in German only.<sup>25</sup> In this context, GREVIO welcomes the project "Integra" by the women's rights NGO "infra", which supports migrant women in Liechtenstein through counselling, labour market training and advice, and literacy training.<sup>26</sup> This project is mainly financed by the authorities in Liechtenstein.

**21. GREVIO strongly encourages the authorities in Liechtenstein to continue their efforts to strive for gender equality in the labour market, in politics and in society in general, including by taking measures to close the gender pay gap, combating gender stereotypes, facilitating a balance between work and family responsibilities and aiming at gender parity in politics.**

**22. GREVIO strongly encourages the authorities in Liechtenstein to address the rights and needs of women and girls exposed to, or at risk of, intersectional discrimination in all future laws, measures and policies relating to violence against women and domestic violence. This includes improving the accessibility of services and information on their rights, in particular for migrant women, women with disabilities and LGBTI women.**

#### **D. State obligations and due diligence (Article 5)**

23. Aspects of the implementation of Article 5 of the convention are covered in Chapters V and VI of this report.

#### **E. Gender-sensitive policies (Article 6)**

24. Article 6 of the Istanbul Convention calls on the parties to include a gender perspective in the implementation and evaluation of the impact of its provisions and to promote and implement policies aimed at achieving equality between women and men and the empowerment of women. This obligation stems from the realisation that in order to put an end to all forms of violence covered by the scope of the convention, it is necessary to promote *de jure* and *de facto* equality between women and men. It also reflects the principle that violence against women is a consequence as well as a cause of gender inequality.

25. Indeed, the Istanbul Convention is clear in asserting that both violence against women and domestic violence should be understood as gendered phenomena. This is because the historically unequal relationships between women and men have led to the domination of men over women, and are among the root causes of violence against women. The driving motivation behind these forms of violence is power and control over a woman – her body, her mind, her economic situation, her sexuality and her reproductive functions. It is for this reason that they are covered by the Istanbul Convention as manifestations of gender-based violence, which is violence that is directed against a woman because she is a woman, or that affects women disproportionately. As such, it

---

22. See also Chapter IV, Articles 19, 20 and 22.

23. See also Chapter IV, Article 23.

24. See also Chapter VI, Articles 49 and 50, in relation to barriers faced by migrant women and women with disabilities when reporting to the police.

25. See [www.integration.li](http://www.integration.li).

26. See [www.infra.li/integra](http://www.infra.li/integra).

---

should not be considered as abuse experienced individually by women but needs to be understood as a social mechanism to keep women in a subordinate position to men.<sup>27</sup>

26. Given that there are currently no comprehensive national policies or action plans in place in relation to the Istanbul Convention,<sup>28</sup> GREVIO points out that any such future instruments should acknowledge the structural nature of violence against women as a manifestation of historically unequal power relations between women and men. Moreover, legislative and other measures to combat violence against women, including training and awareness-raising efforts, should explicitly be linked to measures promoting gender equality and women's empowerment, and should recognise and address violence against women and domestic violence as forms of gender-based violence. GREVIO reiterates, in this context, that the application of Article 6 on gender-sensitive policies extends to all other articles of the convention.

27. **GREVIO encourages the authorities in Liechtenstein to:**

- a. ensure that all policies and measures relating to combating violence against women and domestic violence are based on a gendered understanding of violence against women and domestic violence;**
- b. ensure that all relevant laws, policies and other measures are applied in a gender-sensitive manner;**
- c. promote and effectively implement policies for equality between women and men and for the empowerment of women.**

---

27. Horizontal Review, page 16.

28. See Chapter II, Article 7.

## II. Integrated policies and data collection

28. Chapter II of the Istanbul Convention sets out the core requirement for a holistic response to violence against women: the need for state-wide effective, comprehensive and co-ordinated policies sustained by the necessary institutional, financial and organisational structures.

### A. Comprehensive and co-ordinated policies (Article 7)

29. Article 7 of the Istanbul Convention requires states parties to ensure that co-ordinated and comprehensive measures to prevent and combat violence against women address all forms of violence against women.

30. From the material reviewed, GREVIO notes that the focus of government activities in relation to the Istanbul Convention lies mainly on domestic violence, sexual violence, sexual harassment and stalking. It notes with concern that there are certain types of violence against women that receive little or no attention, such as forced marriage, FGM and violence based on “honour”. While GREVIO is mindful that some of these forms of violence may be less common in Liechtenstein, it also must note that in the absence of prevalence studies, it is difficult to assess their pervasiveness.<sup>29</sup> In that context, GREVIO reiterates that evidence-based policy making is of great importance under the Istanbul Convention. However, the last study on the experiences of domestic violence of women in Liechtenstein dates back to 2003. Not much relevant data or research are available either, leading to little empirical basis for evidence-based policies.

31. GREVIO notes with concern the absence of a comprehensive policy document, national action plan or other strategy that could serve as a strategic framework for action on violence against women and domestic violence. It recalls that the drafters of the convention considered this to be one way of ensuring the elements of comprehensive and co-ordinated policies, on the one hand, and the involvement of all relevant institutions and agencies, on the other.<sup>30</sup> GREVIO points out that in any such strategies or action plans, all the areas of prevention, protection and prosecution of violence against women, as set out in the Istanbul Convention, should be duly covered, and all the forms of violence set out in the convention should be addressed, including in their digital dimension, where applicable. Moreover, due attention should be given to the gendered nature of the different forms of violence against women. GREVIO reiterates that all adopted policies should be implemented in a co-ordinated manner and driven by a shared vision to address violence against women as a gendered phenomenon. Last, the specific needs of women who are exposed to, or at risk of, intersectional discrimination should be fully reflected.

32. As regards the level of co-ordination of policies developed and implemented by the different authorities in Liechtenstein, GREVIO notes that apart from the Co-ordination Group for the Implementation of the Istanbul Convention,<sup>31</sup> there is an informal Working Group on Domestic Violence, which met regularly twice a year, until the outbreak of Covid-19 in 2020. Two further meetings have taken place since. It consists of the Office for Social Services, the Migration and Passport Office, the Victims Assistance Office and two NGOs: “infra” and the Women’s Network.

33. Moreover, an intergovernmental Expert Group on Protection from Sexual Abuse deals with questions related to sexual violence against children, and monitors the implementation of the Lanzarote Convention in Liechtenstein.<sup>32</sup> GREVIO recalls, in this context, that the design and implementation of a comprehensive framework to prevent and combat violence against women need to ensure that the rights of victims are placed at the centre of all measures, which requires effective co-operation and co-ordination among stakeholders and service providers at the local level. For this

---

29. See Chapter II, Article 11.

30. Explanatory Report to the Istanbul Convention, paragraph 65.

31. See Chapter II, Article 10.

32. The Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse, also known as “the Lanzarote Convention”, requires criminalisation of all kinds of sexual offences against children. It requires that states adopt specific legislation and take measures to prevent sexual violence, to protect child victims and to prosecute perpetrators. See [www.coe.int/en/web/children/lanzarote-convention](http://www.coe.int/en/web/children/lanzarote-convention).

reason, the implementation of any policy through victim-centred, effective, multi-agency co-operation is an important element of Article 7 of the convention and should form part and parcel of any future strategic framework.<sup>33</sup> All relevant stakeholders should be assigned clear roles and responsibilities in the prevention of violence against women, within all relevant policies, avoiding overlaps and conflicts of competences.

**34. GREVIO urges the authorities in Liechtenstein to develop a long-term, comprehensive, evidence-based strategy or action plan, offering an effective comprehensive and co-ordinated set of policies to prevent and prosecute all forms of violence against women covered by the Istanbul Convention, including in their digital dimension, placing the rights and the protection of victims at the centre of all measures and giving due importance to the gendered nature of the different forms of violence against women.**

## **B. Financial resources (Article 8)**

35. Article 8 aims to ensure the allocation of appropriate financial and human resources for the activities carried out by public authorities and those of relevant non-governmental and civil society organisations. In Liechtenstein, it is not possible to determine the share of public funding that is spent on preventing and combating violence against women, as there is no document listing amounts specifically allocated to this area in the various ministries and institutions. In that respect, GREVIO underlines the added value of adopting gender budgeting at all levels of public administration in order to plan and monitor public funding devoted to the prevention and eradication of violence against women.

36. GREVIO regrets that the implementation of the Istanbul Convention has not led to an increase in the budget for preventing and combating violence against women and domestic violence.

37. The women's shelter receives from the authorities a flat rate of funding amounting to the majority of its yearly budget and does not depend on the actual number of women and children staying there. Additionally, the women's shelter receives daily allowances from the state for the women and children staying at the shelter. In 2022, these amounted to 34% of the shelter's budget. A smaller fraction of the shelter's annual budget is financed through private foundations and donations (11% in 2022). The funding structure of other NGOs working in the area of violence against women and domestic violence is similar: the state funds a certain part of their budget through service agreements, and the remainder is financed through private donors and foundations.<sup>34</sup> Service agreements with the government are in principle arranged for an indefinite period, but they can be terminated. The budget allocated through such agreements is re-evaluated annually and NGOs can request an increase in their budget, if needed. Moreover, NGOs can separately apply for funding for specific projects, such as awareness-raising campaigns.

38. NGOs active in the field of violence against women and domestic violence have indicated to GREVIO that they would require more funding in order to expand their activities, to be able to organise outreach activities and advocacy, to conduct training activities and to cover services that are currently not included in the service agreements with the government, such as translation and interpretation costs for migrant and asylum-seeking women and professional legal advice.<sup>35</sup> GREVIO reiterates that it is an obligation of the state to ensure that the funding of organisations providing crucial specialist services to women victims of violence is sufficient and sustainable.

---

33. GREVIO baseline evaluation report on Germany, paragraph 33.

34. For details on the funding the different NGOs receive, see p. 8 of the report submitted by Liechtenstein pursuant to Article 68, paragraph 1, of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Baseline Report) (the "state report").

35. Information obtained during the evaluation visit.

39. **GREVIO urges the authorities in Liechtenstein to:**

- a. **take steps, in particular through gender budgeting and planning earmarked funding, to identify more effectively the sums spent on addressing violence against women and domestic violence by all relevant institutions;**
- b. **ensure adequate and sustainable funding opportunities for civil society organisations working to combat violence against women and domestic violence.**

**C. Non-governmental organisations and civil society (Article 9)**

40. NGOs in Liechtenstein were a driving force behind the country's ratification of the Istanbul Convention. The government's proposal to ratify the convention received broad support in parliament and was very positively received by the population. Women's rights NGOs play an important role in advocacy, carrying out awareness-raising campaigns and operating counselling and support services that offer the specialist support for women victims of violence which local authorities and the various branches of the social welfare system cannot provide.

41. Several government entities in Liechtenstein hold exchanges with NGOs and civil society, at more or less regular intervals. The government informed GREVIO that the planned National Gender Equality Strategy would be drawn up in close co-operation with NGOs and civil society. The Co-ordination Group for the Implementation of the Istanbul Convention is mandated to hold an institutionalised yearly exchange with civil society organisations. Moreover, NGOs are actively invited to give comments on draft laws in the framework of public consultations if the draft laws concern their field of activity. GREVIO thus welcomes the active involvement of women's rights NGOs with the Liechtenstein Government in policy making, and it notes with satisfaction that this matches the strong role of civil society and NGOs envisaged by the Istanbul Convention in its Article 9. GREVIO notes, however, that this co-operation is not always institutionalised. It would therefore be desirable to formalise NGO engagement in policy making, as well as in multi-agency co-operation, to address individual cases of violence against women. Such involvement currently appears to be based on a case-by-case basis and without structural engagement.

42. **GREVIO invites the authorities in Liechtenstein to formalise NGO involvement in policy making and involve them more actively in multi-agency co-operation, both at policy and individual level, in order to ensure their participation in the design of policies and programmes and the provision of services, counselling, advocacy and awareness raising.**

**D. Co-ordinating body (Article 10)**

43. Article 10 of the Istanbul Convention sets out the obligation to designate one or more official government bodies to co-ordinate, implement, monitor and evaluate policies and measures to prevent and combat all forms of violence covered by the scope of the convention. These bodies should also be responsible for the co-ordination and the collection of data and the analysis and dissemination of results. The evaluation function is to be understood as implying an independent and scientific assessment, based on robust data, of policies and measures. Bodies that are responsible for the evaluation of policies must therefore be institutionally independent and separate from those that co-ordinate/implement and monitor policies on violence against women.

44. The authorities in Liechtenstein set up a Co-ordination Group pursuant to Article 10, shortly after the ratification of the Istanbul Convention and prior to its entering into force. It is mandated with co-ordinating, monitoring and evaluating policies and other measures to prevent and combat all forms of violence against women covered by the convention. GREVIO was informed that the Co-ordination Group has carried out an analysis of stakeholders in order to obtain an overview of the existing governmental and non-governmental entities, their thematic areas and the current services, measures and projects relating to violence against women and domestic violence. On the basis of the results of that analysis and its activities in 2022, the Group is expected to issue its first annual report in 2023 with recommendations to the government for further action.

45. The Co-ordination Group is chaired by the Office for Social Services. Several relevant ministries and authorities are represented in the group, such as the Office for Foreign Affairs, the Migration and Passport Office, the Threat Management Service of the National Police and the Victims Assistance Office. The group must also conduct a yearly dialogue with NGOs, the first of which took place in 2022. However, GREVIO notes that the health and medical sector is not at all involved, despite being a crucial general service which is often the first point of contact for women victims of violence. This absence of the health and medical sector from multi-agency co-operation in Liechtenstein should be remedied without delay.

46. Moreover, GREVIO notes with regret that the Co-ordination Group was not vested with any dedicated financial or human resources. Instead, its members must carry out their related duties within their own budgets. GREVIO recalls that co-ordination bodies must be formal bodies with a dedicated budget and sufficient human resources so that they can ensure the continuity and sustainability of policies and measures.

47. In addition, GREVIO reiterates that the tasks required under Article 10 of the convention encompass monitoring and evaluating relevant policies and measures. The evaluation function is to be understood as employing an independent and scientific assessment of whether the measures taken have achieved their aim and/or expose any gaps, shortcomings or unwanted or unintended effects. In the implementation of Article 10 of the convention, GREVIO underlines the importance of ensuring that the evaluation of measures and policies is not carried out by the very same bodies that are responsible for the co-ordination and implementation of the measures and who thus bear political responsibility for them.<sup>36</sup>

48. Last, the co-ordination and the collection of data and the analysis and dissemination of results do not currently seem to be performed by the Co-ordinating Group. However, GREVIO notes that the group has recognised the need for improvement and, at the time of the evaluation procedure, was reflecting on how to proceed in this regard.<sup>37</sup>

**49. GREVIO strongly encourages the authorities in Liechtenstein to ensure, on the one hand, the co-ordination and implementation of policies and measures in relation to all forms of violence against women and, on the other hand, the monitoring and an independent, objective evaluation of those policies and measures, carried out by way of an open dialogue with all relevant stakeholders, in particular independent women's organisations involved in preventing and combating violence against women.**

**50. GREVIO strongly encourages the authorities in Liechtenstein to allocate the necessary human and financial resources to those bodies carrying out the functions under Article 10 of the Istanbul Convention, and ensure that they co-ordinate the collection of data as referred to in Article 11 and that they analyse and disseminate the results.**

## **E. Data collection and research (Article 11)**

51. Preventing and combating violence against women and domestic violence requires evidence-based policy making. The collection of systematic and comparable data from all relevant administrative sources is crucial in this regard, as is information on the prevalence of all forms of violence against women.<sup>38</sup>

---

36. GREVIO baseline evaluation report on Bosnia and Herzegovina, paragraph 54.

37. Information obtained during the evaluation visit.

38. While this section discusses the main considerations related to data collection, Chapters V and VI also offer reflection on data related to specific criminal offences.

## 1. Administrative data collection

52. GREVIO has consistently referred to the need to collect data on all forms of violence against women covered by the Istanbul Convention and to ensure their disaggregation, at the minimum, by sex and age of both the victim and the perpetrator, type of violence, the relationship of the perpetrator to the victim and geographical location.<sup>39</sup> This is only done to a limited extent in Liechtenstein, and the analysis below shows the importance of investing further in data-collection systems that enable valuable data on reported cases of violence against women and the effectiveness of measures to counter such violence to come to light.

### a. Law-enforcement agencies and the justice sector

53. As regards data collection by prosecution services and criminal courts in relation to cases of violence against women and domestic violence, GREVIO notes that this has not systematically been done in the past. However, GREVIO was informed by the authorities that a review of all relevant cases from 2022 onwards is being conducted and that all future cases will be tagged with markers on all forms of violence covered by the convention, in order to get an overview of the situation. GREVIO encourages the authorities to submit the results of this exercise when the data are available.

54. GREVIO regrets that no data on indictments or convictions are being collected or made available publicly. Moreover, the data-collection systems are not harmonised across the different sectors, as the police and the judiciary appear to use different data categories that are not comparable to data collected by other sectors. Furthermore, there is no case-management system in place that would enable the tracking of cases of violence against women, from reporting to indictment and beyond, and in relation to all criminal offences required by the convention, and to possibly identify shortcomings in the different stages of the criminal justice chain. The aim of such harmonised data is, *inter alia*, to allow an assessment of conviction, attrition and recidivism rates. Article 11 of the convention requires states parties to set up a common data-collection system for all levels of the judiciary and law-enforcement agencies, based on a common set of data categories that includes all forms of violence covered by the Istanbul Convention, broken down by sex and age of both the victim and the perpetrator, type of violence and relationship between the perpetrator and the victim. Equally, it would be important to systematically collect data on the number of criminal and other sanctions imposed on perpetrators of all forms of violence against women, with an indication of the types of sanctions imposed and, where appropriate, of their suspended execution, their reduction for any motive and the average length of sanctions. Due to the lack of data on sentencing applied to the forms of violence covered by the Istanbul Convention, it is not possible to assess whether the actual sentences imposed in practice for the different forms of violence against women are effective, proportionate and dissuasive. However, GREVIO appreciates the awareness among the relevant entities in Liechtenstein of the lack of systematic data collection, and the concrete plans to change their current system in the future.

55. GREVIO considers it of equal importance that data be collected on the number of breaches of emergency barring, restraining and protection orders, the number of sanctions imposed as a result of such breaches and the number of cases in which victims are re-victimised or murdered as a consequence of such breaches, which is currently not systematically collected in Liechtenstein.

### b. Healthcare sector

56. GREVIO has not received any data on the number of women and girls who contact, seek help from, and are treated by the health and medical sector in Liechtenstein for experiences of violence against women, including domestic violence, broken down by the victims' sex, age and relationship with the alleged perpetrator.

---

39. See GREVIO's Mid-term horizontal review of 17 baseline evaluation reports, paragraph 101.

### **c. Social services**

57. Data on the number of women and girls who contact social services for help and are being assisted because of their experiences of violence, including domestic violence, broken down by the victims' sex, age and relationship with the alleged perpetrator, are not collected in Liechtenstein.

### **d. Data on the asylum procedure**

58. The Migration and Passport Office collects data on the number of asylum claims made on the basis of gender-related persecution and their outcomes. Between 2018 and 2022, two women were granted asylum on grounds of gender-specific persecution. Another woman, who claimed to have gender-specific grounds for seeking asylum, but – for reasons unknown to GREVIO – did not fulfil the conditions to be granted asylum, was given a residence permit on humanitarian grounds.<sup>40</sup>

59. **GREVIO urges the authorities in Liechtenstein to:**

- a. harmonise the data-collection systems used by law enforcement and the judiciary, based on a common set of data categories that includes all forms of violence covered by the Istanbul Convention, broken down by sex, age of both the victim and the perpetrator, type of violence and relationship between the perpetrator and the victim; and introduce a case-management system that would allow cases to be tracked through all stages of the criminal justice system, with the aim of identifying gaps in the system that may contribute to (possibly) low rates of cases going to trial, low conviction rates or sanctions that are not proportionate and dissuasive;**
- b. collect data on the number of cases reported to law enforcement, the criminal charges and indictments brought, criminal convictions and criminal and other sanctions imposed on perpetrators of all forms of violence against women, with an indication of the type of sanctions imposed and, where appropriate, of their suspended execution, their reduction for any motive and their average length;**
- c. collect data on the number of breaches of emergency barring, restraining and protection orders, the number of sanctions imposed as a result of such breaches, and the number of cases where the woman was re-victimised or murdered as a consequence of such breaches;**
- d. ensure that medical, healthcare and social welfare services collect data on contact made by victims of violence against women, and on the women cared for and supported for issues related to these forms of violence, broken down by sex, age of both the victims and perpetrators and the relationship of the perpetrator to the victim;**
- e. prepare and publish an overview of available data on all forms of violence covered by the Istanbul Convention, including an analysis of data and trends, in order to support evidence-based policy making.**

## **2. Population-based surveys**

60. GREVIO notes with concern that the last population-based survey on domestic violence in Liechtenstein dates back to 2003. No population-based surveys on any of the other forms of violence covered by the convention have been carried out, so there is no information on their prevalence. Some unofficial data are available, for example the results of an online survey carried out by two NGOs (aha and infra) among adolescents and young adults, which showed that 71% of the female respondents and 35% of the male respondents had experienced sexual or sexist harassment. Moreover, GREVIO has received indications from NGOs active in the field of women's rights that they have seen cases of forced marriage and female genital mutilation (FGM) in the country.<sup>41</sup> However, these cases do not show up in any official data as they never reached the criminal justice system. This is why it would be all the more important to conduct regular population-based surveys,

---

40. State report, p. 51.

41. Information obtained during the evaluation visit.

including on psychological violence, economic violence, FGM, forced marriage and the digital dimension of violence against women, in order to assess their prevalence. GREVIO points out that population-based surveys are vital for documenting the nature and scale of the violence committed against women, as well as the determinants and consequences of such violence, and to estimate the resources that are needed to design and implement related public policies. They are also a key means of ascertaining women victims' feedback on support services, law-enforcement agencies and judicial bodies, and of identifying any obstacles to victims' access to support, protection and justice.<sup>42</sup>

**61. GREVIO urges the authorities in Liechtenstein to regularly conduct population-based surveys on the various forms of violence against women covered by the Istanbul Convention.**

### **3. Research**

62. Article 11, paragraph 1*b*, of the convention creates the obligation for parties to support research, out of the consideration that it is essential that parties base their policies and measures to prevent and combat all forms of violence covered by the convention on state-of-the-art research and knowledge in this field. As a key element of evidence-based policy making, research can contribute greatly to improving day-to-day, real-world responses to violence against women and domestic violence by the judiciary, support services and law-enforcement agencies.<sup>43</sup>

63. GREVIO notes with concern that no studies on any of the forms of violence covered by the Istanbul Convention, or on the experiences of violence suffered by specific groups of women who face intersectional discrimination, such as elderly women, women with disabilities, LGBTI women or migrant women, have been carried out. No research is available either on the effects on children who witness domestic violence or on underlying gender stereotypes and attitudes to violence against women. Moreover, to GREVIO's knowledge, an evaluation of the existing legislative measures and public policies in relation to violence against women and domestic violence, to assess their level of implementation, efficacy and victim satisfaction, has never been carried out.

**64. GREVIO strongly encourages the authorities in Liechtenstein to:**

- a. regularly promote research activities, including through cross-border or international research initiatives, on the situation of women victims of all forms of violence covered by the Istanbul Convention;**
- b. support the conduct of research, including through cross-border or international research initiatives, on violence affecting groups of women exposed to intersectional discrimination, such as elderly women, women with disabilities, LGBTI women and migrant women;**
- c. extend research to evaluate the implementation of laws and policies on violence against women.**

---

42. GREVIO evaluation report on Andorra, paragraph 59.

43. Explanatory Report to the Istanbul Convention, paragraph 77.

### III. Prevention

65. This chapter contains a number of general and more specific obligations in the area of prevention. These include early preventive measures such as changing social and cultural patterns of behaviour of women and men, eradicating prejudices and gender stereotypes, and measures to involve all of society, including men and boys, in achieving gender equality and the prevention of violence against women. It also includes more specific preventive measures such as awareness raising and campaigning, ensuring the adequate training of all professionals, education in schools and other settings and, last but not least, measures such as perpetrator programmes to prevent further victimisation.

#### A. General obligations (Article 12)

66. Article 12 delineates the fundamental foundations of the parties' duty to prevent violence against women. These include the parties' determination to promote changes in the social and cultural patterns of behaviour of women and men with a view to eradicating prejudices, customs, traditions and all other practices which are based on the idea of the inferiority of women or on stereotyped roles for women and men. Moreover, flowing from the premise that violence against women is a cause as much as a consequence of gender inequality, Article 12 requires further that parties adopt specific measures to empower women and to achieve greater gender equality in order to reduce women's vulnerability to violence.

