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## **Liechtenstein Delegation**

### **OSCE Human Dimension Implementation Meeting 2008**

#### **Working Session 17**

#### **Statement on the topic: Democratic institutions**

Warsaw, 9 October 2008

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Mr. Chairman,

The topic of democracy and elections plays a central role in the OSCE and has particularly done so for the past few months. Therefore, I would like to take this opportunity to provide some information about the specific situation and relevant developments in this area in Liechtenstein. Also, I would like to briefly address Liechtenstein's view of the work of the ODIHR.

The Principality of Liechtenstein is a constitutional hereditary monarchy on a democratic and parliamentary basis. In Liechtenstein's dualist system of State, the power of the State is vested in both the Head of State (the Reigning Prince) and the people. The relatively strong position of the Reigning Prince is balanced by far-reaching direct-democratic rights of the people. This combination of hereditary monarchy, representative democracy and direct-democratic procedures (popular initiative, facultative referendum, obligatory referendum) constitutes a distinctive feature. Voter turnout in Liechtenstein is traditionally high. In the 2005 parliamentary election, for example, it amounted to 86,5 percent.

The available direct-democratic instruments are regularly used in Liechtenstein and are an important part of the political process. It can indeed be said that Liechtenstein has a relatively long tradition and experience in the area of direct democracy. The right to initiative and referendum was already introduced through the Constitution of 1921. Since that point in time, about 90 popular votes have taken place at the national level. In this context, it should be noted that the right to initiative and referendum applies to both the constitutional and the legislative level. In Liechtenstein, the referendum constitutes one of the democratic instruments par excellence. Every law passed by Parliament (the Landtag) not declared to be urgent, as well as every international treaty adopted by Parliament, is subject to a facultative referendum. For a popular vote, the collected votes of 1000 (law, financial decision) and 1500 (Constitution, international treaty) eligible voters, respectively, are required. In the context of the referendum, it is worth mentioning that

this instrument is also used in Liechtenstein with regard to difficult issues of both foreign and domestic policy. An example for this are the two popular votes on membership of the European Economic Area (EEA) in 1992 and 1995.

Besides these instruments at the national level, there are also possibilities for direct-democratic participation at the municipal level. Municipal autonomy plays an important role in Liechtenstein and is an expression of the principle of subsidiarity. The eligible voters in each municipality elect a municipal council chaired by a mayor. The municipal authorities autonomously administer their business and manage the municipal resources. Citizens may call a referendum against resolutions of the municipal council. According to article 4 of the Constitution, individual municipalities have the right to secede from the union pursuant to a popular vote and rules set out by law or treaty.

Democracy is not a static entity, but one that has to continuously evolve further. In this spirit, several reforms have been implemented in Liechtenstein in recent years. After a referendum on international treaties as well as a preliminary check on initiatives to ensure their compatibility both with the Constitution and international treaties had already been introduced in 1992, the amendments to the Constitution in 2003 led to further adaptations of the direct-democratic rights. These include the options of an initiative for the abolition of the monarchy, an initiative with regard to the nomination and election of judges, as well as a motion of no-confidence in the Prince.

As for innovations in the area of electoral law, the age required for voting was reduced from 20 to 18 and, in 2004, postal vote was introduced. In addition, in the same year, the possibility for the Government, in consultation with interested municipalities, to authorise geographically, temporally and factually limited trials for electronic voting, was regularised by law.

With regard to the activities of the ODIHR, I would first of all like to express Liechtenstein's support for the important work the ODIHR has been carrying out for years. Liechtenstein has shown sustained support for this work and, in particular, attaches great importance to the area of election observation. In order to contribute to the continuation of the ODIHR's election observation in the present form, Liechtenstein has made the topic of democratic institutions and elections a priority in its financing of OSCE projects. Most recently, in 2007, Liechtenstein supported OSCE projects in this area with a total amount of CHF 116'600.

Liechtenstein is confident that the ODIHR, also under the leadership of its new Director who stands for continuity, professionalism and many years of experience with the OSCE, will continue to play a role that is central to the OSCE.

Mr. Chairman, I thank you for your attention.