



Global Initiative to
**End All Corporal Punishment
of Children**

LIECHTENSTEIN

BRIEFING FOR THE HUMAN RIGHTS COUNCIL UNIVERSAL PERIODIC REVIEW – 3rd session, 2008

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Corporal punishment of children breaches their rights to respect for human dignity and physical integrity and to equal protection under the law. It is recognised by the Committee on the Rights of the Child and other treaty bodies, as well as by the UN Secretary General's Study on Violence against Children, as a highly significant issue, both for asserting children's status as rights holders and for the prevention of all forms of violence.

The Global Initiative to End All Corporal Punishment of Children (www.endcorporalpunishment.org) has been regularly briefing the Committee on the Rights of the Child on this issue since 2002, and since 2004 has similarly briefed the Committee Against Torture, the Committee on the Elimination of Discrimination Against Women, the Committee on Economic, Social and Cultural Rights, and the Human Rights Committee. There is growing progress now across all regions in challenging this very common form of violence against children. But we are concerned that many States persist in ignoring treaty body recommendations to prohibit and eliminate all corporal punishment. We hope that the UPR Process will give particular attention to states' response, or lack of response, to the concluding observations from treaty bodies, on this and other key issues.

In June 2006, the Committee on the Rights of the Child adopted General Comment No. 8 on "The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment", which emphasises the immediate obligation on states parties to prohibit all corporal punishment of children, including within the home. Other treaty bodies, and regional human rights mechanisms, have condemned all corporal punishment. In October 2006, the report of the UN Secretary General's Study on Violence against Children was submitted to the General Assembly. It recommends universal prohibition of all corporal punishment, setting a goal of 2009.

Summary

This briefing describes the legality of corporal punishment of children in Liechtenstein, despite the recommendations of the Committee on the Rights of the Child to prohibit it. We hope the Review will highlight with concern Liechtenstein's disregard for the Committee's recommendations, and strongly recommend that the government introduce legislation as a matter of urgency to prohibit corporal punishment of children in all settings, including the home.

1 Legality of corporal punishment in Liechtenstein

1.1 Corporal punishment is lawful in the **home**. The Criminal Code (1998) establishes penalties for anyone who causes physical or psychological harm to a child (articles 92 and 93) and the government has stated (January 2006) that this prohibits corporal punishment, but there is no explicit prohibition in legislation.

1.2 Corporal punishment is prohibited in **schools** and in the **penal system**.

1.3 In **alternative care settings**, corporal punishment is unlawful in state-run institutions and childcare settings outside the family home, but there is no explicit prohibition in privately-run alternative care settings.

2 Recommendations by human rights treaty monitoring bodies

2.1 In 2006, following examination of the state party's second report, the **Committee on the Rights of the Child** recommended that the government "prohibit expressly by law all forms of corporal punishment, in particular in the family and in private alternative care settings" (CRC/C/LIE/CO/2, para. 23).