67. GREVIO received indications from civil society that stereotypical views on the role of men and women in the family, such as women being responsible for the household and children, and men being the main breadwinners, persist in society in Liechtenstein.<sup>44</sup> This leads to economic dependence of women and consequently makes it more difficult for them to leave abusive relationships. In this context, GREVIO underlines the value of Recommendation CM/Rec(2019)1 of the Committee of Ministers to member States on preventing and combating sexism.<sup>45</sup> Addressing the root causes of violence against women requires a reflection on women's roles in society and in the family, perceptions of their agency and the existence of negative stereotypes, including possible institutional bias, in order to identify pathways to greater equality between women and men. The drafters of the Istanbul Convention were mindful of the need for mentalities and attitudes to change at the level of individual men and women who, through their behaviour, perpetuate violence against women.<sup>46</sup> A positive contribution to achieving such change can be made by men and boys acting as role models, agents of change and advocates for equality between women and men and mutual respect. This can be done by speaking out against violence, engaging other men in ending violence against women or actively taking on caring responsibilities, which should be explored according to the drafters of the convention.<sup>47</sup>

68. GREVIO notes that there are some primary prevention measures in place in Liechtenstein that aim to empower women and reduce their vulnerability to violence, notably through awareness-raising campaigns and informing them about their rights. However, these measures are not offered on a regular or institutionalised basis. Evidence-based primary prevention measures, for example feminist empowerment self-assertion and self-defence classes that meet quality standards, are proven to be effective in preventing gender-based violence.<sup>48</sup> Moreover, women's rights NGOs have pointed out that sexual violence, for example, remains a taboo topic in the country, and women find it very difficult to talk about their related experiences. More needs to be done to break such taboos and empower women to come forward with their experiences of violence.

---

44. Information obtained during the evaluation visit.

45. Available at: <https://rm.coe.int/cm-rec-2019-1-on-preventing-and-combating-sexism/168094d894>.

46. Explanatory Report to the Istanbul Convention, paragraph 85.

47. Ibid., paragraph 88.

48. Compare GREVIO baseline evaluation report on Germany, paragraph 77.

69. **GREVIO encourages the authorities in Liechtenstein to step up their efforts to eradicate prejudice, gender stereotypes and patriarchal attitudes in society. To that end, the authorities in Liechtenstein should make primary prevention of violence against women a priority in future action plans and measures.**

## **B. Awareness raising (Article 13)**

70. GREVIO commends the authorities in Liechtenstein for the numerous awareness-raising campaigns that target sexism and certain manifestations of violence against women, such as sexual harassment and domestic violence,<sup>49</sup> making use of different channels, such as social media, TV, radio and local newspapers. Moreover, the Ombudsperson for Children and Youth, together with the Children's Lobby Liechtenstein, conducted an awareness-raising campaign in 2021 and 2022 aimed at raising awareness about the harm caused to children who are victims of domestic violence. GREVIO notes with satisfaction that many of these campaigns are conducted in collaboration with women's rights NGOs and/or with neighbouring regions in Switzerland and Austria. Several awareness-raising campaigns are also initiated by individual NGOs, who indicated to GREVIO that they lacked sustainable funding for them.<sup>50</sup> GREVIO recalls that awareness raising is a core requirement under the Istanbul Convention needing adequate financial means.

71. While domestic violence and sexual harassment are the main topics of awareness-raising campaigns, GREVIO notes that other forms of violence of the Istanbul Convention have received less attention, such as sexual violence, stalking, economic violence, psychological violence, forced marriage and FGM. NGOs active in the field have pointed out to GREVIO that, from their experience, there is a lack of awareness among women in Liechtenstein as to what constitutes violence.<sup>51</sup> While physical and sexual violence are widely known to be unacceptable, other pervasive forms of violence against women, such as psychological violence, economic violence, coercive control and stalking, are less known to be criminal offences.

72. Besides targeting the general population, GREVIO finds that there is a need to diversify awareness-raising activities so that the information and messages disseminated are relevant to the particular needs and concerns of vulnerable groups of women, such as migrant women, women with disabilities, women with addiction issues, women in prostitution or elderly women, who are at risk of, or subject to, intersectional discrimination. Women with addiction issues and women in prostitution, for example, face a high risk of becoming victims of violence and should be made aware that they have the same rights as all women. Last, GREVIO considers that it would be important to have the impact of awareness-raising campaigns evaluated upon completion.

73. **GREVIO encourages the authorities in Liechtenstein to diversify their awareness-raising efforts in order to address all the forms of violence against women covered by the Istanbul Convention, besides domestic violence and sexual harassment. Specific attention should be paid to reaching vulnerable groups of women, especially when they are at risk of intersectional discrimination. Sufficient funding should be made available to conduct and support awareness-raising campaigns.**

## **C. Education (Article 14)**

74. Attitudes, convictions and behavioural patterns are shaped very early in life. Educational establishments therefore have an important role to play in promoting equality between women and men and human rights. Article 14 therefore requires the design of teaching material that promotes equality between women and men, non-stereotyped gender roles, mutual respect, non-violent

---

49. For more details on the various campaigns, see the state report, pp. 10-13.

50. NGO information submitted by eight non-governmental organisations under the auspices of the Liechtenstein Human Rights Association, p. 7.

51. Information obtained during the evaluation visit.

conflict resolution in interpersonal relationships and the right to personal integrity and that informs learners of the different forms of gender-based violence against women.

75. In 2019, a new curriculum for public primary and secondary education establishments was introduced that took into account the elements contained in Article 14 of the Istanbul Convention. From the material reviewed, it appears that many of them are covered in this standard curriculum.<sup>52</sup> However, it is not clear whether all forms of violence covered by the Istanbul Convention are addressed in the education material. GREVIO notes with interest that the curriculum is supposed to be reviewed in 2024, which will give the authorities the opportunity to ensure full compliance with the requirements of the convention.

76. GREVIO welcomes the presence of social workers in every school in Liechtenstein, who play a role in violence prevention. Moreover, teachers are given support in situations where they suspect violence and there is a reporting system in place. GREVIO is satisfied that this allows for the early detection of violence against children. However, it has received indications from NGOs active in the field that more financial and human resources, in particular more teachers trained in violence prevention and protection, are needed to fully achieve the aims of Article 14 of the convention.<sup>53</sup>

77. GREVIO notes with satisfaction that much is being done throughout the education system in Liechtenstein to prevent violence against children, and among children, in particular addressing sexual violence, the digital manifestations of violence and harassment. Great effort is being made to involve parents in violence prevention and in media literacy, which GREVIO welcomes. The Office for Social Services made available brochures for teachers and parents with information on how to talk to children and adolescents on topics such as cybergrooming, sexting and personal data protection.<sup>54</sup> The interactive prevention project “My body belongs to me” is available for pupils in primary schools and aims to protect children from sexual abuse. Moreover, external organisations hold workshops and give presentations on violence prevention, non-violent conflict resolution, consent, sexuality education and other topics relevant to the Istanbul Convention. In that context, GREVIO reiterates that Council of Europe Recommendation CM/Rec(2019)1 to member States on preventing and combating sexism calls for age-appropriate, evidence-based and scientifically accurate and comprehensive sex and sexuality education to be incorporated into school curriculums. GREVIO thus encourages the authorities in Liechtenstein to continue their efforts to offer related courses at all levels of the education system.

78. It appears that some steps have been taken by the authorities in Liechtenstein to promote the principles of equality between women and men, non-stereotyped gender roles, mutual respect and non-violence conflict resolution in interpersonal relationships in informal educational facilities and in sports, cultural and leisure facilities, as required under Article 14, paragraph 2, of the convention. In the field of sports, for example, the Equal Opportunities Unit conducted a media campaign in co-operation with the Liechtenstein Olympic Committee (LOC) on the topic of women in leadership positions in sport, in 2021 and 2022. However, more and continuous measures are needed to implement this provision.

**79. GREVIO invites the authorities in Liechtenstein to pursue their efforts to provide teaching materials on all the subjects covered by Article 14, paragraph 1, of the Istanbul Convention, in particular on all the forms of violence covered by the Istanbul Convention. Moreover, further steps should be taken to promote the principles of equality between women and men, non-stereotyped gender roles, mutual respect and non-violence conflict resolution in interpersonal relationships in informal educational facilities and in sports, cultural and leisure activities, as required under Article 14, paragraph 2, of the convention.**

---

52. For more details, see the state report, pp. 13-14.

53. NGO information submitted by eight non-governmental organisations under the auspices of the Liechtenstein Human Rights Association, p. 12.

54. Available at: [https://archiv.llv.li/files/asd/medien\\_primar\\_final\\_2019.pdf](https://archiv.llv.li/files/asd/medien_primar_final_2019.pdf) and [https://archiv.llv.li/files/asd/medien\\_sekundar\\_final\\_2019.pdf](https://archiv.llv.li/files/asd/medien_sekundar_final_2019.pdf).

#### **D. Training of professionals (Article 15)**

80. The standard set by the convention in its Article 15 is that of systematic initial and in-service training of the relevant professionals who deal with victims or perpetrators of all acts of violence. The training that is required must cover the prevention and detection of such violence, equality between women and men, the needs and rights of victims and the prevention of secondary victimisation.

81. An assessment of the level of training of relevant professionals in Liechtenstein in the field of violence against women and domestic violence reveals a mixed picture. Several professional groups receive a good amount of training, such as the police, teachers and educational staff, and staff operating in the asylum reception facility. Other groups need more initial and in-service training to acquire the appropriate tools for identifying and managing cases of violence at an early stage and for taking preventive measures accordingly, by fostering the sensitivity and skills required to respond appropriately and effectively.<sup>55</sup> GREVIO will examine the different relevant professional groups below.

82. As regards judges and public prosecutors working in Liechtenstein, GREVIO notes that a significant number of them come from the neighbouring country Austria, which means that they have completed their initial training there. GREVIO considers that it would therefore be all the more important to provide them with mandatory in-service training on the issues set out in Article 15 of the convention. There are two public prosecutors who specialise in sexual violence and share their insights and knowledge with their team during internal training. However, GREVIO was informed that the Ministry of Justice has no role in the training of judges or public prosecutors and training is left entirely to their discretion. Some of them participate in domestic violence-related training out of interest and on their own initiative. Others may not have received in-service training on topics related to the Istanbul Convention. GREVIO thus points to the need to step up the in-service training efforts for judges and public prosecutors.

83. Health professionals are often the first to come into contact with a woman victim of violence. Their training on the detection of the different forms of violence covered by the Istanbul Convention and the care needed in such circumstances is therefore of primordial importance. GREVIO welcomes the fact that medical doctors and nurses at the one hospital in Liechtenstein receive training on forensic medicine and nursing, conducted by the Zürich Institute for Forensic Medicine. However, it appears that general practitioners, pharmacists and specialist physicians do not necessarily receive the same level of training, which should be remedied without delay.

84. GREVIO welcomes the provision to staff in the Victims Assistance Office of specific training on the cycle of domestic violence, how to deal with victims of violence and related issues. In addition, GREVIO points out that the training of social service officers and labour market officials who encounter women victims of violence trying to gain economic independence from their abusive partner, on the forms and consequences of violence against women, is crucial to adequately recognise and address their needs. However, this does not seem to be part of the in-house training of these public officials. On the other hand, GREVIO observed that there seems to be a very good understanding among social services staff of the issues related to violence against women and domestic violence. It would nonetheless be desirable to ensure that the topics listed in Article 15 of the convention are integrated into initial and in-service training of social services staff, in order to ensure that victims of violence are being met with the understanding they need.

85. While teachers and educational staff appear to have a good level of knowledge on violence prevention and protection, GREVIO nonetheless points out that such training must be continuous to ensure that all staff working with children are aware of and know how to react in cases of violence or suspicions thereof. It welcomes that in spring 2023, "A guide for teachers" on issues related to child welfare endangerment has been revised and re-published, providing teachers with relevant guidelines.

---

55. Explanatory Report to the Istanbul Convention, paragraph 99.

86. GREVIO notes that staff operating the reception and accommodation centre for asylum seekers appear to have a good level of training and knowledge of their duties and responsibilities when faced with cases of violence against asylum-seeking women and asylum-seeking women victims of domestic violence.<sup>56</sup>

87. GREVIO is satisfied that the police in Liechtenstein receive a good amount of initial and in-service training on domestic violence and its dynamics. Moreover, there are specialised police officers who are trained to handle cases of sexual violence. The Threat Management Service at the National Police significantly contributes to the training and awareness of police officers on issues related to domestic violence. GREVIO was informed that other forms of violence covered by the Istanbul Convention, such as FGM, forced marriage or stalking are not systematically included in training, but relevant courses would be selected on the basis of a concrete need. In addition, it is not clear whether law-enforcement professionals receive training on how to deal with victims of violence subject to intersectional discrimination, such as women with disabilities, women with addiction issues, women in prostitution, LGBTI women and migrant women. Moreover, women's rights NGOs have pointed out to GREVIO that staff rotation and changes often lead to a loss of related specialist knowledge.<sup>57</sup> To prevent secondary victimisation through insensitive questioning, initial and continuous training of all law-enforcement officials who may come into contact with women victims of violence should be intensified. Low reporting rates for sexual violence can be countered if victims believe that they can trust the system, and that they are being taken seriously. GREVIO has received indications that women with intellectual disabilities feel, at times, that they are not treated by the police with the same level of seriousness as other women, and that the way they are questioned is not always adapted to their disability.<sup>58</sup> Continuous training efforts in that respect are needed.

88. Women's rights NGOs in Liechtenstein indicated that they would like to be more involved in training activities, in particular for the police.<sup>59</sup> GREVIO considers that involving the expertise of women's NGOs in designing and implementing training can significantly contribute to the sensitivity of law-enforcement personnel (and other authorities) to the needs of women victims of violence.

89. GREVIO concludes that several, but not all, relevant professional groups receive sufficient initial and in-house training on the areas covered by Article 15 of the convention. Training focuses heavily on domestic and sexual violence, but knowledge of other forms of violence covered by the Istanbul Convention, such as sexual harassment, stalking, FGM, forced marriage, forced abortion, forced sterilisation and violence related to so-called "honour" appears to be lacking across most professional groups. While GREVIO is mindful that there may only be a very few cases of these forms of violence, this may not always stay this way. Indeed, because of the lack of training on these forms of violence, the victims may be overlooked and thought to be non-existent, when it often takes a trained eye to spot what remains hidden to others. Moreover, it is an obligation under the Istanbul Convention to include all forms of violence against women in training, policy making, law-making and in general and specialist service provision. In addition, training should also convey knowledge of how violence affects women who are subject to, or at risk of, intersectional discrimination, such as women with disabilities, LGBTI women, migrant women, women in prostitution and women with addiction issues, including alcohol dependency.<sup>60</sup>

90. GREVIO considers that in addition to training efforts, it would be important to issue up-to-date and clear protocols and guidelines to improve the handling by all relevant professionals, in their respective field, of the different forms of violence covered by the convention, taking into account the characteristics of each form, their interconnectedness, the risk factors for re-victimisation and how violence can affect the ability and willingness of persons to disclose the violence to the police or other relevant public authorities.

---

56. Training needs of staff of the Migration and Passport Office are addressed in Chapter VII, Article 60, of this report.

57. Information obtained during the evaluation visit.

58. Information obtained during the evaluation visit.

59. Information obtained during the evaluation visit.

60. GREVIO baseline evaluation report on Iceland, paragraph 92.

91. **GREVIO strongly encourages the authorities in Liechtenstein to ensure that all professionals dealing with victims or perpetrators of all forms of violence covered by the Istanbul Convention receive systematic and mandatory initial and in-service training to identify and respond to all forms of violence against women, while focusing on the victims' human rights, safety, individual needs and empowerment, and the prevention of secondary victimisation.**

92. **GREVIO strongly encourages the authorities in Liechtenstein to ensure that the training of relevant professionals is based on the principles of non-discrimination and equality between women and men, and is devised in close co-operation with relevant stakeholders, including independent women's rights NGOs providing specialist support to women victims of violence. Clear protocols and guidelines should be established to set the standards that staff are expected to follow in their respective fields.**

## **E. Preventive intervention and treatment programmes (Article 16)**

### **1. Programmes for perpetrators of domestic violence**

93. Persons who are criminally convicted in Liechtenstein for violence against women normally serve their sentences in Austrian prisons and therefore have access to preventive intervention and treatment programmes there, such as anti-violence training, access to the prison's psychological service and individual therapy, both for domestic violence offenders and sex offenders. However, GREVIO has been alerted to the fact that sometimes the prison terms are too short for the completion of a perpetrator programme, which is why it is all the more important to ensure that treatment can be continued after release.

94. Outside prison settings, the Probation Service in Liechtenstein, through their project "Gewaltig.li", offers preventive intervention and treatment programmes for perpetrators of violent offences. GREVIO welcomes the fact that these programmes are based on the European Guidelines for Perpetrator Work<sup>61</sup> and that the probation officers are trained on the basis of the "Hamburg Model".<sup>62</sup> This approach centres around the perpetrators taking responsibility for their actions and working on changing their behaviour by internalising non-violent conflict resolution mechanisms. In total, Gewaltig.li has provided counselling for 30 persons so far, 30% of which were perpetrators of domestic violence. GREVIO is satisfied that the Probation Service follows a victim-centred approach and ensures that the victim's interests are respected. It reiterates, in this context, that an important standard for perpetrator programmes is that they should work in close co-operation with women's support services. This is crucial to ensure that women's services supporting victims whose partners or spouses, current or former, are attending a perpetrator programme, are regularly informed of progress and of the level of co-operation of the attendees, and are provided with any information that might be important to ensure the women's safety.<sup>63</sup> In addition, they should take into account the perspective of children living in abusive relationships, where applicable.<sup>64</sup> Perpetrator work institutions should be embedded in the local intervention structures and closely co-operate with all stakeholders, such as women's support organisations, the police, the justice system and other support services.

95. Perpetrators are referred to the Probation Service if they are released from prison under parole or if they are convicted and given a conditional prison term, or within the framework of a diversionary measure.<sup>65</sup> GREVIO welcomes the fact that, in the context of diversionary measures, the Probation Service has the right to report to the public prosecutor's office, which supervises such

---

61. See [www.eupax.eu/fachinformation/europaeische-richtlinien-taeterarbeit-eurit/](http://www.eupax.eu/fachinformation/europaeische-richtlinien-taeterarbeit-eurit/).

62. *Handbuch der Gewaltberatung* [Handbook of Counselling on Violence] (2002), Männer gegen Männer-Gewalt, OLE-Verlag, Hamburg, available at: [www.ole-verlag.de/handbuch-der-gewaltberatung/](http://www.ole-verlag.de/handbuch-der-gewaltberatung/).

63. GREVIO evaluation report on Portugal, paragraph 103.

64. Hester, M., and Lilley, S.-J., Domestic and sexual violence perpetrator programmes, p. 33, available at: <https://edoc.coe.int/en/violence-against-women/7144-domestic-and-sexual-violence-perpetrator-programmes-article-16-of-the-istanbul-convention.html>.

65. See also Chapter V, Article 48.

measures, when they consider that a case is unsuited for mediation. Moreover, the Child and Youth Service, the Office for Social Services, the police and courts can all refer perpetrators to the Probation Service, but only court-ordered referrals are mandatory for the person concerned.

96. GREVIO welcomes the fact that participation in a preventive intervention and treatment programme has been free since 2023. Previously, the costs of treatment had to be borne by the perpetrator, which acted as a deterrent.<sup>66</sup>

97. In conclusion, while GREVIO welcomes the victim-centred approach of existing perpetrator programmes and the fact that they are based on internationally recognised standards, it also considers that the full potential of preventive intervention and treatment programmes is not made use of in Liechtenstein. GREVIO considers it important to raise awareness of and disseminate knowledge on perpetrator work among the relevant prosecution authorities and judges who are legally competent to refer offenders or order them to attend preventive intervention and treatment programmes. Judges and prosecutors should be encouraged to systematically make use of this possibility. Ideally, this should lead to an increase in the number of perpetrators receiving treatment, which would need to be accommodated through an increase in the available budget. Last, an independent evaluation of the impact of such programmes and related recidivism rates, both in custodial settings and walk-in programmes, should be carried out.

## **2. Programmes for sex offenders**

98. While there are programmes for sex offenders in Austrian prisons (see the previous subsection on programmes for domestic violence offenders), there are no walk-in programmes for perpetrators of sexual violence in Liechtenstein. Sex offenders can turn to resident psychologists and psychiatrists for therapy. However, it is unclear whether these therapists are all specifically trained on preventive intervention and treatment programmes for perpetrators of sexual violence.

99. GREVIO was informed that the authorities are in the process of acceding to the network “Don’t turn into a perpetrator”,<sup>67</sup> which offers programmes for persons who are sexually attracted to children. However, GREVIO reiterates that Article 16 of the convention requires that such programmes are also available for those sex offenders who have used sexual violence against women and girls outside of child sex abuse cases. Instituting preventive intervention and treatment programmes for sex offenders should be made a priority. GREVIO reiterates, in that context, that treatment programmes for sex offenders should take due account of the best practices developed internationally, while guaranteeing a human rights-based approach.<sup>68</sup>

100. **GREVIO strongly encourages the authorities in Liechtenstein to:**

- a. ensure that the institutions providing perpetrator programmes, both in cases of domestic violence and sexual violence, are embedded in the local intervention structures and closely co-operate with all stakeholders, such as women’s support organisations, the police, the health and medical sector, the justice system and other support services, with the aim that victims are protected and safe;**
- b. raise awareness among judges, public prosecutors and other relevant authorities of the importance of perpetrator programmes;**
- c. ensure that treatment programmes for domestic violence offenders and sex offenders are available in sufficient capacity and take due account of the best practices developed internationally, while guaranteeing a human rights-based approach;**
- d. conduct an independent evaluation of perpetrator programmes for domestic violence and sexual violence, in line with recognised best international practices and principles, with the aim of assessing whether the intended impact has been achieved.**

66. Information obtained during the evaluation visit.

67. See [www.kein-taeter-werden.de/](http://www.kein-taeter-werden.de/). See also GREVIO baseline report on Germany, paragraph 112.

68. GREVIO baseline evaluation report on Türkiye, paragraph 131.

## **F. Participation of the private sector and the media (Article 17)**

101. The professional ethical standards of the Swiss Press Council apply to the Vaduzer Medienhaus AG, a private publishing company which issues the only printed newspaper in Liechtenstein, as it is a member of the Swiss Media Association. The complaints procedure of the Swiss Advertising Standards Commission applies to it as well, which includes the possibility to complain about sexist advertising.<sup>69</sup> Moreover, pursuant to Article 11 of the Media Funding Act, the Federal Media Commission may exclude media from public funding, for a maximum of two years, in case of repeated violations of the Media Act.

102. In 2018, the Violence Protection Commission launched an awareness-raising campaign across the media in Liechtenstein on hate speech, including derogatory public statements against women. From 2015 to 2017, as part of an interregional project, the authorities in Switzerland, Austria and Liechtenstein created a media tutorial with guidance for journalists and media staff on issues related to gender, sexism and gender-sensitive language, with the aim of questioning role models and gender stereotypes in the media. GREVIO welcomes these awareness-raising and outreach programmes for the media.

103. In relation to private companies, GREVIO welcomes the explicit prohibition in the Gender Equality Act of discrimination, including sexual harassment, in the workplace. The burden of proof lies with the employer and specific legal claims are available to remedy work-related discrimination and harassment. GREVIO is satisfied that the Liechtenstein Employees' Association (LANV)<sup>70</sup> has a good awareness of issues related to sexual harassment, mobbing and discrimination in the workplace, and that it has a complaints mechanism in place. It welcomes, in that context, the continued support of the government, since 2006, for awareness-raising campaigns on sexual harassment in the workplace. Furthermore, most banks in Liechtenstein have implemented a catalogue of measures against sexual harassment in the workplace, which is commendable. GREVIO considers that the aim should be that all private companies in Liechtenstein adopt guidelines and internal procedures on this form of violence against women, but also in relation to other forms of violence covered by the convention.

104. **GREVIO invites the authorities in Liechtenstein to:**

- a. continue to actively support and promote the involvement of the private sector in the prevention of violence against women in all its forms, including by providing guidance for private companies on establishing internal procedures to address sexual harassment and other forms of violence covered by the Istanbul Convention, including effective complaints mechanisms;**
- b. encourage all domestic media to apply and monitor the use of self-regulatory standards in relation to the non-stereotypical and non-sexist portrayal of women in the media, including when reporting on violence against women.**

---

69. Article 41 of the Media Act prohibits, among other things, advertisements that violate human dignity or are discriminatory.

70. The LANV is the only labour union in Liechtenstein. See [www.lanv.li](http://www.lanv.li).

## IV. Protection and support

105. Chapter IV of the Istanbul Convention aims at a multifaceted, professional and victim-oriented support structure for any woman who has experienced any of the forms of violence covered by the convention.

### A. General obligations (Article 18)

106. Article 18 of the Istanbul Convention sets out a number of general principles to be respected in the provision of both general and specialist protective and supportive services. One of these principles is the need for services to act in a concerted and co-ordinated manner with the involvement of all the agencies concerned, taking into account the relationship between victims, offenders, children and their wider social environment. Addressing the complexity of violence against women requires establishing an intervention system which involves all relevant policy sectors, administrative levels and actors. Multisectoral and multi-agency interventions across the national, regional and local levels are key to ensuring an effective and cohesive response to all forms of violence. Effective co-ordination at local levels is particularly important in terms of ensuring that responses fit the community needs and of providing “one-stop-shop” services to victims.

107. By virtue of the small size of Liechtenstein and the streamlined structure of its administration, multi-agency co-operation is a default for the authorities. Stakeholders from different services and entities responsible for victims of domestic and gender-based violence generally know each other and co-operate efficiently, are communicating, recognising each other’s expertise and building upon it. At the same time, this is not usually rooted in protocols or institutionalised practices. Moreover, GREVIO notes that the healthcare sector and the Office for Health are essentially excluded from multi-agency co-operation in areas covered by the Istanbul Convention.<sup>71</sup> Several services consist of a very small number of staff members only (the Victims Assistance Office, for example, consists of one single person), which means that if they are on leave or retire, co-operation practices risk being interrupted. Institutionalising multi-agency co-operation would therefore be all the more important in Liechtenstein, paired with the issuance of mandatory protocols or guidelines for relevant professionals on how to respond to cases of violence against women covered by the Istanbul Convention on the basis of multi-agency co-operation. This would also contribute to authorities having a clear picture of other services’ tasks and responsibilities in that context, and make these practices sustainable.

108. NGOs active in the field of women’s rights have indicated that they would like to be involved more often by relevant government authorities in co-operation structures. Systematically involving NGOs which can bring their experience, as well as the victims’ perspective, into multi-agency co-operation mechanisms would contribute to providing victims with a more comprehensive package of services.

**109. GREVIO strongly encourages the authorities in Liechtenstein to increase efforts to embed the provision of services for victims of all forms of violence covered by the Istanbul Convention in institutionalised multi-agency co-operation structures that involve all relevant parties, including women’s specialist support services and professionals working in the healthcare sector, as well as the Office for Health.**

**110. GREVIO strongly encourages the authorities in Liechtenstein to establish guidelines or protocols for relevant professionals on how to respond to cases of violence against women covered by the Istanbul Convention, on the basis of multi-agency co-operation.**

---

71. See Chapter IV, Article 20.

## **B. Information (Article 19)**

111. GREVIO welcomes the obligation for the police, the public prosecutor's office and the courts to inform victims of crimes about the contact details and the tasks of the Victims Assistance Office, about the possibility to receive counselling and claim several different types of financial, medical and legal aid and about the deadlines for applications under the Victims Assistance Act. In the same vein, victims are asked if they agree to their name and address being shared with the Victims Assistance Office, so the office can contact the victim directly. The Victims Assistance Office advises victims and their family members about their rights and obligations in criminal, civil and administrative proceedings. It offers free counselling and assistance in respect of legal, psychological, social and medical issues. It assists victims in preparing applications and submissions to courts and authorities, and can refer them to specialists (e.g. lawyers and psychologists). The Office's staff member can also accompany victims to trials.

112. The Office for Social Services has produced emergency cards with contact details of general and specialist services for victims of partnership violence. They are available in eight relevant languages, are placed in strategic locations such as hospitals, government offices, shops, restaurants and social services offices, and inform victims about the different forms of violence and where to find help. GREVIO welcomes this initiative.

113. However, not much information seems to be available for women who are victims of forms of violence that are less prevalent, such as FGM, forced marriage, forced sterilisation, forced abortion and crimes related to so-called "honour". More effort is needed to include all the forms of violence covered by the Istanbul Convention in informational material. In addition, it would be important to make information for victims of violence available in easy-to-understand language and in formats that are accessible to women with disabilities. Moreover, NGOs active in the field indicated to GREVIO that from their experience migrant women who are victims of violence are a particularly hard-to-reach group, are often not aware of their rights and face language barriers.<sup>72</sup> Initiatives aimed at reaching out to them and familiarising them with their rights are thus needed.

114. The Association for Human Rights in Liechtenstein is the national human rights institution and provides information on human rights-related issues, including for victims of gender-based and domestic violence. GREVIO notes positively that the information on its website is accessible for persons with intellectual disabilities and those with vision and hearing impairments.<sup>73</sup> The association is legally mandated to support victims of human rights violations and to participate in related proceedings on behalf of or in support of the victim before regional and international bodies.<sup>74</sup> However, this does not appear to be widely known, as no victim of domestic or gender-based violence has yet approached the association for its services.

115. Additionally, NGOs working on women's rights offer low-threshold information for women victims of violence on their rights and possibilities.

**116. GREVIO encourages the authorities in Liechtenstein to continue their efforts to proactively and systematically provide easily accessible information on available support and protection services and legal measures in all relevant languages, including in easy-to-understand language and in formats that are accessible to women with disabilities and other women at risk of or exposed to intersectional discrimination, in particular migrant women. This information should cover all the forms of violence covered by the Istanbul Convention.**

---

72. Information obtained during the evaluation visit.

73. See [www.menschenrechte.li/](http://www.menschenrechte.li/).

74. Articles 4(2)(b) and 5 of the Law on the Association for Human Rights in Liechtenstein.

## C. General support services (Article 20)

### 1. Social services

117. As GREVIO has had occasion to note in its previous reports, it is of fundamental importance to support women victims of domestic violence through housing schemes to enable them to rebuild their lives.<sup>75</sup> In a similar vein, it is crucial to ensure access to the labour market for women victims of domestic violence by developing specific schemes such as co-operation with public or private-sector employers and to provide them with vocational training opportunities, to fast-track their reintegration into the workforce and thus contribute to their economic independence.<sup>76</sup>

118. GREVIO received indications from several interlocutors that women victims of violence in Liechtenstein are often heavily dependent financially on their spouse or partner, which makes it more difficult for them to leave an abusive relationship.<sup>77</sup> GREVIO thus welcomes attempts by the Office for Social Services to support women victims of domestic violence in an unbureaucratic way, to provide temporary housing and to offer employment training. As a rule, a woman victim of violence who leaves their abusive partner receives financial aid within a short period of time. However, GREVIO has also learned about some cases where it has taken weeks or even months for victims to receive financial aid from the Office for Social Services. It stresses that women who have managed to break the cycle of violence and leave their abusive partner need immediate financial support and should be prioritised.

119. The Victims Assistance Office can refer women victims of violence to the relevant authorities that provide education and training, assist in finding employment and housing and can also accompany victims to administrative authorities, if the workload allows. Women victims of domestic violence have access to public employment services, including counselling and placement services, on the same basis as other jobseekers in Liechtenstein, but there appear to be no procedures that allow women victims of domestic violence to be fast-tracked into receive housing. GREVIO therefore points to the need to further explore the potential of the Liechtenstein social welfare state to contribute to the set of comprehensive measures of protection and support services required under Chapter IV of the Istanbul Convention.<sup>78</sup>

**120. GREVIO invites the authorities in Liechtenstein to continue to specifically support women victims of violence in the areas of employment, employment training and housing, thus ensuring their economic independence and empowerment.**

### 2. Healthcare services

121. Healthcare workers are often the first to come into contact with a woman victim of violence, which is why their ability to identify victims, and react sensitively to their needs, is crucial.<sup>79</sup> This can be achieved through training initiatives for practitioners in public and private healthcare settings, so that medical professionals can be knowledgeable points of first contact for victims.<sup>80</sup>

---

75. See GREVIO baseline evaluation reports on Austria, paragraph 95; Germany, paragraph 143; Portugal, paragraph 127; and Serbia, paragraphs 110 and 115.

76. GREVIO baseline evaluation report on Germany, paragraph 143.

77. Information obtained during the evaluation visit.

78. See also Chapter III, Article 14.

79. The World Health Organization states in that respect that: "While preventing and responding to violence against women requires a multi-sectoral approach, the health sector has an important role to play. The health sector can: advocate to make violence against women unacceptable and for such violence to be addressed as a public health problem; provide comprehensive services, sensitize and train healthcare providers in responding to the needs of survivors holistically and empathetically; prevent recurrence of violence through early identification of women and children who are experiencing violence and providing appropriate referral and support; promote egalitarian gender norms as part of life skills and comprehensive sexuality education curricula taught to young people; generate evidence on what works and on the magnitude of the problem by carrying out population-based surveys or including violence against women in population-based demographic and health surveys, as well as in surveillance and health information systems". See [www.who.int/news-room/fact-sheets/detail/violence-against-women](http://www.who.int/news-room/fact-sheets/detail/violence-against-women).

80. See GREVIO baseline evaluation reports on Denmark, paragraph 110, and North Macedonia, paragraph 161.

122. The national hospital in Vaduz employs doctors and nurses that are specially trained in detecting domestic violence and other forms of violence against women.<sup>81</sup> When a woman arrives at the hospital with injuries that could have been caused by physical violence, but does not want to disclose the cause of the injury, doctors are instructed to take forensic evidence and issue a report, which the victim could use if she wanted to report any violence at a later stage. This is a promising practice which GREVIO commends the authorities in Liechtenstein for. However, GREVIO has not received information on whether there is systematic screening for violence against women during consultations at general practitioners' offices or at specialists' offices. The authorities should institute standardised care paths that include the identification of victims, systematic screening, diagnosis, treatment, documentation of the type of violence and the injuries suffered and referral to the appropriate specialist support services.

123. GREVIO has noted that the health sector appears to work detached from other authorities and entities dealing with issues related to violence against women. It would be important to integrate representatives of the health sector into the National Co-Ordinating Body, but also to institutionalise its participation in any multi-agency co-operation related to violence against women and domestic violence. This would ensure that victims of violence receive the holistic support they need, would strengthen the detection and care system and the sharing of interprofessional experiences and would ensure better collaboration within the network.<sup>82</sup>

124. An overarching issue GREVIO noted is that the authorities have service agreements (*Leistungsvereinbarung*) with governmental and non-governmental entities, associations, foundations and NGOs, both inside Liechtenstein (for example, for the accommodation and care of asylum seekers, which is managed by an NGO)<sup>83</sup> and abroad (with hospitals in Switzerland for the forensic examination and medical care of victims of sexual violence and rape, for instance).<sup>84</sup> This is more than understandable given the small size of the country and appears to be a well-established and well-functioning system. However, since some of the outsourced tasks are responsibilities which the state itself has undertaken by ratifying the Istanbul Convention, it must accordingly ensure that they are carried out in accordance with the standards contained in the convention. This could be done, for example, by laying down the relevant standards directly in the service agreements and by regularly ensuring that the terms of the agreements are respected.

**125. GREVIO strongly encourages the authorities in Liechtenstein to implement standardised care paths in the public and private healthcare sectors that include the identification of victims, systematic screening, diagnosis, treatment, documentation of the type of violence and the injuries suffered, and referral to the appropriate specialist support services for all forms of violence covered by the Istanbul Convention.**

**126. GREVIO strongly encourages the authorities in Liechtenstein to ensure that the healthcare sector is systematically integrated into multi-agency co-operation in relation to violence against women and domestic violence, and that the standards of the relevant provisions of the Istanbul Convention are respected if services are outsourced.**

#### **D. Specialist support services (Article 22)**

127. The aim of specialist support is to ensure the complex task of empowering victims through optimal support and assistance catered to their specific needs. Much of this is best ensured by women's organisations and by support services provided, for example, by local authorities with specialist and experienced staff with in-depth knowledge of gender-based violence against women. It is important to ensure that these services are sufficiently spread throughout the country and are accessible to all victims. Moreover, these services and their staff need to be able to address the

---

81. See Chapter III, Article 15.

82. See GREVIO baseline evaluation reports on Iceland, paragraph 130.

83. See Chapter VII, Article 60.

84. See Chapter IV, Article 25.

different types of violence covered by the scope of the Istanbul Convention and to provide support to all groups of victims, including hard-to-reach groups.

128. Government-operated support services include the Victims Assistance Office,<sup>85</sup> which provides and/or organises a range of services such as medical, psychological, social, material and legal assistance for victims of violent crimes. The Psychiatric-Psychological Service is a sub-entity of the Office for Social Services and provides counselling for people with psychological issues, including women victims of violence and their families, and can also refer them to short, medium and long-term counselling in inpatient and outpatient settings. GREVIO notes that while professionals working for both entities have a certain level of knowledge of and training in some of the forms of violence against women and domestic violence, they are not specialised in all forms of violence covered by the convention. If deemed necessary, however, they co-operate with specialist services inside and outside Liechtenstein. In a recent case of forced marriage, for example, the authorities co-operated with a specialist counselling service in Switzerland in order to ensure that the victim received the support she needed.<sup>86</sup>

129. There are several NGO-run specialist support services in Liechtenstein. They mainly cater for women victims of domestic violence, stalking and sexual harassment, including digital forms of violence against women, and provide short- and longer-term counselling and support. They also provide advice and support for specific groups of women, such as women with disabilities, migrant women<sup>87</sup> and women with addiction issues. Their experiences with women in prostitution and women victims of FGM is limited, but the NGOs are well connected internationally and co-operate with specialist counselling services in Switzerland and Austria, if they consider that they themselves lack expertise on a certain form of violence. The NGO Flay provides support to LGBTI women, but it has limited capacities. Most women's rights NGOs are funded by the government to exercise their core duties, and seek private donations for additional activities or projects. Many of them indicated to GREVIO that they would require more resources in order to reduce waiting times for women who need counselling and legal advice, conduct training activities and carry out more advocacy and outreach services.<sup>88</sup>

130. While the provision of specialist support for domestic violence, stalking and sexual harassment appears to be sufficient, GREVIO notes with concern that there is no dedicated counselling service available for adult women who are victims of rape and sexual abuse. It received indications from experts working in this field that this has resulted in victims often being unsure where to turn to.<sup>89</sup> Some of the women's rights NGOs do offer such counselling, but there appears to be little awareness thereof among victims. To remedy this shortcoming, it would be important to raise awareness among women living in Liechtenstein about where to receive support and advice in relation to sexual violence.

131. GREVIO further notes that for women victims of other forms of violence such as FGM, forced marriage, forced sterilisation and violence related to so-called "honour" there is no specialist service in Liechtenstein. GREVIO is mindful that these forms of violence may not be as prevalent as others in Liechtenstein and therefore there are few NGOs dealing specifically with these issues. To counterbalance this situation, and in addition to the co-operation with specialist services outside Liechtenstein, the knowledge of the existing specialist services about these forms of violence should be improved through training initiatives.

---

85. See Chapter VI, Article 55.

86. Information obtained during the evaluation visit.

87. Migrant women receive counselling and support by the NGO infra through their programme called INTEGRA.

88. Information obtained during the evaluation visit. See also Chapter II, Article 8.

89. Information obtained during the evaluation visit.

132. **GREVIO strongly encourages the authorities in Liechtenstein to ensure, including through funding, that specialist women’s support services are available to provide counselling and support on all forms of violence covered by the Istanbul Convention, also, where appropriate, in co-operation with NGOs outside Liechtenstein, and to all groups of women, including those that face intersectional discrimination. Moreover, women in Liechtenstein should duly be informed about where to receive counselling for sexual violence and rape.**

#### **E. Shelters (Article 23)**

133. There is one women’s shelter in Liechtenstein, which is equipped with 11 beds in three rooms. It can thus accommodate three women and a maximum of eight children, which roughly corresponds to the recommendation of having one family place per 10 000 inhabitants.<sup>90</sup> Should there be no free space, the shelter staff organise accommodation at a hotel and provide the woman with walk-in counselling, or co-ordinates with the women’s shelter in St. Gallen in Switzerland, if they have space. Equally, the shelter accepts women from Switzerland, subject to the availability of places. GREVIO was reassured that no woman from Liechtenstein in need of shelter is refused and a solution is always found. Women victims of violence can stay there as long as they need to and free of charge. The shelter staff organise legal counselling at a lawyer’s office for the women staying at the shelter. In 2021, the shelter accommodated 10 women and six children in total, out of which eight women and three children were residents of Liechtenstein.

134. The shelter is run by a private organisation and is funded mainly by the government and to a smaller extent through private donations. It operates under a gendered understanding of violence against women and aims at empowering the women residents. In principle, there are no limits or requirements as to who can stay at the women’s shelter. However, depending on any special needs a woman may have, the shelter staff assess alternative accommodation, such as with the organisation for assisted living for women who are ill or have disabilities, or a suitable institution providing healthcare for women with addiction issues. The staff of the shelter provides counselling and support on an outpatient basis for these women.

135. The shelter operates under the understanding that the best interests of children accompanying their mother is the most important consideration. They can refer children to paediatricians, psychologists and psychiatrists, if necessary. There is no age limit for children staying at the shelter with their mothers. Moreover, GREVIO welcomes the fact that the shelter also operates a halfway house, which is financed by a private donor and where women can start their independent life after a relationship marred by violence.

#### **F. Telephone helplines (Article 24)**

136. There are several helplines for women victims of violence in Liechtenstein, some of which are available 24/7. The Swiss NGO “Helping Hand” operates a free and anonymous helpline, which can also be reached from Liechtenstein via the number 143 or via online chat. Languages spoken are German, English, French and Italian. The authorities in Liechtenstein cover a part of the operational costs of this helpline. However, GREVIO notes that it does not appear to be a dedicated helpline for victims of domestic violence and of violence against women. According to the statistics provided by the helpline on calls from eastern Switzerland and Liechtenstein, issues related to violence only

---

90. Article 23 of the Istanbul Convention requires Parties to ensure that there are appropriate, easily accessible shelters in sufficient numbers to provide safe accommodation for women and children. Paragraph 135 of the Explanatory Report to the Istanbul Convention provides guidance to Parties as to how to assess whether the current number of shelters is sufficient. More specifically, it refers to the Final Activity Report of the Council of Europe Task Force to Combat Violence against Women, including Domestic Violence (EG-TFV (2008)6), which recommends that there should be one family place per 10 000 head of population. A “family place” is defined in the Council of Europe publication “Combating Violence against Women: Minimum Standards for Support Services”, EG-VAW-Conf (2007) Study rev., as “an adult plus the average number of children”. This notwithstanding, it is important to note that the Explanatory Report clarifies that the number of shelter places should be adapted to the actual need/demand in the country.

make up 1% of the annual calls. No data are available on how many women call from Liechtenstein. The people answering the calls are laypersons who receive training, but not on all forms of violence against women covered by the Istanbul Convention. They can refer callers in acute crisis situations to general support services, such as the police or rescue services, but it is not clear whether they have the contact data of all relevant specialist services for women victims of violence.

137. Moreover, the women's shelter emergency phone number can be reached 24/7 for advice and emergency accommodation. It provided counselling to 32 callers in 2021. The women on duty at the shelter answer the calls (usually one to two women at any given time) and provide counselling in German and English. The Crisis Intervention Team can equally be reached for immediate care and counselling following extreme stress situations, such as accidents and deaths, but also by persons who have become victims of violent crimes. In addition, the NetzWerk Health promotion association operates a help chat where psychologists answer questions.

138. GREVIO thus concludes that while there are several telephone helplines available for women victims of violence, it appears that there is no helpline that fulfils all the criteria required under Article 24 of the convention: namely a state-wide telephone helpline for all forms of violence covered by the convention (not limited to domestic violence or another form of violence) that is free of charge, available 24/7, ensuring easy and confidential access to information and counselling by trained professionals, including referrals to a service nearby, and available in all relevant languages.<sup>91</sup> This could be done, for example, in the framework of a cross-border initiative with a neighbouring country.

139. GREVIO welcomes the availability of a free 24-hour helpline for children seven days a week, which they can call in relation to any issues they may have, including violence and abuse. It is operated by the NGO Pro Juventute Switzerland and employs trained counsellors. Contact is possible by phone, chat, text message and e-mail. In 2022, the Office for Social Services concluded a service agreement with Pro Juventute to also provide parent counselling services.

140. Moreover, there are several organisations that operate helplines, but that are not available round-the-clock, such as the Expert Group on Protection from Sexual Abuse and the Psychiatric-Psychological Service of the Office for Social Services. The Liechtenstein Red Cross also offers free telephone counselling for parents.

**141. GREVIO urges the authorities in Liechtenstein to ensure the provision of a dedicated state-wide telephone helpline for all forms of violence covered by the Istanbul Convention that is free of charge and available 24/7, in all relevant languages, providing easy and confidential access to information and counselling by trained professionals, including referrals to an appropriate service.**

## **G. Support for victims of sexual violence (Article 25)**

142. Under Article 25 of the convention, parties are required to provide a set of holistic services to victims of sexual violence, including immediate medical care and trauma support combined with forensic examinations, as well as short and long-term psychological counselling and therapy to ensure the victim's recovery. Such services should be provided by trained and specialised staff in an appropriate manner to respond to the victims' needs, preferably within rape crisis or sexual violence referral centres established in sufficient number throughout the country to ensure their easy access. Rape crisis centres typically offer long-term help that focuses on offering face-to-face counselling, support groups and contact with other services. They also support victims during court proceedings by providing woman-to-woman advocacy and other practical help. Sexual violence referral centres, on the other hand, may specialise in immediate medical care, high-quality forensic practice and crisis intervention. They can for instance be located in a hospital setting to respond rapidly to sexual assaults by carrying out medical checks and referring the victim to specialised community-based organisations for further services. They may also concentrate on immediate and adequate referral of the victim to appropriate, specialised organisations in order to provide the

91. Explanatory Report to the Istanbul Convention, paragraphs 136 and 137.

necessary care. The recommendation is to establish one of the above-mentioned centres for every 200 000 inhabitants.<sup>92</sup>

143. Liechtenstein has concluded service agreements with nearby hospitals in St. Gallen and in Chur (in Switzerland), where women victims of sexual violence can receive immediate medical care and a forensic examination, including the taking of evidence. In its recent report on Switzerland, GREVIO made the following findings in relation to the Swiss sexual violence referral centres:

There are sexual violence referral centres in the hospitals of St. Gallen, Aarau and Bern ... GREVIO is pleased to note that these centres operate on the basis of an approach focusing on victims' needs, and that victims are not required to lodge a complaint with the police for forensic evidence to be collected, and are received and treated by medical staff with specific training in issues of sexual violence and forensic care. As mentioned above, there are no standard national protocols for the collection of forensic evidence, and the length of time for which it may be stored varies from canton to canton. In some cases, victims are received by a two-person team made up of a forensic doctor and a gynaecologist, operating during the same consultation so that evidence can be taken all at once and secondary victimisation thus reduced. [footnote: For example at Vaud Canton hospital.] Staff are also trained in issues such as female genital mutilation and the needs of women exposed to intersectional discrimination such as those with disabilities. Some centres also have an emergency telephone helpline. [footnote: This is the case with the crisis centre at St. Gallen hospital.]

144. GREVIO received indications from NGOs working in the area of women's rights that the examination of women victims of sexual violence at the hospitals in St. Gallen and Chur generally works very well. However, it was informed about one case where a girl victim of rape from Liechtenstein was taken to the hospital in St. Gallen for a forensic examination, but no female doctor was initially available to conduct it. When eventually a female doctor arrived, she brought assistant doctors with her to observe the examination, some of which were male.<sup>93</sup> Even if this may not be the general practice at the hospital in St. Gallen, such insensitive treatment of a rape victim goes entirely against the standards of Article 25 of the convention, and even more so as the victim was a minor. GREVIO thus considers it necessary to remind the authorities in Liechtenstein that if they delegate part of their obligations under the Istanbul Convention, they must ensure that the agreement includes a guarantee that the relevant standards are respected, even when the service is provided abroad.

145. The costs of forensic examinations in St. Gallen and Chur are borne by the authorities if the victim of sexual violence reports the crime to the authorities. However, if the victim decides to go to a gynaecologist instead, she has to bear the costs herself, unless she declares that she has been a victim of sexual violence and applies to the Victims Assistance Office to refund the costs. Moreover, HIV-prophylaxis and emergency contraception after sexual violence are covered by health insurance. The costs of follow-up treatment for longer-term damage to her health are equally covered by compulsory health insurance. However, it is not clear whether a woman victim of rape or sexual violence who does not have any health insurance would receive the same services.

146. GREVIO notes with interest that the Liechtenstein Hospital (LLS) recently launched a project on forensic nursing. The main aims are to establish a forensic nursing consultation hour and to raise awareness of staff at LLS about this topic by further developing their expertise. The overall goals are to correctly recognise and treat patients affected by physical and sexual violence 24/7 and to contribute to reducing violence through prevention. At the time of the evaluation visit, two trained forensic nurses were already employed at the LLS. Additionally, the LLS envisages a joint treatment path for victims of sexual violence, in co-operation with the Swiss sexual violence referral centres.

147. GREVIO welcomes the existence of an expert group on the protection of children from sexual abuse, which consists of government entities dealing with child victims of sexual violence, such as the police, the public prosecutor's office, the Office for Social Affairs, the Office for Foreign Affairs and the Victims Assistance Office. The aim is to ensure the implementation of the Lanzarote

---

92. Mid-term horizontal review of GREVIO baseline evaluation reports, paragraph 276, and Explanatory Report to the Istanbul Convention, paragraph 142.

93. Information obtained during the evaluation visit.

Convention,<sup>94</sup> as well as the relevant parts of the Istanbul Convention, through multi-agency co-operation, in order to better protect children and ensure the efficient handling of such cases. The expert group also set up a telephone helpline for victims of sexual abuse. In addition, the group ensures that relevant authorities are trained on issues related to the sexual abuse of children. In 2022, the group dealt with seven cases of confirmed sexual abuse of children in Liechtenstein. Five further cases had been reported but could not be confirmed.

**148. GREVIO strongly encourages the authorities in Liechtenstein to ensure the practical implementation of the standards set by Article 25 of the Istanbul Convention, even if some of the services are provided abroad through service agreements with entities in another country. Moreover, it strongly encourages the authorities in Liechtenstein to ensure that forensic examinations and medical care, as well as immediate, short and long-term psychological counselling, are available free of charge for women victims of sexual violence, including rape.**

#### **H. Protection and support for child witnesses (Article 26)**

149. The obligation set out in this article is to ensure that whenever children have witnessed domestic violence, rape, sexual harassment or other forms of violence covered by the convention, the services provided to direct victims also cater for the needs and rights of any children exposed to such violence. While this is most relevant to domestic violence cases, it is important to bear in mind that children may also be exposed to other forms of violence.

150. Research has shown that children who witness one of the parents assaulting the other one in the home often develop emotional problems, cognitive functioning disorders and accept attitudes around violence that need to be addressed in the long term.<sup>95</sup> It is thus of crucial importance to ensure their access to psychological counselling and therapy as soon as they come to the attention of the authorities.

151. GREVIO welcomes the confirmation by the authorities in Liechtenstein and all the relevant services that they consider child witnesses of domestic and other forms of violence as victims of violence by virtue of being exposed to such violence.<sup>96</sup> Moreover, it is satisfied that comprehensive measures of support are enshrined in law in Liechtenstein for the protection and support of child victims in criminal, civil and non-contentious proceedings.<sup>97</sup>

152. Women's counselling NGOs and staff at the women's shelter indicated to GREVIO that they can refer child victims of violence, including children having been exposed to violence by witnessing it, to appropriate counselling and therapy services. There are approximately nine resident child psychologists in Liechtenstein and three doctors who specialise in psychiatry. Their services are covered by the health insurance. In addition, the authorities in Liechtenstein co-operate with the Institute for Social Services<sup>98</sup> in Vorarlberg, Austria, which offers psycho-social counselling and accompanies adults and child victims of violence, including sexual violence, in court proceedings.

153. From the age of 14, children can consent to medical treatment such as psychotherapy without having to seek the approval of their parents or legal guardians. For children under 14, the consent of one parent is sufficient. Should treatment be necessary, if both parents refuse to give their consent, a court can overrule their decision if it is deemed to be in the best interests of the child.

---

94. The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, also known as "the Lanzarote Convention", requires criminalisation of all kinds of sexual offences against children. It requires that states adopt specific legislation and take measures to prevent sexual violence, to protect child victims and to prosecute perpetrators. See [www.coe.int/en/web/children/lanzarote-convention](http://www.coe.int/en/web/children/lanzarote-convention).

95. "Problems associated with children's witnessing of domestic violence", Jeffrey L. Edleson, *VAW Net*, available at [http://vawnet.org/sites/default/files/materials/files/2016-09/AR\\_Witness.pdf](http://vawnet.org/sites/default/files/materials/files/2016-09/AR_Witness.pdf).

96. Information obtained during the evaluation visit.

97. See Chapter VI, Article 56.

98. See [www.ifs.at/](http://www.ifs.at/).

GREVIO welcomes this approach, as it means that children do not need the consent of the abusive parent to receive medical treatment.

154. GREVIO considers that Article 26 of the convention is adequately implemented in Liechtenstein.

### **I. Reporting by professionals (Article 28)**

155. Liechtenstein has a differentiated procedure for reporting by professionals. Public authorities that learn about a criminally punishable act are obliged to report it to the police or to the public prosecutor's office if the crime concerns their field of competence. However, there are exceptions, namely if reporting would jeopardise the relationship of trust with the person concerned or if there are sufficient reasons to believe that the offence will no longer be punishable because the damage was remedied. Public authorities have in any event the duty to take all necessary steps to protect the injured person from harm, which may require reporting an offence in specific cases of imminent danger, despite this jeopardising a relationship of trust.<sup>99</sup> Physicians and healthcare professionals are equally relieved of their obligation to maintain professional confidentiality if they learn about a situation where a person has caused someone else's death or serious bodily harm or if by inflicting suffering or neglecting a person they have caused bodily harm or damage to health.<sup>100</sup> Private persons are entitled to report criminal acts to law-enforcement authorities, but they are not under a duty to do so.<sup>101</sup> A nationwide poster campaign by the Liechtenstein police continuously encourages reporting of suspicions of crimes through an emergency phone number.

156. In relation to child victims of violence, any person who has a well-founded suspicion or knowledge of a serious violation or endangerment of the welfare of children and young people is required to report it to the Office for Social Services.<sup>102</sup> This includes suspicions of psychological and physical abuse, sexual abuse, gross neglect, the threat of forced marriage and distress. Suspicion or knowledge of less serious forms of endangerment of the best interests of a child can equally be reported to the Office for Social Services, but there is no obligation to do so. Persons who are subject to official or professional confidentiality are absolved of this obligation when it comes to children and are equally under a duty to report.<sup>103</sup>

157. GREVIO welcomes of the fact that the legal framework for the reporting of professionals is in line with Article 28 of the convention. It considers, however, that it would be desirable to have guidelines in place for all relevant professionals (health professionals, social workers and others) with harmonised criteria for the reporting of all forms of violence against women covered by the convention, in order to guide them throughout the often-difficult decision of when to report a suspicion and when to prioritise professional confidentiality. The National Police informed GREVIO that sometimes physicians call them anonymously when they have a suspicion of violence and ask the police how to proceed. Guidelines contribute to clarifying the legal situation for healthcare practitioners and all other relevant professionals.

**158. GREVIO encourages the authorities in Liechtenstein to introduce harmonised criteria for the reporting by all relevant professionals if they have reasonable grounds to believe that a serious act of violence covered by the scope of the Istanbul Convention has been committed and further serious acts of violence are likely to be committed.**

---

99. Article 53 of the Code of Criminal Procedure.

100. Article 20(1) of the Physicians Act and Article 14 of the Public Health Act.

101. Article 55 of the Code of Criminal Procedure.

102. Article 20 of the Children and Youth Act.

103. Article 22 of the Children and Youth Act.

## V. Substantive law

159. Chapter V of the Istanbul Convention covers a range of provisions related to substantive law, in the area of both civil and criminal law. Their aim is to help create, in all parties to the convention, the necessary legislative framework to prevent violence against women, protect them from further victimisation and to ensure robust intervention and prosecution by law-enforcement agencies. In the interests of prioritisation, this section of the report addresses several but not all provisions of Chapter V of the convention.

### A. Civil law

#### 1. Civil remedies against the state – ensuring due diligence (Article 29)

160. A core aim of the convention is to end impunity for acts of violence against women. This not only requires that individual perpetrators be held accountable through criminal law and other measures, but also that legal avenues be available to challenge and address any failure of state actors to comply with their due diligence obligation to prevent, investigate and punish acts of violence (Article 5, paragraph 2, of the convention).

161. Available civil law remedies against a perpetrator of violence against women include court-ordered injunctions and police emergency barring orders, which are addressed further below.<sup>104</sup>

162. Remedies against the state authorities for failure to comply with their due diligence obligation are provided in the Official Liability Act. Under its Article 3(1), public entities are liable for the damage that persons acting on their behalf, and in the course of their official duties, cause to third parties. The threshold for official liability to arise is that the public official's action or omission must have been unlawful – negligent acts or omissions do not fall within the scope of the provision. Article 3(4) of the Official Liability Act stipulates that the provisions of the Civil Code on liability apply *mutatis mutandis*, unless specified otherwise in the act. In addition, only monetary compensation can be granted (Article 3(6)).

163. However, Article 29 of the convention, read in conjunction with its Article 5, has a wider scope of application than Liechtenstein's official liability law. The convention not only requires civil law remedies to be available against public officials for unlawful acts or omissions, but equally for grossly negligent and negligent behaviour.<sup>105</sup> Indeed, GREVIO has had occasion to note that limiting official liability claims to unlawful behaviour amounts to a very high threshold, as it is difficult to prove. It would entail that the individual state official deciding for or against a particular measure, for example on pretrial detention or the issuance of an emergency barring order, must be in violation of the legislation in Liechtenstein.<sup>106</sup> Decisions that impact negatively on the safety of victims and their children are more often the result of limited attempts to assess the situation in full, personal beliefs and attitudes, and a general tendency to downplay the violence – rather than the result of a deliberate wrongful and unlawful act.<sup>107</sup> This applies even more so if the decision in question is not taken by a single state official but is rather the result of a chain of command.<sup>108</sup>

164. Moreover, there is the possibility of disciplinary proceedings against a public official for failing in his/her official duties. However, such proceedings must be instituted by a public body and do not serve as a civil remedy for individuals. These may be initiated in addition to, or separately from, any civil law action taken against the state. This is an important tool which should be made use of in relation to state officials who abuse their authority or display gender stereotypical, misogynist, sexist

---

104. See Chapter VI, Articles 52 and 53.

105. Explanatory Report to the Istanbul Convention, paragraph 162.

106. GREVIO baseline evaluation report on Austria, paragraph 123.

107. GREVIO notes that Article 302, paragraph 1, of the Criminal Code (the offence of abuse of authority) is relevant in this context.

108. GREVIO baseline evaluation report on Austria, paragraph 125.

or racist behaviour or beliefs in relation to the victims of gender-based violence that they are supposed to support.<sup>109</sup>

165. GREVIO notes that no statistical data seem to be available on the number of civil or disciplinary proceedings for unlawful action or omissions by public authorities in cases of acts of violence covered by the Istanbul Convention, making it impossible to assess to what extent these procedures, in practice, address any failure of the public authorities to comply with their due diligence obligation.

**166. GREVIO encourages the authorities in Liechtenstein to ensure that official liability proceedings are also available for grossly negligent and negligent acts or omissions by public officials who have failed to diligently prevent, investigate or prosecute acts of violence covered by the Istanbul Convention. The use of civil proceedings and disciplinary measures for any such failures should be examined through case law analyses.**

## **2. Compensation (Article 30)**

167. Primary compensation (i.e. compensation from perpetrators) can be sought by victims of all acts of violence covered by the convention, as a part of the criminal proceedings (Article 4 of the Code of Criminal Procedure) and through civil law proceedings (pursuant to Articles 1 323 et seq. of the Civil Code). In particular, Article 1 325 of the Civil Code provides that the person responsible for bodily harm shall reimburse the injured person for medical expenses, loss of earnings and the harm caused by physical and/or emotional pain and suffering. Separate/additional claims for compensation are available for victims of sexual abuse, privacy offences and deprivation of liberty.<sup>110</sup> There are currently no data available on the number of women victims of gender-based violence who have sought and received compensation from the perpetrator.

168. Secondary compensation from the state for material and immaterial damages (Articles 18 to 24 of the Victims Aid Act) is available to victims only if they do not receive compensation from the perpetrator or other relevant third parties (such as insurance companies). Any person who is a victim of a crime committed in Liechtenstein in which their physical, mental or sexual integrity was violated, and their close relatives, can make claims under the Victims Aid Act. The Victims Assistance Office systematically informs victims of their right to claim compensation within five years after the crime was committed, and it supports them in ascertaining their claims. Victims of crimes committed abroad but who have their permanent residence in Liechtenstein are also eligible for compensation, if there is no such right in the place where the crime was committed. While the amount of compensation for pecuniary damages depends on the victim's financial situation, the extent of immaterial damages is not and is assessed according to the intensity and duration of the consequences of the offence. Upper limits apply for both types of compensation (CHF 120 000 for pecuniary damages and CHF 70 000 for non-pecuniary damages). Based on the Victims Aid Act, a Victims Assistance Office has been opened to provide information and support to victims of crimes on their legal rights.<sup>111</sup>

169. Between 2019 and 2021, no compensation under the Victims Aid Act was paid to women victims of gender-based violence. GREVIO was informed that the main reason for the absence of claims under this act was that, in the applicable cases, the victims received primary compensation and thus did not need recourse to secondary compensation claims. However, GREVIO underlines that in the absence of robust data it is difficult to ascertain this claim.

**170. GREVIO invites the authorities in Liechtenstein to collect data on the number of women victims of violence who have sought compensation from the perpetrator through criminal or civil proceedings, and on the number of those who obtained it.**

---

109. Ibid., paragraph 126.

110. Articles 1 328, 1 328a and 1 329 of the Civil Code.

111. See also Chapter IV, Article 20, and Chapter VI, Article 55.

### 3. Custody, visitation rights and safety (Article 31)

171. Custody and visitation decisions in relation to families with a history of abuse require a careful balancing of the different interests at stake. Article 31 of the convention seeks to ensure that incidents of violence covered by the convention, in particular domestic violence, are taken into account in decisions on custody and visitation rights to ensure that the exercise of these rights does not harm the rights and safety of the victim or children.<sup>112</sup>

172. Joint custody of children is the rule after parents separate in Liechtenstein, and special reasons are required to depart from that rule. However, pursuant to Article 174 of the Civil Code, a court can grant sole custody to a parent if joint custody is not in the best interests of the child. The law thus allows for the restriction and withdrawal of custody rights in cases where one parent uses violence against the other. In this context, GREVIO welcomes the information provided by the authorities in Liechtenstein declaring that children who witness domestic violence are victims of violence in their own right.

173. As for contact rights, Article 177a(2) of the Civil Code stipulates that a court – if the best interests of the child so require – must not only limit or withdraw contact rights from a non-custodial parent if that parent uses violence against the child, but also if that parent uses violence against the other parent or any person close to the child. The Civil Code also refers to the importance of ensuring contact between the child and both parents in order to build a steady relationship (Article 137b, paragraph 2, indent 5, of the Civil Code). Although these two notions have to be balanced and might conflict where children have witnessed violence by one parent against the other, GREVIO considers the above provisions to provide an excellent legal basis for preventing the granting of custody and visitation rights to abusive parents. Similarly, they should be rigorously applied when deciding on any visitation rights for the abusive parent.<sup>113</sup>

174. Courts and the Children and Youth Service can order supervised visitation meetings if this is deemed necessary to ensure the best interests of the child, for example in cases of a parent with addiction issues, domestic violence, a parent with a mental illness or where it is suspected that a parent has a negative influence on the children. The aim of supervised visits is to guide and support parents in the exercise of their contact rights, while focusing on the well-being, best interests and safety of the children. There is also the possibility to take precautionary measures for the handover of the child, so the parents do not meet each other. The Children and Youth Service has the ability to temporarily suspend visitation rights in situations where there is a specific danger to the child and to apply to the court for a longer-term suspension or limitation of contact rights if they consider that this would be in the best interests of the child. The Children and Youth Service equally provides its expertise on family situations to the domestic courts, including its recommendations. GREVIO welcomes the fact that the staff of the Children and Youth Service are well trained on issues related to domestic violence and on assessing the best interests of the child in such situations.

175. The government provided GREVIO with several case law examples where custody and/or visitation rights had been restricted or excluded for the abusive parent, both in cases where the parent was violent against the child and where the child witnessed violence against the other parent.<sup>114</sup> However, no overall data exist on the number of cases in which custody and visitation rights have been limited or denied because of a child witnessing violence. NGOs active in the field

---

112. In the case of *Bîzdîga v. the Republic of Moldova* (no. 15646/18, 17 October 2023, available at: <https://hudoc.echr.coe.int/?i=001-228152>), the European Court of Human Rights held that in proceedings concerning the custody and visitation rights regarding children in a domestic violence context, the primary focus must be on the best interests of the child, and an assessment of any risks of violence or other forms of ill-treatment therefore has to form an integral part of such proceedings. For this reason, it found that an alleged history of domestic violence was a relevant and even mandatory factor to be weighed in the assessment of domestic authorities when deciding on contact rights (paragraph 62). In the recent case of *Luca v. the Republic of Moldova* (no. 55351/17, 17 October 2023, available at: <https://hudoc.echr.coe.int/?i=001-228151>), the Court found a violation of Article 8 of the European Convention on Human Rights (ECHR) on account of the failure of the Moldovan authorities to take into account incidents of domestic violence in the determination of child contact rights. Please note that these two judgments had not become final at the time of the adoption of this report (Article 44, paragraph 2 of the ECHR).

113. GREVIO baseline evaluation report on Austria, paragraph 133.

114. Information obtained during the evaluation visit.

of women's rights have indicated to GREVIO that there have also been examples where joint custody has been granted in cases where one parent has used violence against the other, leading to situations where women regularly have to meet their abusers.<sup>115</sup> Moreover, courts often rely on expert opinions by external court-appointed experts, who give their views on the ability of both parents to exercise joint custody and make recommendations. GREVIO received indications that some of these experts are not trained in or sufficiently aware of issues related to violence against women and domestic violence, display a biased/sexist view on women and recommend joint custody even if one parent has used violence against the other. Moreover, it appears that the criteria for the choice of experts are not always clear, for example whether they have received training on issues related to custody, visitation rights and domestic violence. Requiring training for this group of professionals – especially judges and court-appointed experts on family law – is essential in order to ensure the effective implementation of Article 31, paragraph 1, of the convention. This provision sets out that decisions on custody, frequency of visits and the relationship between parents and children must take into account instances of violence not only against the child but also against the non-abusive parent, while preserving the child's best interests.

176. Moreover, GREVIO was informed that in cases where a barring or protection order has been in force, the woman benefiting from the order have nonetheless been ordered to hand over the children to the abusive parent according to visitation rights.<sup>116</sup> This puts women victims of domestic violence in a vulnerable and extremely delicate situation, and may contribute to the perpetuation of domestic abuse. GREVIO recalls Article 31, paragraph 2, of the convention, which requires ensuring that the exercise of any visitation or custody rights does not jeopardise the rights and safety of the victim or children. Ample research has shown that inadequate child custody and visitation decisions may expose women to post-separation abuse.<sup>117</sup> GREVIO underlines that the safety of the non-violent parent and any children involved must be a central factor when deciding on custody and visitation arrangements.<sup>118</sup>

177. GREVIO notes that guidelines on how to deal with cases where violence was used by one parent against the other do not currently exist in Liechtenstein. Monitoring the practice of civil courts and other competent authorities in this area, in particular through data collection on the number of cases in which custody and visitation rights have been limited, restricted or denied because of a child witnessing violence, is currently not carried out and should be introduced to obtain evidence-based arguments for further measures to be taken. Moreover, guidelines and the training of professionals working in this field should be based on the recognition that, in a context of domestic violence, joint parenting can lead to a situation in which the abuser can continue to maintain control and domination over the mother and her children.

**178. GREVIO strongly encourages the authorities in Liechtenstein to:**

- a. develop guidelines based on the recognition that, in a context of domestic violence, joint parenting leads to a situation in which the abuser can continue to maintain control and domination over the mother and her children;**
- b. ensure that all relevant professionals are trained on domestic violence, on the impact that witnessing violence has on children and on their obligation to ensure the safety of women victims of violence and their children in any decisions related to custody and visitation rights;**
- c. collect data on the number of cases in which custody and visitation rights have been limited, restricted or denied because of a child witnessing violence.**

115. NGO information submitted by eight non-governmental organisations under the auspices of the Liechtenstein Human Rights Association, p. 19.

116. Information obtained during the evaluation visit.

117. Research shows that for many women and children violence intensifies after separation, that child contact (including court-ordered contact) is a means for perpetuating violence, even where there are high levels of supervision, and that child contact can be used by male abusers as a way of continuing control over women victims. See Thiara R. and Harrison C. (2016), "Safe not sorry: Key issues raised by research on child contact and domestic violence", Women's Aid; Mackay K. (2018), "Child contact as a weapon of control", in Lombard N. (ed.), *The Routledge Handbook of Gender and Violence*, pp. 145-158.

118. See GREVIO baseline evaluation reports on North Macedonia, paragraph 239; Poland, paragraph 191; and San Marino, paragraph 142.

## B. Criminal law

179. In 2019, Liechtenstein adopted amendments to its Criminal Code,<sup>119</sup> several of which were aimed at ensuring compliance with the requirements of the Istanbul Convention.<sup>120</sup> Important new criminal offences were introduced, such as: the “continuous use of force”,<sup>121</sup> which criminalises typical domestic violence conduct perpetrated over a longer period of time; forced marriage;<sup>122</sup> “continued harassment via electronic communication or a computer system”,<sup>123</sup> sexual harassment, also via information and communication technology (ICT);<sup>124</sup> and “violation of sexual self-determination”, criminalising non-consensual sexual acts.<sup>125</sup> In addition, the aggravating circumstances to be taken into account when deciding on the appropriate punishment were extended in 2019 to include when the offence is committed against a family member, including current or former spouses or partners.

180. GREVIO notes with satisfaction that all offences required by Articles 33 to 40 of the convention are matched in legislation in Liechtenstein by one or more criminal provisions, either specifically or as part of a general criminal offence. A number of smaller aspects of the substantive law provisions of Chapter V are not yet fully implemented, as is explained below. However, in the absence of robust data on the number of prosecutions and convictions for the forms of violence covered by the convention, it is difficult to draw conclusions as to how operational these provisions are in holding perpetrators accountable for violence against women and domestic violence.

### 1. Psychological violence (Article 33)

181. There is no specific criminal offence of psychological violence under Liechtenstein’s criminal law. However, this form of violence is criminalised through several different offences, such as coercion and aggravated coercion,<sup>126</sup> dangerous threatening behaviour,<sup>127</sup> bodily harm (which, according to the generally accepted definition, includes mental and emotional suffering, provided that it amounts to an illness in the medical sense),<sup>128</sup> online harassment<sup>129</sup> and continuous use of force.<sup>130</sup> GREVIO welcomes the inclusion of coercive control exerted by the perpetrator over the victim as an aggravated form of the offence of continuous use of force, thereby criminalising conduct whereby women are isolated, controlled, intimidated and threatened by their partners over a longer period of time.<sup>131</sup> The above-listed offences carry sentences that range between a fine of up to 720 daily rates (Tagessätze) or up to one year in prison for the basic offence of coercion and between five and 15 years of imprisonment for coercive control, which GREVIO finds commensurate with the gravity of psychological violence. However, in the absence of data, GREVIO is not in a position to assess how these provisions are used in practice.

182. In relation to forms of violence against women perpetrated via ICT, which can have a tremendous psychological impact on victims and are becoming more and more prevalent, GREVIO draws attention to its General Recommendation No. 1 on the digital dimension of violence against women.<sup>132</sup> It considers that violence against women online and through technology constitutes a continuation of the violence perpetrated offline. Research has shown that almost half of

---

119. The Liechtenstein Criminal Code is largely based on the Austrian Criminal Code, and legal practitioners often refer to related jurisprudence of Austrian courts and doctrine if there is no relevant source from Liechtenstein.

120. See *Law Gazette* No. 124, 29 April 2019, available at: [www.gesetze.li/chrono/2019124000](http://www.gesetze.li/chrono/2019124000) (in German).

121. Article 107b of the Criminal Code.

122. Article 106a of the Criminal Code.

123. Article 107c of the Criminal Code.

124. Article 203 of the Criminal Code.

125. Article 204a of the Criminal Code.

126. Articles 105-106 of the Criminal Code.

127. Article 107 of the Criminal Code.

128. Article 83 of the Criminal Code.

129. Article 107c of the Criminal Code.

130. Article 107b of the Criminal Code.

131. See also Chapter V, Article 35, Physical violence.

132. GREVIO General Recommendation No. 1 on the digital dimension of violence against women, adopted on 20 October 2021, Council of Europe, 2021, available at: <https://rm.coe.int/grevio-rec-no-on-digital-violence-against-women/1680a49147>.

domestic violence victims reported experiencing some form of online abuse during the relationship and/or after the relationship ended.<sup>133</sup> The Fundamental Rights Agency found, in its 2014 survey, that one in 10 women in the EU had faced either unwanted sexually explicit messages or inappropriate advances on social networks since the age of 15.<sup>134</sup> It must be presumed that these numbers have increased since 2014. In that context, GREVIO welcomes the explicit criminalisation under law in Liechtenstein of several forms of technology-facilitated abuse, such as cyberstalking,<sup>135</sup> online harassment, the unauthorised sharing of images<sup>136</sup> and sexual harassment via ICT.<sup>137</sup>

**183. GREVIO encourages the authorities in Liechtenstein to effectively investigate, prosecute and punish cases of psychological violence by making full use of the available provisions in the Criminal Code of Liechtenstein.**

## **2. Stalking (Article 34)**

184. Article 107a of the Criminal Code criminalises the persistent and unwanted stalking of a person through conduct which is capable of unreasonably affecting the victim's life, by seeking proximity, establishing contact via electronic or other means of communication, ordering goods for the victim or inciting others to contact the victim by using the victim's personal data. GREVIO welcomes the fact that this provision primarily refers to the conduct of the perpetrator, placing the onus on the potential effects of his behaviour, rather than on the impact on the victim. However, it points out that while many forms of stalking are covered by Article 107a, it is not clear whether behaviour such as vandalising the property of the victim, leaving subtle traces of contact on the victim's personal items or targeting a person's pet would come within its remit.<sup>138</sup> Moreover, experience shows that many stalkers do not confine their stalking activities to their actual victim, but also target friends, family and colleagues.<sup>139</sup> This should be taken into account by the judicial authorities when dealing with cases of stalking.

185. GREVIO is satisfied that Article 107a of the Criminal Code in essence complies with the requirements of Article 34 of the Istanbul Convention, and that the offence explicitly includes forms of cyberstalking. Moreover, GREVIO welcomes the definition of stalking as being behaviour-based rather than result-based. Last, the extent of punishment of up to two years' imprisonment can be considered as sufficiently dissuasive. If the perpetrator's acts of stalking result in the (attempted) suicide of the victim, the sentence is raised to a maximum of three years of imprisonment.

## **3. Physical violence (Article 35)**

186. Acts of physical violence are punishable under Articles 75 et seq. of the Criminal Code, which include murder, manslaughter and bodily harm with various levels of severity. GREVIO was informed that the threshold for prosecuting physical violence is low and that, for example, a slap in the face that leaves a mark would fall under the basic offence of bodily harm.<sup>140</sup> The range of punishment lies between a fine of up to 720 daily rates or up to one year in prison for the basic form of bodily harm and up to lifelong imprisonment for murder.

187. Turning specifically to the offence of "continuous use of force" in Article 107b of the Criminal Code, GREVIO welcomes the adoption of this provision, which captures conduct that is typical of domestic violence cases, namely the repeated nature of violence. Acts of violence included are physical abuse and offences against life and limb and against personal freedom. The protected legal interest is the freedom of the individual to live a life without violence. Although the convention does not require parties to introduce a specific criminal offence for domestic violence, it nevertheless asks

133. Ibid., p. 14, with further references.

134. Fundamental Rights Agency, Violence against women: an EU-wide survey. Main results report, 3 March 2014, available at: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2014-vaw-survey-main-results-apr14\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2014-vaw-survey-main-results-apr14_en.pdf).

135. Article 107a of the Criminal Code.

136. Article 107c of the Criminal Code.

137. Article 203 of the Criminal Code.

138. Explanatory Report to the Istanbul Convention, paragraph 183.

139. Ibid., paragraph 185.

140. Information obtained during the evaluation visit.

to provide clear legal avenues for the criminal prosecution of it. Having such a provision helps to capture the particular nature of some forms of gender-based violence. As a result, criminal justice outcomes can reflect more adequately the punishable nature of the criminal behaviour which, in domestic violence, is the individual blow as much as the repeat nature of the violence, interspersed with controlling behaviour, coercion and/or sexual violence.<sup>141</sup> Since the adoption of Article 107b of the Criminal Code in 2019, ten investigations were conducted for alleged violations of this provision; two investigations were active at the time of GREVIO's evaluation procedure; two cases were settled after mediation by the Probation Service; two investigations were terminated without charges; and in four cases the suspects were indicted (partly based on charges for other violent crimes and not Article 107b Criminal Code). In all four cases the accused were convicted. From the data provided in the state report, it appears that the National Police do not register cases of domestic violence under Article 107b of the Criminal Code, but rather under offences such as bodily harm, dangerous threat, coercion and rape – offences which normally do not capture the type of conduct carried out as domestic violence over a longer period of time, but rather constitute isolated criminal acts.<sup>142</sup> The training of police officers and other criminal justice actors on the practical use of the new provision on “continuous use of force”, and including it in standard data collection, should contribute to prosecuting more such cases.

188. Continuous use of force is punishable with up to three years' imprisonment for the basic offence, and up to five years if it is directed against a defenceless person or if the perpetrator applies total control over the behaviour of the injured person. If sexual violence or severe suffering are inflicted on the victim as part of the continuous use of force, or if the victim suffers long-term health consequences, the punishment ranges between five- and 15-years' imprisonment, and up to 20 years if the victim dies as a result of the violence. GREVIO considers the punishment range for acts of physical violence to be proportionate and sufficiently dissuasive.

189. **GREVIO strongly encourages the authorities in Liechtenstein to provide training to all relevant professionals on Article 107b of the Criminal Code, and include this provision for standard data-collection purposes, in order to explore the reasons for its low use.**

#### 4. Sexual violence, including rape (Article 36)

190. The approach to sexual violence, including rape, of Liechtenstein's Criminal Code is based on a two-tiered approach:<sup>143</sup> a legal provision that requires the use of force, deprivation of liberty or threat to life and limb (Article 200 of the Criminal Code); and the additional offence of “violation of sexual integrity” (Article 204a of the Criminal Code). Sexual abuse of a defenceless person, a person who is mentally ill or who has an intellectual disability, is criminalised under Article 204 of the Criminal Code.

191. The provision on “violation of sexual integrity” is relatively new. It was introduced in 2019 and covers instances of sexual intercourse or equivalent conduct “against the will of a person”, “under coercive circumstances” or “following an act of intimidation”. This is an important step towards holding perpetrators of rape accountable, notwithstanding that they did not resort to violence or threat. The merit of this new provision will depend heavily on its rigorous application by the prosecution services and courts. Legal practitioners informed GREVIO that the introduction of this provision made the prosecution of sexual violence easier, and that the number of prosecutions have increased. However, no official data confirming this are available. Moreover, GREVIO notes that the new provision only covers sexual acts against the will of a person over a certain threshold, that is penetration or equivalent. It does not cover all non-consensual sexual acts, which may in principle be covered by Article 203 of the Criminal Code on sexual harassment. Sexual acts other than penetration carried out with the use of force or serious threat are covered by Article 201 of the Criminal Code.<sup>144</sup>

---

141. GREVIO baseline evaluation report on Denmark, paragraph 161.

142. State report, page 41.

143. For an overview of the different approaches observed by GREVIO in the states parties monitored, see GREVIO's Fourth Activity Report, available at: [www.coe.int/en/web/istanbul-convention/grevio-annual-reports](http://www.coe.int/en/web/istanbul-convention/grevio-annual-reports).

144. Compare GREVIO baseline evaluation report on Austria, paragraph 140.

192. GREVIO also notes that there is – however slight – a difference between sexual acts committed against the will of the victim (Liechtenstein’s legislation) and non-consensual sexual acts (the Istanbul Convention). This means, for example, that the former may not allow for prosecution in cases where the victim remained passive but did not consent. For the act to be punishable under Liechtenstein’s legislation on rape and sexual violence, the victim must express her opposing will verbally or otherwise.<sup>145</sup> However, acts of a sexual nature where the victim remains passive can be prosecuted under Article 203 (sexual harassment) or Article 204 of the Criminal Code (sexual abuse of a defenceless or mentally impaired person).

193. The force-based offence of rape is punishable with two to 10 years’ imprisonment in Liechtenstein, and with five to 15 years’ imprisonment if aggravating circumstances apply, or up to lifelong imprisonment if the victim dies. The same punishment range applies to the sexual abuse of a defenceless or disabled person, which GREVIO welcomes. Since the most recent amendment of the Criminal Code entered into force on 1 March 2023, prison sentences for rape may no longer be suspended on probation.<sup>146</sup> However, the violation of a person’s sexual integrity (Article 204a) carries a punishment of up to two years’ imprisonment. GREVIO notes the wide discrepancy between the statutory punishments for force-based rape, on the one hand, and sexual acts against the will of a person, on the other hand. It reiterates that according to Article 36 of the Istanbul Convention, sexual intercourse without the consent of the victim constitutes rape and shall give rise to dissuasive sanctions. It is the fact that the act is carried out without the consent of the victim that should determine the punishment, whether this is committed by someone who employs violence or abuses his position of power over the victim. Where the circumstances of the act are particularly violent, abusive and traumatising, however, aggravating circumstances should be applied to ensure a sanction commensurate with the gravity of the act.<sup>147</sup> GREVIO does not consider the maximum sentence of two years’ imprisonment for sexual acts against the will of a person (Article 204a) to be adequate, including in light of the often very serious consequences for the victim, such as post-traumatic stress disorder (PTSD), drug-addiction and/or re-victimisation.<sup>148</sup>

194. One example of intentional conduct not currently covered by Liechtenstein’s legislation in the area of sexual violence is that of causing another person to engage in non-consensual acts of a sexual nature with a third person (Article 36, paragraph 1c, of the Istanbul Convention). This paragraph covers scenarios in which the perpetrator is not the person who performs the sexual act but who causes the victim to engage in sexual activity with a third person, for example as part of the control and abuse in intimate-partner violence. The scope of criminal intent is wider than that under the crime of aiding and abetting. It would not only cover the intent to help the commission of an offence, for example a rape, and the intent of the rape as such, but would also extend to the intent of causing both. In other words, the intentional conduct covered by Article 36, paragraph 1c, aims at capturing more than the instigation or facilitating of a crime but the malevolent behaviour of abrogating a woman’s sexual self-determination.<sup>149</sup>

**195. GREVIO invites the authorities in Liechtenstein to ensure that the application of the national legislation covers the intentional conduct set out in Article 36, paragraph 1c, of the Istanbul Convention.**

**196. GREVIO strongly encourages the authorities in Liechtenstein to ensure an appropriate range of sanctions for all sexual acts committed without the consent of the victim.**

---

145. Ibid., paragraph 141.

146. Article 43, paragraph 2, of the Criminal Code, *Law Gazette* No. 48, 7 February 2023, available at: [www.gesetze.li/chrono/pdf/2023048000](http://www.gesetze.li/chrono/pdf/2023048000) (in German).

147. See GREVIO baseline evaluation reports on Bosnia and Herzegovina, paragraph 221; Poland, paragraph 218; and Serbia, paragraph 186.

148. See GREVIO’s Fourth Activity Report.

149. GREVIO baseline evaluation report on Austria, paragraph 142.

## 5. Forced marriage (Article 37)

197. Forced marriage is criminalised under Article 106a of the Criminal Code. It covers the conduct of coercing a person into a marriage or registered partnership through force, threat of force or threat of terminating family contact. It is equally punishable to take a person abroad for the purpose of forced marriage through deceit, force, threat of force or threat of deprivation of family contact. The applicable sanctions are six months to five years' imprisonment.

198. While GREVIO welcomes a dedicated offence of forced marriage, it considers that the constituent elements of Article 106a of the Criminal Code may set too high a threshold for situations of forced marriage where no force, threat of force or threat of terminating family contact are involved, but where more subtle means are applied by the perpetrators. The Explanatory Report to the Istanbul Convention clarifies that the term "forcing" refers to physical and psychological force where coercion or duress is employed. The offence is complete when a marriage is concluded to which at least one party has – owing to the above circumstances – not voluntarily consented to.<sup>150</sup>

199. **GREVIO encourages the authorities in Liechtenstein to ensure that all cases of forced marriage are criminalised in accordance with the constituent elements of Article 37 of the Istanbul Convention.**

## 6. Female genital mutilation (Article 38)

200. There is no dedicated offence of female genital mutilation (FGM) in Liechtenstein. This conduct is currently covered by (grievous) bodily harm, bodily harm with severe long-term effects and related offences (Articles 83-87 of the Criminal Code). Pursuant to Article 90(3) of the Criminal Code, it is not legally possible to consent to a mutilation or any other injury to one's genitalia, which is likely to cause a lasting impairment of sexual sensitivity. Depending on the circumstances, preparatory acts or acts of coercing or procuring a woman or a girl to undergo the procedure may come within the remit of aiding and abetting the above offences (Article 12 of the Criminal Code). GREVIO notes, however, that Article 38c of the convention requires the criminalisation of behaviour that involves the intentional exertion of influence on a girl to undergo FGM. The requirement to criminalise aiding or abetting the commission of FGM stems from Article 41 of the convention, which differs from Article 38c both in terms of the constituent element of the crime (*actus reus*) and the scope of intent (*mens rea*). The aim of Article 38c is to ensure that criminal liability incurs, for example, where relatives or community members incite, coerce or procure a girl to undergo FGM but do not take an active role in ensuring that the procedure is carried out.<sup>151</sup> Further legislative action is therefore required to ensure full conformity with the convention.

201. **GREVIO strongly encourages the authorities in Liechtenstein to criminalise the intentional conduct of inciting, coercing or procuring a girl to undergo FGM, as required by Article 38c of the Istanbul Convention.**

## 7. Forced abortion and forced sterilisation (Article 39)

202. Under the law in Liechtenstein, the termination of a pregnancy is criminalised, be it with or without the consent of the woman concerned. Article 97 of the Criminal Code addresses forced abortion, which carries a penalty of up to three years' imprisonment, or between six months and five years if it results in the death of the pregnant woman.

203. There is no specific provision on "forced sterilisation" in Liechtenstein. Like FGM, this conduct is covered under (grievous) bodily harm, bodily harm with severe long-term effects and related offences (Articles 83-87 of the Criminal Code). Article 85(1)(1) of the Criminal Code criminalises physical abuse which negligently results in the inability to reproduce. The punishment range

---

150. Explanatory Report to the Istanbul Convention, paragraph 196.

151. See GREVIO baseline evaluation reports on: Albania, paragraph 130; Andorra, paragraphs 167-168; Finland, paragraphs 176-177; Italy, paragraphs 195-196; Monaco, paragraph 118; Serbia, paragraphs 191-192; Spain, paragraphs 232-234; and Türkiye, paragraphs 246-247.

stretches from six months to five years of imprisonment. In addition, pursuant to Article 90(2) of the Criminal Code, any sterilisation performed on a person under the age of 25 is unlawful, and any such intervention that “violates common decency”, for other reasons, is equally not permissible.

204. Women with disabilities who are deemed to lack the capacity to consent or to take their own decisions are generally assigned an adult representative (*Sachwalter*). Under the law in Liechtenstein, such a representative does not have the right to agree to their trustee’s sterilisation, unless this is absolutely necessary because of a threat to life and limb.<sup>152</sup> In this case, the approval of a court is additionally needed. However, no such case has been recorded in the country in the past 20 years. The threshold for the sterilisation of a woman with disabilities who lacks the capacity to consent to such a procedure is thus very high, which GREVIO welcomes.

## 8. Sexual harassment (Article 40)

205. As mentioned earlier, sexual harassment is a criminal offence pursuant to Article 203(1) of the Criminal Code. This provision covers physical sexual harassment, the performance of a sexual act in front of another person who does not expect such an act, and gross verbal sexual harassment, committed either directly or via ICT. Sanctions range from fines of up to 360 daily rates to up to six months’ imprisonment, which can be considered as adequate. Sexual harassment is not prosecuted *ex officio* and thus requires that the victim reports the case.

206. While GREVIO welcomes the criminalisation of sexual harassment in all spheres of life, it regrets that the offence does not cover verbal sexual harassment that does not qualify as “gross” or non-verbal conduct of a sexual nature. The latter would include any expressions or communications on the part of the perpetrator that do not involve words or sounds, such as facial expressions, hand movements or symbols.<sup>153</sup> Legislative or other action to fully implement Article 40 of the convention is thus required.

207. GREVIO welcomes that some forms of ICT-based sexual harassment are covered by Article 203(1) of the Criminal Code, and others such as the non-consensual sharing of nude or sexual images (photos or videos) or threats thereof, including image-based sexual abuse; and the non-consensual taking, producing or procuring of intimate images or videos, are covered by the penal provisions contained in Articles 3 and 5 of the Act on the Criminal Law Protection of the Personal Secret Sphere. Depending on the circumstances of the case, some ICT-based sexual offenses may also fall under the provisions of Articles 107 (dangerous threatening behaviour) and 107a of the Criminal Code (stalking).<sup>154</sup> Moreover, victims of sexual harassment have the possibility to seek redress under civil law and sue the perpetrator for damages and just satisfaction, in accordance with Article 40 of the Act on Persons and Companies.

208. **GREVIO strongly encourages the authorities in Liechtenstein to close the gap in their legislation on sexual harassment by criminalising or otherwise sanctioning non-verbal conduct of a sexual nature with the purpose or effect of violating the dignity of a person, as required by Article 40 of the Istanbul Convention.**

## 9. Sanctions and measures (Article 45)

209. As set out previously in this chapter, the applicable sanctions in Liechtenstein for each form of violence covered by the convention are for the most part proportionate to the gravity of the respective offence, with the exception for the low sanctions imposed for rape and sexual violence against the will of the victim.<sup>155</sup>

152. Pursuant to Article 284 of the Civil Code.

153. Explanatory Report to the Istanbul Convention, paragraph 208.

154. See GREVIO General Recommendation No. 1 on the digital dimension of violence against women, adopted on 20 October 2021, Council of Europe, 2021, pp. 18-19, available at: <https://rm.coe.int/grevio-rec-no-on-digital-violence-against-women/1680a49147>.

155. See Chapter V, Article 36.

210. Due to the lack of data on sentencing applied to the forms of violence covered by the Istanbul Convention, it is not possible to assess whether the actual sentences imposed for the different forms of violence against women are effective, proportionate and dissuasive. However, GREVIO was informed by the authorities that a review of all cases of violence against women covered by the Istanbul Convention will be conducted retrospectively from 2022 onwards by the courts and the public prosecutor's office, and that all future cases will be tagged with relevant markers in order to obtain an overview of the situation.<sup>156</sup> However, it is not clear whether this will include statistics showing the sentences handed down in cases involving all forms of violence against women.

211. Other possible measures in relation to the perpetrators of violence include the possibility for judges to issue instructions to the offender (Article 51 of the Criminal Code) and to order probation assistance for criminal offenders who are released subject to a probationary period (Article 52). The order to seek medical treatment, such as psychotherapy, can only be issued if the perpetrator agrees to it (Article 51(3)). Article 52a of the Criminal Code foresees the enhanced supervision of sex offenders after their release if it is deemed necessary to prevent them from reoffending. Possible measures under civil law include the withdrawal of perpetrator's custody rights if their behaviour endangers the welfare of the child (Article 176(1) of the Civil Code).

**212. GREVIO encourages the authorities in Liechtenstein to collect and publish data on the sentences given for all forms of violence against women covered by the scope of the Istanbul Convention, disaggregated by sex, the age of the victim and the perpetrator, their relationship, geographical location and the type of violence, in order to obtain an overview of the relevant court practice and to assess whether the sentences imposed are effective, proportionate and dissuasive.**

#### **10. Aggravating circumstances (Article 46)**

213. Most of the aggravating circumstances contained in Article 46 of the Istanbul Convention are found in Liechtenstein's Criminal Code, either in its Article 33, which lists several aggravating factors, or as a part of the relevant provisions of substantive criminal law. The exception is the second part of Article 46d of the convention, namely when an offence is committed in the presence of a child. However, the list of aggravating factors in Article 33 of the Criminal Code is not exhaustive, and judges can in principle take the presence of a child into account when sentencing for the offences covered by the convention.

**214. GREVIO invites the authorities in Liechtenstein to ensure that if an offence covered by the Istanbul Convention is committed in the presence of a child, this can be taken into consideration as an aggravating circumstance in the determination of the sentence.**

#### **11. Prohibition of mandatory alternative dispute resolution processes or sentencing (Article 48)**

215. Under Article 22a et seq. of Liechtenstein's Code of Criminal Procedure, alternative dispute resolution measures (*Diversion*) are only possible if the facts of the case have been sufficiently clarified, the offence is classified as a misdemeanour,<sup>157</sup> the level of culpability of the accused is not considered grave, no punishment appears necessary to deter the accused from reoffending and the offence did not cause the death of a person. Moreover, diversionary measures are excluded in cases of sexual assault<sup>158</sup> and defilement.<sup>159</sup> These requirements exclude many forms of violence against women and domestic violence from alternative dispute resolution processes. GREVIO was informed that, in practice, diversionary measures are only used in cases of minor bodily harm, which can include stalking and sexual harassment, but not cases of domestic violence.<sup>160</sup>

156. Information obtained during the evaluation visit.

157. Article 17 of Liechtenstein's Criminal Code distinguishes crimes (*Verbrechen* – all intentional criminal acts which are punishable with lifelong imprisonment or more than three years' imprisonment) and misdemeanours (*Vergehen* – all other offences, unless specified otherwise in ancillary criminal laws [*strafrechtliche Nebengesetze*]).

158. Article 201 of the Criminal Code.

159. Article 204 of the Criminal Code.

160. Information obtained during the evaluation visit.

---

216. In civil law cases, there is a possibility to use alternative dispute resolution processes, pursuant to Article 103a of the Law on Non-contentious Proceedings. However, it is not mandatory and is excluded in cases of domestic violence. The data provided for 2021 show that mediation took place in only five cases out of 23 in the area of custody and visitation rights. It appears that none of the five cases involved domestic violence.<sup>161</sup>

217. In 2020, a working group on matters relating to child custody was set up with representatives from public authorities, the Ombudsperson's Office for Children and Young People and NGOs, accompanied by a judge.<sup>162</sup> Its task was to examine the effects of the 2015 reform of the law on the rights of children and their parents, which made joint custody the rule. In 2023, the working group is preparing proposals to amend the relevant parts of the Civil Code, as well as plans to recommend mandatory parental counselling with a qualified specialist at the outset of amicable divorce proceedings, and court-ordered parental counselling in proceedings concerning custody and visitation rights.<sup>163</sup> While GREVIO notes that there seems to be no concrete proposal yet, it nonetheless reminds the authorities in Liechtenstein about the prohibition on mandatory alternative dispute resolution processes, including mediation and conciliation, in relation to all cases of violence against women and domestic violence (Article 48, paragraph 1, of the convention).

218. GREVIO welcomes the fact that Article 19(2) of the Criminal Code allows criminal courts to consider the personal circumstances of the offender when imposing fines. This allows the financial obligations that the perpetrator may have towards the victim to be taken into account, and thus avoids possible negative financial consequences for the victim.

---

161. Information obtained during the evaluation visit.

162. NGO information submitted by eight non-governmental organisations under the auspices of the Liechtenstein Human Rights Association, p. 20.

163. Ibid.

## **VI. Investigation, prosecution, procedural law and protective measures**

219. Full accountability for all acts of violence against women requires an adequate response from law-enforcement agencies and the criminal justice sector. Chapter VI of the Istanbul Convention establishes a set of measures to ensure criminal investigations, prosecutions and convictions of the various forms of violence covered therein.

### **A. General obligations, immediate response, prevention and protection (Articles 49 and 50)**

220. A key principle of an adequate response to violence against women is that of swift and effective investigations and judicial proceedings that are based on a gendered understanding of these types of offences and that take into consideration the rights of the victim during all stages.

#### **1. Reporting to, immediate response and investigations by law-enforcement agencies**

221. In order to ensure the implementation of the Istanbul Convention in Liechtenstein, and in particular to enhance the consistency of the police response to domestic violence, in January 2020 the National Police issued new instructions for interventions in cases of domestic violence. GREVIO welcomes these instructions, which emphasise the fact that the police, in addition to interviewing the perpetrator and the victim, must also collect circumstantial evidence and take the victim to a doctor for their injuries to be documented and treated. While collecting all different types of evidence is naturally standard procedure for the police, GREVIO welcomes these specific guidelines for cases of domestic violence. Their focus on evidence collection can contribute significantly to a rise in the probability of a case of domestic violence going to trial. However, GREVIO notes that the instructions only mention domestic violence, sexual violence, physical violence, economic violence, coercive control and forced marriage. Other forms of violence covered by the Istanbul Convention do not feature in the instructions and are not covered by other guidelines, such as stalking, sexual harassment, FGM, forced sterilisation, forced abortion and violence based on so-called “honour”. These forms of violence against women should swiftly be addressed through guidelines so that the police are equipped to efficiently handle all cases of violence against women. Moreover, GREVIO reiterates that any guidelines should be based on a gendered understanding of violence against women.

222. In general, reports of domestic violence are responded to swiftly and without delay, and the victim is handed a leaflet with information on counselling and support services. In 2021, the National Police intervened 101 times in cases of domestic violence. Charges were brought in 27 cases, thus only in about 25% of all cases. In 2020, there were 75 interventions for domestic violence, 24 of which resulted in charges filed (around 33%).<sup>164</sup> The National Police registered 29 perpetrators of domestic violence in 2021, 21 of which were male. In the same year, 17 female victims and seven male victims were identified. In 2020, 33 male and 13 female perpetrators were recorded; 59 victims of domestic violence were female, while 47 were male. GREVIO welcomes the fact that since January 2021, the type of violence and the relationship between the perpetrator and the victim are equally recorded.<sup>165</sup>

223. Multi-agency co-operation between the police and other relevant entities is practised in Liechtenstein. If deemed necessary, the police can refer victims of domestic violence to other general and specialist services. In 2021, 51 such referrals were made (71 in 2020). GREVIO notes that these figures do not tally with the total number of 29 perpetrators and 24 victims of domestic violence registered in 2021. Also in 2021, in seven cases the police called the Crisis Intervention Team (KIT)

---

164. State report, p. 44.

165. State report, pp. 41-42.

or an emergency physician to a scene of domestic violence (in 2020, this was done 14 times).<sup>166</sup> GREVIO considers the KIT to be a promising practice – a private foundation which employs professionals who are trained on issues related to domestic violence, but not exclusively so. The KIT is an emergency intervention team which provides psychological support to people in crisis situations (after accidents, violence, death of a close person, etc). While the availability of the assistance of the KIT is notified to victims of violence, GREVIO notes that the police do not systematically request the assistance of the KIT for every call-out for domestic violence. They leave the decision to the discretion of the victim. GREVIO considers that it would be beneficial for women victims of violence to systematically and proactively involve the KIT and/or a women's support and counselling service when there is a call-out for domestic violence, as this is a crucial moment for a professional intervention that can help the victim to exit the cycle of violence.

224. Reporting of offences of violence against women must be done in person, either at a police station or with police officers on site, as it is not possible to report violence online or otherwise. A private room is available at the police station where victims are interviewed. GREVIO regrets that only about 13% of officers in the police force are female, which means that it cannot be guaranteed that a woman victim of violence is interviewed by a woman, if she so wishes, apart from in cases of sexual violence.<sup>167</sup> Measures should be taken to ensure that all women victims of violence can be interviewed by a police officer of the same sex and, if necessary, also be provided with a female interpreter. GREVIO welcomes, in this context, that there are ongoing efforts in Liechtenstein to recruit more female police officers.

225. GREVIO received indications from women's rights organisations that certain groups of women face barriers to reporting violence to the police, in particular women with disabilities and migrant women.<sup>168</sup> While the website of the National Police is available in easy-to-understand language, women with intellectual disabilities may face communication barriers in their direct communication with the authorities, as interviews may not be available in simple language, and there appears to be a shortage of interpreters for sign language. Moreover, GREVIO received indications that women with intellectual disabilities do not always feel taken seriously by the police. Migrant women are often not aware of their rights and fear losing their residence status if they report domestic violence to the police.<sup>169</sup> It would therefore be necessary to include information in police guidelines on the specific challenges that women at risk of intersectional discrimination face and to provide training to the relevant officers.

226. **GREVIO strongly encourages the authorities in Liechtenstein to ensure that:**

- a. **all forms of violence covered by the Istanbul Convention are featured in police guidelines so that they can be adequately dealt with;**
- b. **all women victims of violence can be interviewed by a police officer of the same sex and, if necessary, be assisted by a female interpreter;**
- c. **police guidelines apply a gendered understanding of violence against women and duly take into account the different situations that women who are subject to, or at risk of, intersectional discrimination may face.**

227. **GREVIO invites the authorities in Liechtenstein to systematically involve the Crisis Intervention Team and/or a women's support and counselling NGO in police interventions for domestic violence.**

## **2. Effective investigation and prosecution**

228. In terms of specialisation, GREVIO welcomes the inclusion within the Crime Investigation Division of the police of a specialised unit for sexual violence and, since 2021, a digital crime unit. The latter was considered necessary as the authorities recognised that crime often has a digital

167. Information obtained during the evaluation visit.

168. Information obtained during the evaluation visit.

169. Information obtained during the evaluation visit.

dimension. The newly established digital crime unit supports other units, including in the collection of electronic evidence. GREVIO received information from experts indicating that digital evidence in cases of violence against women and domestic violence is generally accepted in court.

229. GREVIO welcomes of the fact that there are two public prosecutors specialised in sexual violence. Given the overall small number of public prosecutors in Liechtenstein, GREVIO understands that it may not be feasible to have all public prosecutors specialised in offences of violence against women and domestic violence. However, it considers it important that all public prosecutors receive training on the forms of violence covered by the Istanbul Convention, as this is an obligation of states parties.<sup>170</sup> Moreover, while guidelines exist for police interventions in cases of domestic violence and other offences, GREVIO regrets that no such standards exist for public prosecutors.

230. GREVIO received indications by professionals working in the field that some cases of violence against women and domestic violence are discontinued by the public prosecutor's office, especially if the victim's statement is the only available evidence.<sup>171</sup> GREVIO considers that public prosecutors should be encouraged to request the police to conduct further investigations and evidence collection in such cases to have a broader basis for prosecution and to increase the probability of issuing an indictment. Moreover, it has been brought to GREVIO's attention by practitioners that sometimes women victims of violence have to repeat their testimony several times between the first police report and an eventual trial. Measures should be taken to ensure that the criminal justice process prevents the secondary victimisation of victims of violence against women and domestic violence.

231. No statistical data are available on the average length of the investigations into the offences covered by the Istanbul Convention. However, the authorities informed GREVIO that while rape and other sexual offences are usually processed speedily, it can take about two years for a case of other forms of violence against women to go to trial from the first report to the police. GREVIO welcomes that the public prosecutor's office is working on collecting data on this issue.<sup>172</sup> It notes that a slow response by the criminal justice system can contribute to high attrition rates in these cases, as women may get discouraged and withdraw their witness statement or refuse to testify against the perpetrator. Measures should be taken to ensure that cases of domestic and gender-based violence against women are dealt with swiftly by law enforcement and the judiciary, for example by granting them priority.

**232. GREVIO strongly encourages the authorities in Liechtenstein to ensure that in all cases of violence against women covered by the Istanbul Convention:**

- a. the criminal justice process avoids the secondary victimisation of women victims of violence;**
- b. the proactive collection of evidence other than the victim's statement is encouraged;**
- c. cases of violence against women are dealt with speedily and with priority.**

### **3. Conviction rates**

233. Given the solidity of the legal framework in Liechtenstein,<sup>173</sup> GREVIO considers that the judiciary has the necessary tools to bring perpetrators of violence against women to justice. However, as noted earlier in this report, there is a lack of systematically collected and disaggregated statistical data on the forms of violence against women covered by the Istanbul Convention.<sup>174</sup> No data are available on the number of convictions for such cases, on the sentences handed down and on whether the sentences imposed on perpetrators are effective, proportionate and

---

170. See also Chapter III, Article 15.

171. Information obtained during the evaluation visit.

172. Information obtained during the evaluation visit.

173. See Chapter V, Substantive Law.

174. See Chapter II, Article 11.

dissuasive.<sup>175</sup> Because victims of crimes are recorded as “witnesses” by the domestic courts, there are no data available on the number of criminal convictions for violence against women either. It is thus not possible to identify and address all factors that contribute to attrition in cases of violence against women. Moreover, some forms of violence covered by the Istanbul Convention have never been reported or recorded in Liechtenstein, such as FGM, forced marriage and forced sterilisation. It is therefore not possible for GREVIO to assess the efficiency of the justice system’s response to those forms of violence in practice.

234. No guidelines for judicial proceedings in cases of gender-based violence against women are available. As the number of such cases brought to trial each year is relatively small, there is little guiding jurisprudence from the courts in Liechtenstein in that respect either. However, given that Liechtenstein’s Criminal Code and the Code of Criminal Procedure are heavily based on the Austrian equivalent, the domestic courts refer to Austrian jurisprudence and doctrine, should there be none available from Liechtenstein.

235. Other available measures of protection for victims of violence, apart from emergency barring orders and civil injunctions, include the imposition of pretrial detention, which the investigative judge can decide on,<sup>176</sup> police detention<sup>177</sup> and the seizure of weapons from the perpetrator.<sup>178</sup> However, no data are available on the number of cases of domestic violence or violence against women in which these or other measures have been taken.

236. **GREVIO urges the authorities in Liechtenstein to collect and analyse data from the justice system on the forms of violence against women covered by the Istanbul Convention to identify and address the factors that may contribute to attrition in these cases.**

## **B. Risk assessment and risk management (Article 51)**

237. Concern for the victim’s safety must lie at the heart of any intervention in cases of all forms of violence covered by the Istanbul Convention. Article 51 thus establishes the obligation to ensure that all relevant authorities, not just law-enforcement authorities, effectively assess and devise a plan to manage the safety risks a victim faces on a case-by-case basis, according to standardised procedures and in co-operation with each other.

238. In addition, GREVIO wishes to point out that, in 2021, the European Court of Human Rights (the “Court”) rendered a judgment in the case of *Kurt v. Austria*<sup>179</sup> in which it specified the obligations relating to risk assessments and risk management under Article 2 of the European Convention on Human Rights. Notably, the Court held that authorities needed to respond immediately to allegations of domestic violence. They must establish whether there exists a real and immediate risk to the life of one or more identified victims of domestic violence by carrying out an autonomous, proactive and comprehensive risk assessment. The reality and immediacy of the risk must be assessed taking due account of the particular context of domestic violence cases. If the outcome of the risk assessment is that there is a real and immediate risk to life, the authorities’ obligation to take preventive operational measures is triggered. Such measures must be adequate and proportionate to the level of the risk assessed.<sup>180</sup>

239. The Court found that once a risk has been established, rapid sharing of information and co-ordination among relevant stakeholders is part of a comprehensive response to domestic violence, including information from child-protection agencies, schools and other childcare facilities, should children be involved.<sup>181</sup> GREVIO fully endorses these findings and stresses that an effective

---

175. See also Chapter V, Article 45.

176. Article 127(1)(4) of the Code of Criminal Procedure.

177. Article 24h of the Police Act.

178. Article 47(1) of the Weapons Act.

179. *Kurt v. Austria* [GC], Application No. 62903/15, paragraphs 167-176, 15 June 2021.

180. *Ibid.*, paragraph 190.

181. *Ibid.*, paragraph 180.

risk assessment and ensuing risk management can save lives and should be an integral part of the authorities' response to cases of violence covered by the Istanbul Convention.<sup>182</sup>

240. In Liechtenstein, a risk assessment is conducted on the spot by the intervening police officers called out to incidents of domestic violence. They must document if there is a history of violence and justify the risk factors that might lead to a conclusion that the perpetrator poses a further threat to the victim. It appears that while instructions have been issued on how to proceed in cases of domestic violence, no standardised risk-assessment tools are used by the police. GREVIO considers that the risk assessment carried out by the intervening police officers on site should be reinforced and standardised. More attention should be paid to the victim and to taking the necessary measures to ensure her protection, including a more frequent use of police barring orders.<sup>183</sup> Thereafter, individualised risk-management plans should be systematically drawn up for all victims of domestic and other forms of violence against women after police interventions, which should also include safety considerations concerning the children of the victim. GREVIO reiterates that concern for the victim's safety must lie at the heart of any intervention in cases of all forms of violence against women,<sup>184</sup> including by involving social workers, specialist services, healthcare professionals and other relevant entities in the process. GREVIO welcomes that the police inform the Children and Youth Service in writing of all its interventions that have a bearing on the best interest of a child.

241. As regards risk management, GREVIO welcomes the setting up in 2019 of a Threat Management Service within the National Police of Liechtenstein. It employs one psychologist and one officer, who are responsible for the co-ordination of all cases of domestic violence, raising awareness internally about this form of violence, organising training and ensuring the quality of the handling of cases. In addition, it acts as the contact point for external authorities and entities working in the field of violence against women and domestic violence, including for multi-agency co-operation. The Threat Management Service retrospectively discusses and analyses all police interventions in cases of domestic violence with those officers who were on site, especially the cases where a police barring order was issued. The Threat Management Service further monitors ongoing cases and uses standardised tools for the assessment and management of risks, such as the Swiss "Oktagon", the Canadian "ODERA" and a self-developed tool. GREVIO considers the institution of the Threat Management Service a promising practice. NGOs active in the field have pointed out that they would welcome a regular exchange with this service, for example to provide them with advice on how to deal with the threats that women victims of violence face.<sup>185</sup>

242. The number of homicides is generally very low in Liechtenstein. Between 2019 and 2021, no case resulting in the death of a woman was recorded. In 2021, there was an attempted killing of a woman, who had not previously been known to the authorities. Despite these low numbers of capital offences, GREVIO recommends that a formalised homicide review mechanism be tested, in order for any (attempted) killing of a woman to be analysed for any gender-related motives of the suspect/perpetrator and in order to check whether the victim or the perpetrator had previously been known to the authorities for violent offences, and whether the (attempted) murder could have been averted.

**243. GREVIO strongly encourages the authorities in Liechtenstein to ensure that risk assessments are systematically carried out for the victim and her children, from the first steps in the criminal justice chain and in relation to all forms of violence against women covered by the Istanbul Convention, using standardised, evidence-based risk-assessment tools.**

---

182. GREVIO baseline evaluation report on Iceland, paragraph 271.

183. See Chapter VI, Article 52.

184. Explanatory Report to the Istanbul Convention, paragraph 260.

185. NGO information submitted by eight non-governmental organisations under the auspices of the Liechtenstein Human Rights Association, p. 31.

244. **GREVIO invites the authorities in Liechtenstein to introduce and test a pilot system, such as a domestic killings review mechanism, by which any (attempted) killing of a woman is analysed for any gender-related motives of the perpetrator, and with the aim of identifying possible shortcomings in institutional responses to violence against women.**

### C. Emergency barring orders (Article 52)

245. The police in Liechtenstein are authorised to issue an emergency barring order (in the form of an expulsion from the shared dwelling and/or prohibition on entry)<sup>186</sup> *ex officio* against a perpetrator of violence, if it considers that the person poses an immediate risk of a (further) offence against life, limb or the personal freedom of another person. The perpetrator can be expelled from the dwelling they share with the victim and ordered to stay away from the immediate surroundings for an initial period of 10 days. The chief of police must check within 72 hours if the barring order has been issued lawfully. GREVIO considers it a promising practice that the police drive by the dwelling of the victim once or twice a day to ensure the order is being respected and are under an obligation to report on their checks.

246. Having issued a barring order, the police are obliged to inform the victim of the possibility to apply for an interim injunction to prolong their protection against the perpetrator. The victim should also be given a list of organisations which offer counselling and support. In theory, no gaps in the protection should arise if the victim applies for an injunction within those 10 days, as this application prolongs the duration of the police barring order to 20 days, and the competent court is obliged to take a decision on the injunction within this time frame. However, the authorities conceded that in exceptional cases, the deadline of 20 days may not be met by the courts, which could lead to a gap in the protection of the victim.

247. After the issuance of a barring order, the Threat Management Service usually contacts the victim and arranges social services for her, if necessary. It also checks the police files to see whether there is a history of violence which would indicate an elevated threat. The intervening police officers also inform the Social Assistance Office and provide them with details on the victim. The social services contact the victim and inform them of their rights, including the possibility to request an interim injunction from a court and to contact counselling institutions. GREVIO welcomes this system of multi-agency co-operation, which ensures that relevant authorities communicate in relation to a case of domestic violence and offer the victim all necessary support. In addition, the Threat Management Service also contacts the perpetrator and encourages them to pursue a preventive intervention and treatment programme. However, the current legal situation does not allow a mandatory referral to such a programme before a criminal conviction is handed down. Only a court can legally order this measure.

248. Moreover, GREVIO welcomes the continuous monitoring by the Threat Management Service of cases where a barring order has been issued, even after its expiry, if they believe that there is a risk of further violence and even if the prosecutor stops the prosecution. The officer at the unit endeavours to stay in contact with the victim and also monitors the perpetrator's behaviour.

249. While GREVIO welcomes the solid legal system of emergency barring orders and ensuing protection orders (interim injunctions) in Liechtenstein, it nevertheless considers that these could be used more frequently in order to send a strong signal that there is zero tolerance of violence in the domestic sphere. Statistics show that there appears to be a strong hesitation on the side of the police to evict a perpetrator of violence from their home. In only five cases has an expulsion been used in 2020, and in a further five cases a prohibition on entry was ordered. Only one single expulsion was ordered between 2015 and 2019 and no prohibition on entry was issued at all during those five years.<sup>187</sup> GREVIO notes that when faced with a call-out for domestic violence, the police focus on de-escalation and are reluctant to take further steps, such as issuing a barring order against the perpetrator. This is illustrated by the fact that out of 75 police interventions for domestic violence

---

186. Article 24g of the Police Act.

187. State report, p. 45.

in 2020, in 39 cases police mediation and counselling was used, and only a small number of cases led to barring orders (see above).<sup>188</sup> While de-escalation is undoubtedly an important first measure, GREVIO considers that this measure alone will not suffice to eliminate future threats to a victim of domestic violence and could send the wrong message about how to stop violence. Experience has shown that the cycle of violence will start anew if no measures are taken by the authorities to support the victim to break away from this cycle and no measures are taken against the perpetrator to dissuade him from continuing the violence, for example by ordering him to attend a perpetrator programme.<sup>189</sup> Moreover, it should not be the victim who is forced to leave the house after facing aggression. Depending on the result of the risk assessment made by the police, further measures must be taken, commensurate with the risk assessed.<sup>190</sup>

250. In addition, children who have witnessed domestic violence by a parent against the other, and who are thereby victims themselves, should be included in police barring orders. It appears that this is not always the case, as GREVIO has received indications from practitioners that women victims of violence who obtain a barring order against their abusive partner may nonetheless be made to hand over their children to the perpetrator for visitation rights.<sup>191</sup> The decision on the restriction or prohibition of contact rights lies with the courts, pursuant to Articles 137*b*, paragraph 1(2) and 177*a*, paragraph 2, of the Civil Code. More needs to be done by the relevant authorities to ensure that the perpetrator's access rights do not perpetuate the pattern of abuse against the mother through the childcare arrangements.

251. Violations of police barring orders are reported to the public prosecutor's office by the police. However, no data are available on the number of breaches of such orders and the number of sanctions imposed as a result of such breaches. These data should be collected and analysed to assess the effectiveness of such measures.<sup>192</sup>

**252. GREVIO urges the authorities in Liechtenstein to step up efforts to make use of police barring orders more frequently and rigorously, in order to protect the right to safety of women victims of domestic violence and their children, and to show zero tolerance to the perpetrators of domestic violence.**

**253. In order to review the implementation of emergency barring orders, GREVIO strongly encourages the authorities in Liechtenstein to collect and analyse administrative data on the number of perpetrators who do not comply with barring orders and on the number and type of sanctions applied as a result of non-compliance.**

**254. GREVIO strongly encourages the authorities in Liechtenstein to systematically include children who are affected by domestic violence in police barring orders and to ensure that the perpetrator's visitation rights do not perpetuate the pattern of abuse against the mother through the childcare arrangements.**

#### **D. Restraining or protection orders (Article 53)**

255. Protection orders (in the form of interim injunctions) in Liechtenstein can be issued by civil law judges, upon application by the victim.<sup>193</sup> They are available irrespective of other proceedings against the perpetrator, are issued for a certain period of time (usually from a few months to one year) and can be enacted immediately, without hearing the other party.

---

188. In 71 out of those 75 cases, further assistance was arranged by the police. However, no data are available which would indicate what sort of assistance was provided. See the state report, p. 45.

189. See Chapter III, Article 16.

190. See Chapter VI, Article 51.

191. Information obtained during the evaluation visit.

192. See Chapter II, Article 11.

193. Article 277*a* of the Execution Act.

256. Between 2019 and 2021, only five applications for interim injunctions were filed with a court. In two cases, the parties settled; one application was dismissed; one was withdrawn; and only one was granted. These data show that the preventive potential of interim injunctions is not realised, for reasons unknown to GREVIO. As injunctions are often applied for following police barring orders, and the number of such orders issued annually is very low (see the data contained in the analysis of Article 52), this may be one reason for the low practical use of such protection orders. Moreover, women victims of violence should be actively informed of the possibility of an interim injunction and supported in applying for them.

257. The current legal situation foresees that only the victim can apply for an interim injunction. GREVIO considers that the authorities should also examine the possibility of an *ex officio* issuance of interim injunctions in cases where a court, for example, considers that this would be necessary in order to protect a woman victim of violence from her abuser, and/or the possibility for third parties to apply for an injunction on the victim's behalf. This would be of particular relevance for legally incapacitated victims, as well as for vulnerable victims who may be unwilling to apply for protection orders for reasons of fear or emotional turmoil and attachment.<sup>194</sup>

258. Some challenges reported to GREVIO by civil society in relation to interim injunctions include long delays at courts after the application for an injunction, especially but not limited to cases where it was not preceded by a police barring order, leading to gaps in victim's protection; and courts sometimes applying an adversarial procedure despite this running counter to the whole rationale and purpose of interim injunctions.<sup>195</sup>

259. The data provided do not indicate for which forms of violence against women interim injunctions have been requested or granted. GREVIO considers it important to point out that they should not be limited to cases of domestic violence and stalking, but they should also be available for other forms of violence covered by the convention, such as sexual harassment and violence against women committed via ICT. Moreover, it is not known to GREVIO whether courts issuing interim injunctions are part of any multi-agency co-operation. It would be important that such protection orders form part of a multi-agency approach comprising all relevant stakeholders, including authorities and women's rights NGOs active in victim support.

260. No data are available on the number of breaches of protection orders and the number of sanctions imposed as a result of such breaches. However, GREVIO was informed of one case where a victim of stalking had received a protection order which the perpetrator did not respect. The victim had to apply for a separate measure for the enforcement of the protection order, which took several months to be granted by the competent court.<sup>196</sup> While this may have been an isolated case, GREVIO nonetheless considers it important to underline that breaches of protection orders must be sanctioned immediately, and the protection of the victim from re-victimisation must be ensured at all times.

261. **GREVIO strongly encourages the authorities in Liechtenstein to:**

- a. ensure that, in practice, more frequent use is made of protection orders, and for forms of violence beyond domestic violence and stalking, notably sexual harassment, including those offences that have a digital dimension;**
- b. ensure that any barriers preventing victims from applying for interim injunctions are removed;**
- c. better inform women victims of gender-based violence of the possibility of interim injunctions and make available support for the application thereof;**
- d. ensure that procedures for interim injunctions are conducted swiftly in order to avoid gaps in protection and that the procedures form part of a multi-agency co-operation between all relevant stakeholders, including women's rights NGOs active in victim support;**

---

194. Explanatory Report to the Istanbul Convention, paragraph 276.

195. Information obtained during the evaluation visit.

196. Information obtained during the evaluation visit.

- e. consider taking measures to allow the *ex officio* issuance of protection orders and/or allowing third parties to apply for a protection order on behalf of the victim.

## E. *Ex parte* and *ex officio* proceedings (Article 55)

### 1. *Ex parte* and *ex officio* proceedings

262. Article 55, paragraph 1, of the Istanbul Convention places on parties the obligation to ensure that investigations into a number of categories of offences shall not be wholly dependent upon the report or complaint filed by a victim and that any proceedings underway may continue even after the victim has withdrawn her statement of complaint.

263. GREVIO is satisfied that Liechtenstein's domestic law provides for the initiation of legal proceedings *ex officio* in cases of physical violence, sexual violence (including rape), forced marriage, FGM, forced sterilisation and forced abortion.<sup>197</sup> It welcomes the fact that the police, the public prosecutor's office and the investigative judges do not automatically discontinue cases of violence against women and domestic violence if the victim withdraws her statement, but are obliged to investigate and take other evidence into account before deciding whether or not to proceed with a case. The public prosecutor's office guides the police from an early stage of the proceedings in order to secure as much evidence as possible. Nonetheless, the authorities conceded that it is not often the case that there is enough evidence to proceed with a prosecution despite the victim having withdrawn her statement or making use of her right not to testify against the perpetrator, if he is a partner, spouse or relative.<sup>198</sup> In that context, GREVIO considers that the possibility<sup>199</sup> to make use of audiovisual recordings of the victim's statement before the investigating judge, and in the presence of the defence counsel of the accused (see below), could be used more frequently, in order to counter impunity in cases of violence against women and domestic violence.

### 2. Victim support in legal proceedings

264. With a view to empowering victims and to encouraging them to go through with criminal proceedings, paragraph 2 of Article 55 requires parties to ensure that victims' organisations, specifically trained domestic violence counsellors or other types of support/advocacy services, may assist and support victims during investigations and judicial proceedings.

265. Victims in criminal proceedings have the right to either represent themselves or to be represented by a lawyer, a recognised victim protection institution or any other suitable person.<sup>200</sup> This includes, for example, counsellors from women's rights NGOs. Moreover, pursuant to Article 31a of the Code of Criminal Procedure, victims of violent offences are entitled to receive counselling, care and assistance from the Victims Assistance Office. This includes psycho-social assistance in criminal, civil and non-contentious proceedings that are related to the violent crime, being accompanied to questioning and to trials by law-enforcement and judicial authorities, and being represented by the office.<sup>201</sup> Victims must actively be informed by the authorities of their rights under the Victims Assistance Act, which include the right to short and long-term financial and other support, including to cover legal and therapy costs, financial compensation and legal aid. The office is well connected with NGOs, the Office for Health, the police, therapists, lawyers, etc, and aims to help victims in an unbureaucratic manner.

266. The Victims Assistance Office dealt with 48 cases in 2020 and 44 cases in 2021. In 2022, the Victims Assistance Office dealt with 65 cases in total, 42 of which were new cases. The office counselled 44 female victims and 21 male victims of crimes. Domestic violence accounted for six cases in 2022; 14 concerned physical violence; six threats and coercion; three stalking; two rape;

197. Article 21 of the Code of Criminal Procedure read in conjunction with the relevant provisions of the Criminal Code on the above-listed offences of violence against women and domestic violence.

198. Information obtained during the evaluation visit.

199. See Chapter VI, Article 56.

200. Article 34 of the Code of Criminal Procedure.

201. Articles 12-14 of the Victims Assistance Act.

10 sexual violence; and five sexual violence against children.<sup>202</sup> However, the data do not reveal how many of the victims of the above offences were women or girls.

267. However, at the time of the adoption of this report, the Victims Assistance Office only had one staff member, working part-time. While GREVIO welcomes the existence of the Victims Assistance Office and the fact that its staff member is well trained and educated in violence against women, the cycle of violence and other topics related to the Istanbul Convention, it notes that the office may require more staff to be able to provide the full range of services contained in the Victims Assistance Act, to ensure a permanent service and to deal with the rise in cases it receives.

268. Children who are victims of violence and children of victims of violence are equally entitled to the above-mentioned types of representation and assistance from the Victims Assistance Office. In such cases, the office co-operates closely with the Child and Youth Service and the legal guardian(s) of the child. Emergency legal aid, which includes legal counselling of up to 800 CHF, is granted regardless of the victim's income situation. However, GREVIO was informed that long-term legal counselling or other assistance from third parties depends on the financial situation of the victim, and when the victim is a child, the parents' income is taken into account. It would be preferable that child victims of violence receive legal and psychological support irrespective of their parents' assets.

**269. GREVIO invites the authorities in Liechtenstein to assess whether the staffing of the Victims Assistance Office is sufficient.**

## **F. Measures of protection (Article 56)**

270. Several measures of protection for women victims of violence against intimidation, retaliation by the perpetrator and repeat victimisation are foreseen under the law in Liechtenstein. These include the right to be represented in criminal proceedings against the accused; to inspect the case file; to be informed of the outcome of the proceedings; to be informed of the subject of the proceedings and their rights therein; to be assisted by an interpreter and receive support for translations; to participate in the reconstruction of the offence; to ask questions of the accused, witnesses and expert witnesses; to request the taking of evidence; and to be heard in relation to their claims under private law. All authorities involved in criminal proceedings are obliged to inform victims and witnesses of their rights, including the right to assistance by the Victims Assistance Office.<sup>203</sup>

271. Special measures of protection apply to victims who have been violated in their right to sexual integrity, such as being interviewed by a person of the same sex during the investigation, if possible; to have an interpreter of the same sex, if possible; to refuse to answer questions which concern intimate details of her life; to request being questioned in a sensitive manner during the investigation and the trial; and to have the public excluded from the trial.<sup>204</sup> In cases of reports of sexual violence, the victim's statement to the police is usually audiovisually recorded and this video is used in subsequent judicial proceedings. Moreover, in cases concerning a violation of a person's sexual self-determination, the court must include at least one judge on the same sex as the alleged victim.

272. Witnesses may give anonymous testimony if the disclosure of their name and other personal details could expose them to a serious risk to their life and limb or freedom.<sup>205</sup> All authorities involved in the criminal proceedings must ensure that the injured person's intimate details, image and personal information are respected.<sup>206</sup> For high-risk victims/witnesses, there is a witness protection programme.<sup>207</sup>

---

202. Annual Report of the Victims Assistance Office 2022, available at:

[www.serviceportal.li/serviceportal2/amtsstellen/opferhilfestelle/jahresbericht-ohs-2022.pdf](http://www.serviceportal.li/serviceportal2/amtsstellen/opferhilfestelle/jahresbericht-ohs-2022.pdf).

203. Articles 32a, 31a, 31b and 32(2) of the Code of Criminal Procedure.

204. Article 31b of the Code of Criminal Procedure.

205. Article 119a of the Code of Criminal Procedure.

206. Article 31c of the Code of Criminal Procedure.

207. Article 30d of the Police Act.

273. GREVIO welcomes the availability of these comprehensive measures and possibilities under the law in Liechtenstein to protect victims and witnesses of violence against women. NGOs active in the field pointed out that several of these measures have yet to be used in practice, as they are relatively new, and therefore it remains to be seen how they will be implemented by the authorities.<sup>208</sup>

274. Victims of domestic violence and those whose sexual integrity has been violated must be informed *ex officio* if the accused is released from pretrial detention. For victims of other offences, this only applies upon request.<sup>209</sup> However, the authorities stated that, in practice, victims are always informed if the accused is released from custody. GREVIO reiterates that Article 56, paragraph 1b, of the convention requires that victims of the forms of violence covered by the convention are informed of the perpetrator's escape or release, at least in cases where the victims and the family might be in danger. The convention does not limit this duty to victims of domestic and sexual violence, as it also applies to the release or escape of a convicted perpetrator, and not only to the accused in pretrial detention. Legislative or other measures are thus required to ensure full compliance with this provision.

275. When considering that a victim cannot be questioned during the trial, the investigating judge can order an audiovisual recording of the victim's questioning, at which the public prosecutor's office, the defence counsel of the accused and the victim's legal representative are present, and the defence can exercise their right to ask questions, which are conveyed to the victim by the investigative judge. This recording can then be shown during the trial without the victim having to testify again, while ensuring respect for the accused's rights by allowing their legal representative to be present during the questioning. GREVIO welcomes this victim-friendly approach which can contribute significantly to avoiding secondary victimisation of women victims of violence, as it may reduce the number of times they have to repeat their witness statement and spares them from meeting their abusers in court. Moreover, experience has shown that victims of rape, domestic violence and other forms of violence against women often withdraw their statements or make use of their right not to testify against the accused if they are a family member, which leads to high acquittal rates. The audiovisual recording before the investigative judge can thus contribute to cases going to trial despite these factors, which GREVIO considers a promising practice.

276. Amendments made in 2021 to the Code of Civil Procedure and the Non-Contentious Proceedings Act expanded victim protection in civil proceedings, such as the right of victims to be accompanied if they had already been granted this right in related criminal proceedings.<sup>210</sup> Victims and witnesses have the right to the confidentiality of their residential address and they can be heard separately from the defendant. Furthermore, a possibility to refrain from questioning child victims and witnesses has been introduced if special circumstances so require. GREVIO welcomes these measures of protection for victims and witnesses in civil proceedings, which contribute to limiting the strain of judicial proceedings on women and child victims of violence.

277. Special measures of protection apply to child victims and witnesses in criminal proceedings, which GREVIO welcomes. They include the right to always be accompanied by a person of their trust; having their rights explained to them in an age-appropriate manner; having the right to only testify once and to be questioned in a sensitive manner by the presiding judge or by a specially trained expert and through an audiovisual recording of the questioning, as described above; and ensuring that the child victim does not have to encounter the perpetrator during the proceedings.<sup>211</sup>

**278. GREVIO strongly encourages the authorities in Liechtenstein to take legislative or other measures to ensure full compliance with Article 56, paragraph 1b, of the Istanbul Convention.**

---

208. NGO information submitted by eight non-governmental organisations under the auspices of the Liechtenstein Human Rights Association, p. 34.

209. Article 141(7) of the Code of Criminal Procedure.

210. Article 73a of the Code of Civil Procedure.

211. See for example Articles 107, 115 and 115a of the Code of Criminal Procedure; and Articles 1 and 14(1) of the Victims Assistance Act.

## G. Legal aid (Article 57)

279. Article 31a(2) of the Code of Criminal Procedure provides for the possibility of victims of physical, psychological and sexual violence and their family members to be advised, accompanied and represented by the Victims Assistance Office.<sup>212</sup> Counselling and support provided by the Victims Assistance Office is always free of charge for those affected by a crime. However, emergency legal counselling by a lawyer is limited to between two and three hours, or the equivalent of CHF 800, which, as NGOs active in the field pointed out, may not be sufficient for cases of violence against women.<sup>213</sup> For long-term legal counselling, the income and assets of the victim are taken into account in determining the eligibility for legal aid.

280. Victims of crimes or misdemeanours (except for offences that are subject to private prosecutions) who join their private law claims to the criminal proceedings<sup>214</sup> have the right to be provided with a legal counsel if the case so requires. Legal aid in that respect is available for those victims of violence who do not have the necessary means to pay for legal representation.<sup>215</sup>

281. In civil proceedings, Article 63(1) of the Code of Civil Procedure equally provides for the possibility of legal aid to pursue a reasonable claim if the claimant does not have the necessary means to do so. In addition, under the Marriage Act, there is a possibility of advanced payment of alimony under certain conditions. Legal advice and support by the Victims Assistance Office is also available in civil proceedings for women victims of violence. However, the costs of expert opinions are not covered by legal aid. Lawyers active in the field have alerted GREVIO to the fact that expert opinions in proceedings concerning custody and visitation rights can easily cost around CHF 10,000, which constitutes a high financial burden for women who are economically dependent on their violent spouses.<sup>216</sup> In addition, in order to receive legal aid, the “overall family income” is taken as the basis for the calculation, even if a woman has no access to her spouse’s income. This can constitute a significant barrier for women victims of violence to accessing justice. Additionally, the financial dependency of women victims of violence often hinders them from leaving an abusive relationship. The prospect of high financial burdens for asserting their parental or other civil rights does not contribute to women victims’ ability to escape the cycle of domestic violence. It was also brought to GREVIO’s attention that women victims of violence with low financial means face problems hiring a lawyer to support them with their claims, as lawyers do not know whether legal aid will be granted.<sup>217</sup>

282. Last, persons who have received legal aid must submit yearly declarations of their income for a period of 10 years in order to prove that they are not in a financial position to pay back what they received. It has been brought to GREVIO’s attention that if the victims forget and fail to do so, they must pay back the legal aid, without any prior reminder. In practice, this has put a number of women victims of violence in a very difficult situation, in particular migrant women who are not familiar with the system.<sup>218</sup>

**283. GREVIO invites the authorities in Liechtenstein to ensure that, after free legal aid has been granted, the competent court and the tax authorities co-ordinate their measures concerning the victim’s income situation and send a reminder every year about the need to submit the necessary income declaration.**

---

212. Article 25 of the Victims Assistance Act. See also Chapter IV, Article 19.

213. NGO information submitted by eight non-governmental organisations under the auspices of the Liechtenstein Human Rights Association, p. 34.

214. See also Chapter V, Article 30.

215. Article 26(2) read in conjunction with Article 32(3) of the Code of Criminal Procedure.

216. Information obtained during the evaluation visit.

217. Information obtained during the evaluation visit.

218. Information obtained during the evaluation visit.

## VII. Migration and asylum

284. In the area of migration and asylum, the main requirement of the Istanbul Convention is to ensure that residence status laws and asylum procedures do not turn a blind eye to the realities of women living in abusive relationships or subjected to sexual violence and exploitation and other forms of gender-based violence. Residence status laws shall provide for the possibility of obtaining autonomous residence permits for women in specific circumstances (Article 59). Asylum procedures, on the other hand, must be gender-sensitive and allow women to disclose their stories in full, and grounds for persecution shall be interpreted in a gender-sensitive manner. This can only be achieved if, in turn, reception procedures and support services for asylum seekers are sensitive to the needs of women victims or those at risk of violence (Article 60).

285. The Russian Federation's war of aggression against Ukraine has led to a steep increase in requests for international protection by Ukrainians in Liechtenstein. While between 2010 and 2020, Liechtenstein received between 40 and 165 asylum applications per year,<sup>219</sup> this number increased to 584 in 2022. The authorities in Liechtenstein managed this influx of refugees very well, providing accommodation and co-operating with the NGO Refugee Aid for their psycho-social care. As of March 2023, Liechtenstein had accommodated 572 Ukrainian refugees, 455 of which remain in the country.<sup>220</sup> The majority of them are women and children.

286. Refugees from Ukraine are granted temporary protection under what is known as "Protection Status S", which provides a specifically defined group of persons with a temporary residence permit without going through the regular asylum procedure. GREVIO thus recalls the importance of conducting vulnerability screenings for women seeking international protection in Liechtenstein, as soon as they lodge a respective application.<sup>221</sup> This is particularly important to ensure that vulnerable women who have experienced gender-based violence are identified in a timely manner to inform decisions regarding access to appropriate accommodation and specialist support services, and to ensure the application of procedural safeguards. In the absence of vital information obtained through a proper vulnerability assessment, the guarantees contained within the Asylum Act regarding priority and special attention being afforded to women victims of gender-based violence are ineffective. The timely identification of vulnerability would also enable the Migration and Passport Office to introduce and implement further procedural adjustments for vulnerable women who are victims of gender-based violence, designed to support disclosure of experiences of violence during their interviews, such as regular breaks, adapted questions to reduce the risk of traumatisation and the possibility of being accompanied during the interview by a lawyer or support worker.<sup>222</sup>

287. In addition, GREVIO underlines the importance of Article 4, paragraph 3, of the convention, which requires parties to apply the convention, without discrimination, to all women and girls present in their territory, including migrant women, regardless of their residence status and including those without such status.

### A. Residence status (Article 59)

288. In accordance with Article 78, paragraph 2, of the Istanbul Convention, Liechtenstein has reserved the right to apply the provisions laid down in Article 59 of the convention only in specific cases or conditions. The reservation was entered upon ratification in 2021 and is valid until 1 October 2026. GREVIO therefore does not have a mandate to assess the implementation of Article 59 in Liechtenstein while the reservation is in place.

219. Government of Liechtenstein, 12th Status Report on Human Rights 2021, pp. 65-66, April 2022, available at: [www.liv.li/inhalt/117523/amtstellen/menschenrechte-in-liechtenstein](http://www.liv.li/inhalt/117523/amtstellen/menschenrechte-in-liechtenstein).

220. Liechtenstein Government, Special Website Ukraine, Status report of 22 March 2023, available at: [www.regierung.li/files/attachments/statusbericht-638150943690103848.pdf?t=638155242340806063](http://www.regierung.li/files/attachments/statusbericht-638150943690103848.pdf?t=638155242340806063).

221. See also Council of Europe Recommendation CM/Rec(2022)17 of the Committee of Ministers on protecting the rights of migrant, refugee and asylum-seeking women and girls, 2022, available at: <https://edoc.coe.int/fr/droit-international/11094-protecting-the-rights-of-migrant-refugee-and-asylumseeking-women-and-girls-recommendation-cmrec202217.html>.

222. GREVIO baseline evaluation report on Bosnia and Hercegovina, paragraph 18.

## B. Gender-based asylum claims (Article 60)

289. Due to its rather small size and geographic location (landlocked between Austria and Switzerland) Liechtenstein receives only a relatively small number of applications for asylum per year. Since 2011, Liechtenstein has participated in the EU's "Dublin system".<sup>223</sup> Consequently, a significant proportion of asylum applications are rejected as inadmissible, when the asylum seekers have previously been registered in another country applying the EU's Dublin Regulation.

### 1. Gender-sensitive asylum determination procedure

290. When an asylum application is lodged, as a first step, the Migration and Passport Office examines whether the application is admissible. Applications from safe countries of origin<sup>224</sup> and "Dublin" cases are rejected as inadmissible. Those cases considered admissible are then examined on their merits. GREVIO welcomes, in that context, that gender-specific grounds for asylum are explicitly listed as a basis for granting refugee status, pursuant to Article 2(1)(a) of the Asylum Act, and that grounds for leaving a country that are specific to women (*frauenspezifische Fluchtgründe*) must be taken into account when determining whether a woman asylum seeker has reasonable grounds to fear persecution (Article 2(2) of the Asylum Act). Information leaflets on the asylum procedure are available in eight languages, but unfortunately these leaflets do not include the information that gender-based violence can be a valid ground for receiving international protection.

291. There are five female and three male case officers working at the Migration and Passport Office. If there are indications that a woman asylum seeker is a victim of gender-based violence or faces gender-based persecution, she is interviewed by a women-only team at the Migration and Passport Office, including, where available, women interpreters. Some of the case officers have received training on violence detection and gender equality. However, the asylum case officers are not specially trained or educated on issues related to gender-based violence or gender-sensitive asylum procedures, which GREVIO considers should be done as a matter of urgency.

292. A uniform protocol for questioning all asylum applicants already exists. Since asylum seekers from Ukraine started arriving, questions on human trafficking and experiences of conflict-related violence have been added to the standard questionnaire. However, there is no specific protocol for women asylum seekers that includes questions on gender-based violence. There are no specific guidelines on gender-specific persecution of women. The authorities informed GREVIO that if they encounter such a case, they consult the relevant jurisprudence of Austrian and Swiss courts, as well as relevant country of origin information.

293. While GREVIO welcomes the possibility that women asylum seekers can be interviewed by staff of the same sex, it regrets that this option is not generally offered to them proactively, but mainly if a woman discloses/raises gender-specific grounds for asylum in one of her interviews. Interviews by women asylum officers are also offered if it is deemed necessary in cases where gender-specific grounds for persecution can be assumed. GREVIO regrets that there is no protocol requiring an active screening for experiences of gender-based violence. In addition, women asylum seekers are not automatically interviewed separately from their husbands, partners and other family members. Experience has shown that it is necessary to actively inform women asylum seekers that being a victim of gender-based violence and persecution is a valid ground for asylum, so that they can come forward with their experiences of violence. Women are not likely to disclose such grounds in the presence of their husbands, and even less so if the perpetrator is their spouse or a family member. GREVIO considers that it is necessary to change the Migration and Passport Office's practice in that respect to proactively inform women seeking asylum of their rights under the asylum procedure, actively ask for experiences of gender-based violence and systematically interview women separately from their family members, through women-only teams of interviewers and interpreters.

---

223. For more information, see the website of the European Union on the "Dublin III" regulation, available at: [https://home-affairs.ec.europa.eu/policies/migration-and-asylum/common-european-asylum-system/country-responsible-asylum-application-dublin-regulation\\_en](https://home-affairs.ec.europa.eu/policies/migration-and-asylum/common-european-asylum-system/country-responsible-asylum-application-dublin-regulation_en).

224. Articles 4a and 5a of the Asylum Regulation set out the list of safe countries of origin.

## 2. Accommodation

294. During the asylum procedure, the NGO Refugee Aid (Flüchtlingshilfe Liechtenstein) is responsible for the accommodation, psycho-social care and employment of asylum seekers.<sup>225</sup> This is regulated through a service agreement between Refugee Aid and the government. The government allocates the financial means for the necessary staff and administration and provides the buildings and apartments where asylum seekers are housed.

295. The NGO Refugee Aid manages an asylum reception centre with capacity for about 100 persons, as well as – due to the war against Ukraine - over 50 apartments where asylum seekers, people with temporary protection status and provisional admissions are housed. In the accommodation centre, single men, single women and families are housed in separate wings. Asylum seekers receive health insurance and are allowed to work in Liechtenstein immediately upon arrival. In order to facilitate their integration into the labour market and society, they are provided with German classes within one to two weeks of their arrival and are allowed to take up paid work immediately.

296. Asylum seekers are also insured within the general health insurance system and are examined by an experienced medical doctor, assisted by a nurse, within the first week of arrival. Physical and psychological problems are taken into account and asylum seekers are screened for experiences of violence. In cases concerning signs of trauma, the asylum seeker is referred to a psychologist within one to two weeks, which GREVIO welcomes. If the asylum seeker does not speak a language the doctor or psychologist speaks or understands, interpreters are provided. GREVIO is satisfied that the Migration and Passport Office and the NGO Refugee Aid exchange information on women asylum seekers and inform each other of any detected vulnerabilities.

297. At the asylum reception centre, each asylum seeker has a designated social worker as a main point of contact; women asylum seekers are assigned female social workers. Social workers are present at the facility during the day and security personnel during the night. GREVIO welcomes the fact that the majority of the security personnel are women, which contributes to women asylum seekers feeling safe within the accommodation centre. Staff are trained on and made aware of issues concerning violence against women and have access to regular supervision, which GREVIO welcomes. GREVIO was informed that in 2023 further training of staff on issues related to violence is planned.<sup>226</sup> Moreover, if needed, social workers can refer women asylum seekers to relevant women's rights NGOs for counselling. The asylum reception centre co-operates with the police, who are located in an adjacent building. In case of an incident of violence, the police can arrive within minutes.

298. Newly arrived asylum seekers remain at the asylum reception centre until the social workers have been able to assess whether they can live on their own or whether they have special needs. Those who can live alone are moved to individual apartments or smaller collective accommodation, provided by the authorities in Liechtenstein. In collective accommodation, care is taken that single women and families are housed separately from single men. GREVIO notes that apart from the main building at the collective accommodation centre, there are containers with bunk beds in the yard of the centre, which do not appear to be suited for longer-term accommodation.

299. Asylum seekers can request appointments with an independent lawyer to receive free legal advice. These legal consultations and related interpretation services are paid for by the state. However, GREVIO received indications from civil society that there is a shortage of interpreters.<sup>227</sup>

---

225. This is based on a service agreement (*Leistungsvereinbarung*) between the authorities in Liechtenstein and the NGO; an excerpt of the service agreement in German can be found here: [www.fluechtlingshilfe.li/rechtliches/leistungsvereinbarung/](http://www.fluechtlingshilfe.li/rechtliches/leistungsvereinbarung/).

226. Information obtained during the evaluation visit.

227. Information obtained during the evaluation visit.

300. **GREVIO encourages the authorities in Liechtenstein to:**

- a. **inform women asylum seekers of the right to request an interviewer and interpreter of the same sex during the entire asylum procedure;**
- b. **actively screen women asylum seekers for experiences of gender-based violence;**
- c. **systematically interview women asylum seekers separately from their husband and any other family members at the outset of the asylum procedure;**
- d. **train staff working on asylum cases about gender-sensitive asylum procedures and gender-specific grounds for asylum.**

**C. *Non-refoulement* (Article 61)**

301. Article 61 of the convention entails the obligation under international law for states to respect the principle of *non-refoulement* in relation to women victims of gender-based violence who may fear persecution if returned. According to this principle, states shall not expel or return an asylum seeker or refugee to any country where their life or freedom would be threatened. Article 3 of the European Convention of Human Rights also prevents a person being returned to a place where they would be at real risk of being subjected to torture or inhuman or degrading treatment or punishment. The obligation to respect the *non-refoulement* principle applies equally to victims of violence against women who are in need of protection, irrespective of the status or residence of the women concerned.<sup>228</sup>

302. The principle of *non-refoulement* is anchored in Article 3 of the Asylum Act, which requires an examination of the situation in the country of origin and is an integral part of the asylum determination procedure. In the context of the issuance of a return decision to a foreigner,<sup>229</sup> the authorities examine whether any obstacles to their return exist, namely whether the enforcement of the return is possible, permissible and reasonable. No person may be expelled to a country where their life, limb or freedom is at risk, or if there is a real and immediate risk that the person will be subjected to inhuman or degrading treatment or punishment.<sup>230</sup>

303. GREVIO concludes that with the above legal instruments, Liechtenstein's legislation offers sufficient safeguards against *refoulement*.

---

228. Explanatory Report to the Istanbul Convention, paragraph 322.

229. For example, under Article 50 of the Foreigners Act, Article 53 of the Free Movement of Persons Act or Article 25 of the Asylum Act.

230. Article 3 of the European Convention on Human Rights and the relevant jurisprudence from the European Court of Human Rights.

## Concluding remarks

304. Numerous legislative amendments, awareness-raising campaigns and guidelines for practitioners adopted in Liechtenstein over the recent years clearly demonstrate the country's commitment to combating violence against women. Notably, there is a dedicated criminal offence sanctioning the continuous use of force, thus criminalising the typical conduct of domestic violence, and all non-consensual sexual relations have equally been criminalised. Several campaigns are launched each year raising awareness of domestic violence, sexual harassment and other relevant forms of violence against women; and several professional groups, among them the police, are well trained and have a number of tools and regulations available in order to effectively combat violence against women. Civil society is regularly consulted by the authorities and involved in policy making and the training of professionals.

305. Against this backdrop of a robust legal framework and promising practices, there remain areas where progress is still needed. For example, a comprehensive national strategy to combat all forms of violence against women is currently lacking. The evaluation procedure has shown that data collection and research must be enhanced in order to design evidence-based policies. Less prevalent forms of violence, such as FGM, forced marriage and violence related to so-called honour have not received enough attention so far, be it in policy or in practice. In the same vein, women at risk of, or subject to, intersectional discrimination may find it more difficult to access services, in particular migrant women, women with disabilities and LGBTI women. The setting up of a dedicated women's helpline operating around the clock and through which trained staff can provide crisis support and counselling to victims, is also needed. Moreover, several professional groups would benefit from systematic and mandatory initial and in-service training to identify and respond to all forms of violence against women.

306. These and other points have been further developed in this report, in order to provide guidance to strengthen the implementation of the provisions of the Istanbul Convention. With the present report, GREVIO wishes to support the authorities in Liechtenstein in this endeavour and invites them to keep it regularly informed of developments with regard to the implementation of the Istanbul Convention. GREVIO looks forward to continuing its fruitful co-operation with the authorities in Liechtenstein.

307. With a view to facilitating the implementation of its suggestions and proposals, GREVIO requests the national authorities to translate this report into their official national language(s) and to ensure that it is widely disseminated, not only to the relevant state institutions at all levels (national, regional and local), and in particular to the government, relevant ministries and the judiciary, but also to NGOs and other civil society organisations which work to prevent and combat violence against women and support victims.

## **Appendix I**

### **List of proposals and suggestions by GREVIO**

#### **I. Purposes, definitions, equality and non-discrimination, general obligations**

##### **B. Scope of application of the convention and definitions (Articles 2 and 3)**

1. GREVIO strongly encourages the authorities in Liechtenstein to adopt definitions of the terms set out in Article 3 of the Istanbul Convention and, where such definitions already exist, further align them with the convention (paragraph 12).

2. GREVIO strongly encourages the authorities in Liechtenstein to enhance the implementation of the Istanbul Convention in relation to all the forms of violence against women, beyond domestic violence, sexual violence, stalking and sexual harassment, which are currently less addressed by policies, programmes and support services, with due regard to their gendered nature, and to ensure the application of a gendered perspective in such efforts (paragraph 13).

##### **C. Fundamental rights, equality and non-discrimination (Article 4)**

###### **2. Intersectional discrimination**

3. GREVIO strongly encourages the authorities in Liechtenstein to continue their efforts to strive for gender equality in the labour market, in politics and in society in general, including by taking measures to close the gender pay gap, combating gender stereotypes, facilitating a balance between work and family responsibilities and aiming at gender parity in politics (paragraph 21).

4. GREVIO strongly encourages the authorities in Liechtenstein to address the rights and needs of women and girls exposed to, or at risk of, intersectional discrimination in all future laws, measures and policies relating to violence against women and domestic violence. This includes improving the accessibility of services and information on their rights, in particular for migrant women, women with disabilities and LGBTI women. (paragraph 22)

##### **E. Gender-sensitive policies (Article 6)**

5. GREVIO encourages the authorities in Liechtenstein to:

- a. ensure that all policies and measures relating to combating violence against women and domestic violence are based on a gendered understanding of violence against women and domestic violence;
- b. ensure that all relevant laws, policies and other measures are applied in a gender sensitive manner;
- c. promote and effectively implement policies for equality between women and men and for the empowerment of women. (paragraph 27)

#### **II. Integrated policies and data collection**

##### **A. Comprehensive and co-ordinated policies (Article 7)**

6. GREVIO urges the authorities in Liechtenstein to develop a long-term, comprehensive, evidence-based strategy or action plan, offering an effective comprehensive and co-ordinated set of policies to prevent and prosecute all forms of violence against women covered by the Istanbul

Convention, including in their digital dimension, placing the rights and the protection of victims at the centre of all measures and giving due importance to the gendered nature of the different forms of violence against women. (paragraph 34)

## **B. Financial resources (Article 8)**

7. GREVIO urges the authorities in Liechtenstein to:

- a. take steps, in particular through gender budgeting and planning earmarked funding, to identify more effectively the sums spent on addressing violence against women and domestic violence by all relevant institutions;
- b. ensure adequate and sustainable funding opportunities for civil society organisations working to combat violence against women and domestic violence. (paragraph 39)

## **C. Non-governmental organisations and civil society (Article 9)**

8. GREVIO invites the authorities in Liechtenstein to formalise NGO involvement in policy making and involve them more actively in multi-agency co-operation, both at policy and individual level, in order to ensure their participation in the design of policies and programmes and the provision of services, counselling, advocacy and awareness raising. (paragraph 42)

## **D. Co-ordinating body (Article 10)**

9. GREVIO strongly encourages the authorities in Liechtenstein to ensure, on the one hand, the co-ordination and implementation of policies and measures in relation to all forms of violence against women and, on the other hand, the monitoring and an independent, objective evaluation of those policies and measures, carried out by way of an open dialogue with all relevant stakeholders, in particular independent women's organisations involved in preventing and combating violence against women. (paragraph 49)

10. GREVIO strongly encourages the authorities in Liechtenstein to allocate the necessary human and financial resources to those bodies carrying out the functions under Article 10 of the Istanbul Convention, and ensure that they co-ordinate the collection of data as referred to in Article 11 and that they analyse and disseminate the results. (paragraph 50)

## **E. Data collection and research (Article 11)**

### **1. Administrative data collection**

#### **d. Data on the asylum procedure**

11. GREVIO urges the authorities in Liechtenstein to:

- a. harmonise the data-collection systems used by law enforcement and the judiciary, based on a common set of data categories that includes all forms of violence covered by the Istanbul Convention, broken down by sex, age of both the victim and the perpetrator, type of violence and relationship between the perpetrator and the victim; and introduce a case-management system that would allow cases to be tracked through all stages of the criminal justice system, with the aim of identifying gaps in the system that may contribute to (possibly) low rates of cases going to trial, low conviction rates or sanctions that are not proportionate and dissuasive;
- b. collect data on the number of cases reported to law enforcement, the criminal charges and indictments brought, criminal convictions and criminal and other sanctions imposed on perpetrators of all forms of violence against women, with an indication of the type of

sanctions imposed and, where appropriate, of their suspended execution, their reduction for any motive and their average length;

- c. collect data on the number of breaches of emergency barring, restraining and protection orders, the number of sanctions imposed as a result of such breaches, and the number of cases where the woman was re-victimised or murdered as a consequence of such breaches;
- d. ensure that medical, healthcare and social welfare services collect data on contact made by victims of violence against women, and on the women cared for and supported for issues related to these forms of violence, broken down by sex, age of both the victims and perpetrators and the relationship of the perpetrator to the victim;
- e. prepare and publish an overview of available data on all forms of violence covered by the Istanbul Convention, including an analysis of data and trends, in order to support evidence-based policy making. (paragraph 59)

## **2. Population-based surveys**

12. GREVIO urges the authorities in Liechtenstein to regularly conduct population-based surveys on the various forms of violence against women covered by the Istanbul Convention. (paragraph 61)

## **3. Research**

13. GREVIO strongly encourages the authorities in Liechtenstein to:

- a. regularly promote research activities, including through cross-border or international research initiatives, on the situation of women victims of all forms of violence covered by the Istanbul Convention;
- b. support the conduct of research, including through cross-border or international research initiatives, on violence affecting groups of women exposed to intersectional discrimination, such as elderly women, women with disabilities, LGBTI women and migrant women;
- c. extend research to evaluate the implementation of laws and policies on violence against women. (paragraph 64)

## **III. Prevention**

### **A. General obligations (Article 12)**

14. GREVIO encourages the authorities in Liechtenstein to step up their efforts to eradicate prejudice, gender stereotypes and patriarchal attitudes in society. To that end, the authorities in Liechtenstein should make primary prevention of violence against women a priority in future action plans and measures. (paragraph 69)

### **B. Awareness raising (Article 13)**

15. GREVIO encourages the authorities in Liechtenstein to diversify their awareness-raising efforts in order to address all the forms of violence against women covered by the Istanbul Convention, besides domestic violence and sexual harassment. Specific attention should be paid to reaching vulnerable groups of women, especially when they are at risk of intersectional discrimination. Sufficient funding should be made available to conduct and support awareness-raising campaigns. (paragraph 73)

### **C. Education (Article 14)**

16. GREVIO invites the authorities in Liechtenstein to pursue their efforts to provide teaching materials on all the subjects covered by Article 14, paragraph 1, of the Istanbul Convention, in

particular on all the forms of violence covered by the Istanbul Convention. Moreover, further steps should be taken to promote the principles of equality between women and men, non stereotyped gender roles, mutual respect and non-violence conflict resolution in interpersonal relationships in informal educational facilities and in sports, cultural and leisure activities, as required under Article 14, paragraph 2, of the convention. (paragraph 79)

#### **D. Training of professionals (Article 15)**

17. GREVIO strongly encourages the authorities in Liechtenstein to ensure that all professionals dealing with victims or perpetrators of all forms of violence covered by the Istanbul Convention receive systematic and mandatory initial and in-service training to identify and respond to all forms of violence against women, while focusing on the victims' human rights, safety, individual needs and empowerment, and the prevention of secondary victimisation. (paragraph 91)

18. GREVIO strongly encourages the authorities in Liechtenstein to ensure that the training of relevant professionals is based on the principles of non-discrimination and equality between women and men, and is devised in close co-operation with relevant stakeholders, including independent women's rights NGOs providing specialist support to women victims of violence. Clear protocols and guidelines should be established to set the standards that staff are expected to follow in their respective fields. (paragraph 92)

#### **E. Preventive intervention and treatment programmes (Article 16)**

##### **2. Programmes for sex offenders**

19. GREVIO strongly encourages the authorities in Liechtenstein to:

- a. ensure that the institutions providing perpetrator programmes, both in cases of domestic violence and sexual violence, are embedded in the local intervention structures and closely co-operate with all stakeholders, such as women's support organisations, the police, the health and medical sector, the justice system and other support services, with the aim that victims are protected and safe;
- b. raise awareness among judges, public prosecutors and other relevant authorities of the importance of perpetrator programmes;
- c. ensure that treatment programmes for domestic violence offenders and sex offenders are available in sufficient capacity and take due account of the best practices developed internationally, while guaranteeing a human rights-based approach;
- d. conduct an independent evaluation of perpetrator programmes for domestic violence and sexual violence, in line with recognised best international practices and principles, with the aim of assessing whether the intended impact has been achieved. (paragraph 100)

#### **F. Participation of the private sector and the media (Article 17)**

20. GREVIO invites the authorities in Liechtenstein to:

- a. continue to actively support and promote the involvement of the private sector in the prevention of violence against women in all its forms, including by providing guidance for private companies on establishing internal procedures to address sexual harassment and other forms of violence covered by the Istanbul Convention, including effective complaints mechanisms;
- b. encourage all domestic media to apply and monitor the use of self-regulatory standards in relation to the non-stereotypical and non-sexist portrayal of women in the media, including when reporting on violence against women. (paragraph 104)

#### **IV. Protection and support**

##### **A. General obligations (Article 18)**

21. GREVIO strongly encourages the authorities in Liechtenstein to increase efforts to embed the provision of services for victims of all forms of violence covered by the Istanbul Convention in institutionalised multi-agency co-operation structures that involve all relevant parties, including women's specialist support services and professionals working in the healthcare sector, as well as the Office for Health. (paragraph 109)

22. GREVIO strongly encourages the authorities in Liechtenstein to establish guidelines or protocols for relevant professionals on how to respond to cases of violence against women covered by the Istanbul Convention, on the basis of multi-agency co-operation. (paragraph 110)

##### **B. Information (Article 19)**

23. GREVIO encourages the authorities in Liechtenstein to continue their efforts to proactively and systematically provide easily accessible information on available support and protection services and legal measures in all relevant languages, including in easy to understand language and in formats that are accessible to women with disabilities and other women at risk of or exposed to intersectional discrimination, in particular migrant women. This information should cover all the forms of violence covered by the Istanbul Convention. (paragraph 116)

##### **C. General support services (Article 20)**

###### **1. Social services**

24. GREVIO invites the authorities in Liechtenstein to continue to specifically support women victims of violence in the areas of employment, employment training and housing, thus ensuring their economic independence and empowerment. (paragraph 120)

###### **2. Healthcare services**

25. GREVIO strongly encourages the authorities in Liechtenstein to implement standardised care paths in the public and private healthcare sectors that include the identification of victims, systematic screening, diagnosis, treatment, documentation of the type of violence and the injuries suffered, and referral to the appropriate specialist support services for all forms of violence covered by the Istanbul Convention. (paragraph 125)

26. GREVIO strongly encourages the authorities in Liechtenstein to ensure that the healthcare sector is systematically integrated into multi-agency co-operation in relation to violence against women and domestic violence, and that the standards of the relevant provisions of the Istanbul Convention are respected if services are outsourced. (paragraph 126)

##### **D. Specialist support services (Article 22)**

27. GREVIO strongly encourages the authorities in Liechtenstein to ensure, including through funding, that specialist women's support services are available to provide counselling and support on all forms of violence covered by the Istanbul Convention, also, where appropriate, in co-operation with NGOs outside Liechtenstein, and to all groups of women, including those that face intersectional discrimination. Moreover, women in Liechtenstein should duly be informed about where to receive counselling for sexual violence and rape. (paragraph 132)

## **F. Telephone helplines (Article 24)**

28. GREVIO urges the authorities in Liechtenstein to ensure the provision of a dedicated state-wide telephone helpline for all forms of violence covered by the Istanbul Convention that is free of charge and available 24/7, in all relevant languages, providing easy and confidential access to information and counselling by trained professionals, including referrals to an appropriate service. (paragraph 141)

## **G. Support for victims of sexual violence (Article 25)**

29. GREVIO strongly encourages the authorities in Liechtenstein to ensure the practical implementation of the standards set by Article 25 of the Istanbul Convention, even if some of the services are provided abroad through service agreements with entities in another country. Moreover, it strongly encourages the authorities in Liechtenstein to ensure that forensic examinations and medical care, as well as immediate, short and long term psychological counselling, are available free of charge for women victims of sexual violence, including rape. (paragraph 148)

## **I. Reporting by professionals (Article 28)**

30. GREVIO encourages the authorities in Liechtenstein to introduce harmonised criteria for the reporting by all relevant professionals if they have reasonable grounds to believe that a serious act of violence covered by the scope of the Istanbul Convention has been committed and further serious acts of violence are likely to be committed. (paragraph 158)

## **V. Substantive law**

### **A. Civil law**

#### **1. Civil remedies against the state – ensuring due diligence (Article 29)**

31. GREVIO encourages the authorities in Liechtenstein to ensure that official liability proceedings are also available for grossly negligent and negligent acts or omissions by public officials who have failed to diligently prevent, investigate or prosecute acts of violence covered by the Istanbul Convention. The use of civil proceedings and disciplinary measures for any such failures should be examined through case law analyses. (paragraph 166)

#### **2. Compensation (Article 30)**

32. GREVIO invites the authorities in Liechtenstein to collect data on the number of women victims of violence who have sought compensation from the perpetrator through criminal or civil proceedings, and on the number of those who obtained it. (paragraph 170)

#### **3. Custody, visitation rights and safety (Article 31)**

33. GREVIO strongly encourages the authorities in Liechtenstein to:

- a. develop guidelines based on the recognition that, in a context of domestic violence, joint parenting leads to a situation in which the abuser can continue to maintain control and domination over the mother and her children;
- b. ensure that all relevant professionals are trained on domestic violence, on the impact that witnessing violence has on children and on their obligation to ensure the safety of women victims of violence and their children in any decisions related to custody and visitation rights;
- c. collect data on the number of cases in which custody and visitation rights have been limited, restricted or denied because of a child witnessing violence. (paragraph 178)

## **B. Criminal law**

### **1. Psychological violence (Article 33)**

34. GREVIO encourages the authorities in Liechtenstein to effectively investigate, prosecute and punish cases of psychological violence by making full use of the available provisions in the Criminal Code of Liechtenstein. (paragraph 183)

### **3. Physical violence (Article 35)**

35. GREVIO strongly encourages the authorities in Liechtenstein to provide training to all relevant professionals on Article 107b of the Criminal Code, and include this provision for standard data-collection purposes, in order to explore the reasons for its low use. (paragraph 189)

### **4. Sexual violence, including rape (Article 36)**

36. GREVIO invites the authorities in Liechtenstein to ensure that the application of the national legislation covers the intentional conduct set out in Article 36, paragraph 1c, of the Istanbul Convention. (paragraph 195)

37. GREVIO strongly encourages the authorities in Liechtenstein to ensure an appropriate range of sanctions for all sexual acts committed without the consent of the victim. (paragraph 196)

### **5. Forced marriage (Article 37)**

38. GREVIO encourages the authorities in Liechtenstein to ensure that all cases of forced marriage are criminalised in accordance with the constituent elements of Article 37 of the Istanbul Convention. (paragraph 199)

### **6. Female genital mutilation (Article 38)**

39. GREVIO strongly encourages the authorities in Liechtenstein to criminalise the intentional conduct of inciting, coercing or procuring a girl to undergo FGM, as required by Article 38c of the Istanbul Convention. (paragraph 201)

### **8. Sexual harassment (Article 40)**

40. GREVIO strongly encourages the authorities in Liechtenstein to close the gap in their legislation on sexual harassment by criminalising or otherwise sanctioning non-verbal conduct of a sexual nature with the purpose or effect of violating the dignity of a person, as required by Article 40 of the Istanbul Convention. (paragraph 208)

### **9. Sanctions and measures (Article 45)**

41. GREVIO encourages the authorities in Liechtenstein to collect and publish data on the sentences given for all forms of violence against women covered by the scope of the Istanbul Convention, disaggregated by sex, the age of the victim and the perpetrator, their relationship, geographical location and the type of violence, in order to obtain an overview of the relevant court practice and to assess whether the sentences imposed are effective, proportionate and dissuasive. (paragraph 212)

### **10. Aggravating circumstances (Article 46)**

42. GREVIO invites the authorities in Liechtenstein to ensure that if an offence covered by the Istanbul Convention is committed in the presence of a child, this can be taken into consideration as an aggravating circumstance in the determination of the sentence. (paragraph 214)

## **VI. Investigation, prosecution, procedural law and protective measures**

### **A. General obligations, immediate response, prevention and protection (Articles 49 and 50)**

#### **1. Reporting to, immediate response and investigations by law-enforcement agencies**

43. GREVIO strongly encourages the authorities in Liechtenstein to ensure that:

- a. all forms of violence covered by the Istanbul Convention are featured in police guidelines so that they can be adequately dealt with;
- b. all women victims of violence can be interviewed by a police officer of the same sex and, if necessary, be assisted by a female interpreter;
- c. police guidelines apply a gendered understanding of violence against women and duly take into account the different situations that women who are subject to, or at risk of, intersectional discrimination may face. (paragraph 226)

44. GREVIO invites the authorities in Liechtenstein to systematically involve the Crisis Intervention Team and/or a women's support and counselling NGO in police interventions for domestic violence. (paragraph 227)

#### **2. Effective investigation and prosecution**

45. GREVIO strongly encourages the authorities in Liechtenstein to ensure that in all cases of violence against women covered by the Istanbul Convention:

- a. the criminal justice process avoids the secondary victimisation of women victims of violence;
- b. the proactive collection of evidence other than the victim's statement is encouraged;
- c. cases of violence against women are dealt with speedily and with priority. (paragraph 232)

#### **3. Conviction rates**

46. GREVIO urges the authorities in Liechtenstein to collect and analyse data from the justice system on the forms of violence against women covered by the Istanbul Convention to identify and address the factors that may contribute to attrition in these cases. (paragraph 236)

### **B. Risk assessment and risk management (Article 51)**

47. GREVIO strongly encourages the authorities in Liechtenstein to ensure that risk assessments are systematically carried out for the victim and her children, from the first steps in the criminal justice chain and in relation to all forms of violence against women covered by the Istanbul Convention, using standardised, evidence-based risk-assessment tools (paragraph 243).

48. GREVIO invites the authorities in Liechtenstein to introduce and test a pilot system, such as a domestic killings review mechanism, by which any (attempted) killing of a woman is analysed for any gender-related motives of the perpetrator, and with the aim of identifying possible shortcomings in institutional responses to violence against women. (paragraph 244)

### **C. Emergency barring orders (Article 52)**

49. GREVIO urges the authorities in Liechtenstein to step up efforts to make use of police barring orders more frequently and rigorously, in order to protect the right to safety of women victims of domestic violence and their children, and to show zero tolerance to the perpetrators of domestic violence. (paragraph 252)

50. In order to review the implementation of emergency barring orders, GREVIO strongly encourages the authorities in Liechtenstein to collect and analyse administrative data on the number of perpetrators who do not comply with barring orders and on the number and type of sanctions applied as a result of non-compliance. (paragraph 253)

51. GREVIO strongly encourages the authorities in Liechtenstein to systematically include children who are affected by domestic violence in police barring orders and to ensure that the perpetrator's visitation rights do not perpetuate the pattern of abuse against the mother through the childcare arrangements. (paragraph 254)

### **D. Restraining or protection orders (Article 53)**

52. GREVIO strongly encourages the authorities in Liechtenstein to:

- a. ensure that, in practice, more frequent use is made of protection orders, and for forms of violence beyond domestic violence and stalking, notably sexual harassment, including those offences that have a digital dimension;
- b. ensure that any barriers preventing victims from applying for interim injunctions are removed;
- c. better inform women victims of gender-based violence of the possibility of interim injunctions and make available support for the application thereof;
- d. ensure that procedures for interim injunctions are conducted swiftly in order to avoid gaps in protection and that the procedures form part of a multi-agency co-operation between all relevant stakeholders, including women's rights NGOs active in victim support;
- e. consider taking measures to allow the *ex officio* issuance of protection orders and/or allowing third parties to apply for a protection order on behalf of the victim. (paragraph 261)

### **E. Ex parte and ex officio proceedings (Article 55)**

#### **2. Victim support in legal proceedings**

53. GREVIO invites the authorities in Liechtenstein to assess whether the staffing of the Victims Assistance Office is sufficient. (paragraph 269)

### **F. Measures of protection (Article 56)**

54. GREVIO strongly encourages the authorities in Liechtenstein to take legislative or other measures to ensure full compliance with Article 56, paragraph 1b, of the Istanbul Convention. (paragraph 278)

---

**G. Legal aid (Article 57)**

55. GREVIO invites the authorities in Liechtenstein to ensure that, after free legal aid has been granted, the competent court and the tax authorities co-ordinate their measures concerning the victim's income situation and send a reminder every year about the need to submit the necessary income declaration. (paragraph 283)

**VII. Migration and asylum**

**B. Gender-based asylum claims (Article 60)**

**2. Accommodation**

56. GREVIO encourages the authorities in Liechtenstein to:

- a. inform women asylum seekers of the right to request an interviewer and interpreter of the same sex during the entire asylum procedure;
- b. actively screen women asylum seekers for experiences of gender-based violence;
- c. systematically interview women asylum seekers separately from their husband and any other family members at the outset of the asylum procedure;
- d. train staff working on asylum cases about gender-sensitive asylum procedures and gender-specific grounds for asylum. (paragraph 300)

## **Appendix II**

### **List of the national authorities, other public bodies, non-governmental organisations and civil society organisations with which GREVIO held consultations**

#### **Ministries, national authorities and other public bodies**

Co-ordination group on the Istanbul Convention  
 Children and Youth Aid  
 Education authority  
 Expert Group on Media Competence  
 Expert Group on Protection from Sexual Abuse  
 Judges of the Court of Justice and the Court of Appeal  
 Migration and Passport Office  
 Ministry of Foreign Affairs, Education and Sport  
 Ministry of Infrastructure and Justice  
 Ministry of Society and Culture  
 Ministry of the Interior, Economy and Environment  
 National Police  
 Threat Management Service at the National Police  
 Office for Foreign Affairs  
 Office for Health  
 Office for Statistics  
 Office for Social Services  
 Office of the Public Prosecutor  
 Victims Assistance Office

#### **Non-governmental organisations, civil society organisations, lawyers and experts**

Amnesty International Liechtenstein  
 Association Assisted Living (Verein für Betreutes Wohnen)  
 Association for Child Protection (Verein kinderschutz.li)  
 Association for Men's Issues (Verein für Männerfragen)  
 Association Network (Verein NetzWerk)  
 Association of Employees in Liechtenstein (Liechtensteiner ArbeitnehmerInnenverband – LANV)  
 Counselling Centre love.li (Beratungsstelle love.li)  
 Crisis Intervention Team (Kriseninterventionsteam)  
 Dominik Schatzmann (Attorney-at-law)  
 Family Aid Liechtenstein (Familienhilfe Liechtenstein)  
 Flay (Association for LGBTIQ+ persons)  
 Human Rights Association (Verein für Menschenrechte)  
 Information and Counselling Centre for Women (Informations- und Beratungsstelle für Frauen, infra)  
 Liechtenstein Association for Persons with Disabilities (Liechtensteiner Behinderten-Verband)  
 Liechtenstein Chamber of Commerce and Industry (Liechtensteinische Industrie- und Handelskammer - LIHK)  
 Liechtenstein Family Network (Netzwerk Familie Liechtenstein)  
 Liechtenstein Women's Shelter (Frauenhaus Liechtenstein)  
 Parent-Child-Forum (Eltern-Kind-Forum)  
 Probation Service (Bewährungshilfe)  
 Red Cross  
 Refugee Aid Liechtenstein (Flüchtlingshilfe Liechtenstein)  
 Sabine Mohr-Egger (Attorney-at-law)  
 Women's Network Liechtenstein (Frauennetz Liechtenstein)

GREVIO, the *Group of Experts on Action against Violence against Women and Domestic Violence*, is an independent human rights monitoring body mandated to monitor the implementation of the *Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence* (Istanbul Convention) by the Parties.

The Istanbul Convention is the most far-reaching international treaty to tackle violence against women and domestic violence. Its comprehensive set of provisions spans far-ranging preventive and protective measures as well as a number of obligations to ensure an adequate criminal justice response to such serious violations of human rights.

This report contains an overall analysis of the implementation of the provisions of the Istanbul Convention. It highlights positive initiatives in preventing and combating all forms of violence against women at national level and provides suggestions and proposals to improve the situation of women facing such violence.

[www.coe.int/conventionviolence](http://www.coe.int/conventionviolence)

[www.coe.int](http://www.coe.int)

The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union.

All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law.

The European Court of Human Rights oversees the implementation of the Convention in the member states.

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE