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**Committee on the Rights of the Child****Concluding observations on the report submitted by  
Liechtenstein under article 12 (1) of the Optional Protocol to  
the Convention on the Rights of the Child on the sale of  
children, child prostitution and child pornography\*****I. Introduction**

1. The Committee considered the report of Liechtenstein (CRC/C/OPSC/LIE/1) at its 2739<sup>th</sup> meeting (see CRC/C/SR.2739), held on 12 September 2023, and adopted the present concluding observations at its 2456<sup>th</sup> meeting, held on 22 September 2023.
2. The Committee welcomes the submission of the report of the State party and the written replies to the list of issues (CRC/C/OPSC/LIE/Q/1/Add.1). The Committee expresses appreciation for the constructive dialogue held with the multisectoral delegation of the State party.
3. The Committee reminds the State party that the present concluding observations should be read in conjunction with the concluding observations on the combined third and fourth periodic reports submitted by the State party under the Convention (CRC/C/LIE/CO/3-4), adopted on 22 September 2023.

**II. General observations****Positive aspects**

4. The Committee notes with appreciation the State party's ratification of:
  - (a) The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, in 2021;
  - (b) The Council of Europe Convention on Cybercrime, in 2016;
  - (c) The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, in 2014.
5. The Committee further welcomes the various measures taken by the State party in areas relevant to the implementation of the Optional Protocol, including adoption of legislation criminalising trafficking in human beings and providing for the rights of victims of trafficking.
6. The Committee further notes with appreciation the progress achieved in the creation of institutions and the adoption of national plans and programmes that facilitate the

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\* Adopted by the Committee at its ninety-fourth session (4 – 22 September 2023).

implementation of the Optional Protocol, including the establishment of a Roundtable on Trafficking in Human Beings with a view to strengthening co-operation between law enforcement authorities, migration authorities and institutions responsible for assisting to victims of trafficking and development of Guidelines against Trafficking in Human Beings-Responsibilities and Procedures.

### **III. Data**

#### **Data collection**

7. The Committee notes the State party's information that it does not have a centralised system for the compilation of data on child protection and the National Police compiles all data relating to investigations (crime statistics) and that no cases of the sale of children, child prostitution, or other forms of exploitation of children were recorded in the past three years, while there were couple of dozens of cases of child pornography last year. The Committee regrets the absence of disaggregated data on all areas covered by the Optional Protocol and that no information has been provided on any improvements with regard to data collection.

8. **The Committee recommends that the State party develop a comprehensive, coordinated and effective system of data collection, analysis, monitoring and impact assessment relating to all areas covered by the Optional Protocol, including the sale of children, child sexual exploitation in prostitution and child sexual abuse material. The data should be disaggregated by, inter alia, sex, age, nationality, ethnic origin and socioeconomic status, with particular attention paid to children who are at risk of becoming victims of crimes under the Optional Protocol.**

### **IV. General measures of implementation**

#### **Legislation**

9. The Committee notes that the national legislation prohibits some offences covered by the Optional Protocol but does not explicitly address all offences under article 3 of the Optional Protocol. It is also concerned about the absence of legislation explicitly defining and criminalizing all cases of the sale of children, a concept similar, but not identical, to trafficking in children, and that other manifestations of the sale of children are thus overlooked.

10. **The Committee recommends that the State party ensure that all acts and activities referred to in the Optional Protocol are fully covered under its criminal law, including all forms of sale of children as a separate crime.**

#### **Comprehensive policy and strategy**

11. **With reference to paragraph 8 of its concluding observations under the Convention, the Committee recommends that the State party's comprehensive policy and strategy on children (CRC/C/LIE/CO/3-4, para 8), specifically address all issues covered under the Optional Protocol.**

#### **Coordination and evaluation**

12. **With reference to paragraph 9 of its concluding observations under the Convention (CRC/C/LIE/CO/3-4, para 9), the Committee recommends that the State party ensure that the inter-ministerial coordinating body responsible for coordinating activities and implementation of children's rights be responsible for the monitoring and evaluation of activities under the Optional Protocol at cross-sectoral, national, and municipal levels.**

## Training and awareness raising

13. The Committee notes the information provided by the State party on training and dissemination activities, including systematic training in the area of sexual violence as part of implementation of the provisions of the Lanzarote Convention (CRC/C/OPSC/LIE/RQ/1, para. 11). It is concerned however that the information provided on systematic training of relevant professionals working with and for children on other areas covered by the provisions of the Optional Protocol was insufficient.

14. **The Committee recommends that the State party take measures to strengthen its training and dissemination activities. In that regard, the State party should ensure that such activities are systematic and multidisciplinary, cover all areas under the Optional Protocol and are provided to all relevant professionals working with and for children, including judges, law enforcement officers, prosecutors, health professionals, social workers, investigators and immigration officials as well as to ensure a wide dissemination of the Optional protocol among children.**

## Allocation of resources

15. The Committee is concerned about the lack of information on specific budget allocations and tracking mechanisms to combat the sale of children, child sexual exploitation and child sexual abuse material, including to prevent offences under the Optional Protocol, and to care for, rehabilitate and reintegrate child victims.

16. **The Committee recommends that the State party establish tracking mechanisms and identify the budget allocated to combating the sale of children, child sexual exploitation and child sexual abuse material, preventing offences under the Optional Protocol and providing appropriate care for child victims.**

## V. Prevention of the sale of children, child prostitution and child pornography ((art. 9 (1) and (2))

### Measures adopted to prevent offences prohibited under the Optional Protocol

17. The Committee notes the efforts undertaken by the State party aimed at preventing offences under the Optional Protocol, including a website of the National Police, which provides information materials for crime prevention, in particular on child sexual abuse images. However, the Committee is concerned that targeted preventive measures against the offences under the Optional protocol, as well as measures to identify the root causes and extent, remain limited. The Committee is especially concerned about the absence of information about measures taken to prevent the offences under the Optional protocol among children in disadvantaged and marginalized situations, such as children living in poverty and asylum seeking and refugee children, especially unaccompanied children.

18. **The Committee encourages the State party to strengthen its efforts to identify and detect children at risk of falling victim to offences under the Optional Protocol, especially among children in disadvantaged and marginalized situations, including through mechanisms for collection of data on victims of such offences. It also recommends that the State party take comprehensive measures to address the root causes for children at risk of becoming victims to offences under the Optional Protocol and screen professionals in regular contact with children in all areas of their lives, including asylum-seeking and refugee children, for past convictions of sexual exploitation and abuse of children. Furthermore, it recommends that the State party strengthen its social protection measures and mechanisms targeting children at risk of falling victim to such offences.**

## **Measures to prevent and address online child sexual exploitation and abuse**

19. The Committee welcomes the establishment of the Expert Group for Media Literacy, which organizes workshops and issues guides for parents on safe internet, but is concerned about the lack of information on measures taken to address online child sexual abuse images and online child sexual exploitation.

20. **With reference to Human Rights Council resolution 31/7 on the rights of the child, which addresses information and communications technologies and child sexual exploitation, and to the outcomes of the 2022 “We Protect” global summits, the Committee recommends that the State party strengthen:**

(a) **A policy to prevent and respond to online child sexual exploitation and abuse through an appropriate legal framework, a dedicated coordination and oversight entity, and specific analysis, research and monitoring capabilities;**

(b) **A strategy for preventing online child sexual exploitation and abuse, including a public education programme to raise awareness, knowledge and reporting of online child sexual exploitation and abuse offences and engage industries to block and remove online child sexual exploitation and abuse content;**

(c) **Awareness-raising programmes for children on risks related to the use of self-generated sexual images through digital media and information and communications technologies.**

## **VI. Prohibition of the sale of children, child pornography and child prostitution and related matters (arts. 3, 4 (2) and (3) and 5-7)**

### **Criminal laws and regulations in force**

21. The Committee notes the information provided by the State party on the criminalization of some of the offences under the Optional Protocol. However, it is concerned that not all offences under the Optional Protocol are reflected in the criminal legislation of the State party in a way that allows the uniform interpretation and application of that legislation. In particular it is concerned that:

(a) The Criminal Code does not define or explicitly prohibit the sale of children as a separate crime as defined under the Optional Protocol and considers it only as part of the crime of child trafficking;

(b) The Criminal Code does not provide an explicit definition of online child sexual exploitation.

22. **The Committee recommends that the State party define and criminalize the sale of children, in conformity with articles 2 and 3 of the Optional Protocol, and that it not limit the definition to cases of trafficking in children. In particular, the State party should explicitly define and criminalize:**

(a) **The sale of children, including for the purposes of sexual exploitation and forced labour;**

(b) **Online child sexual exploitation and grooming of a child.**

### **Liability of legal persons**

23. The Committee notes that the Criminal Code provides for the liability of legal persons and recommends that the State party take active measures to enforce its legislation against legal persons who are either complicit or participate in offences covered under the Optional protocol.

## **VII. Protection of the rights of child victims (arts. 8 and 9 (3) and (4))**

### **Measures adopted to protect the rights and interests of child victims of offences prohibited under the Optional Protocol**

24. The Committee notes the Criminal Procedure Code and the Victims Assistance Act of 2008 provide for “gentle” examination of child victims and witnesses of offences, in particular sexual offences, which involve using audio and video-recording of testimonies. The Committee however regrets the absence of information on the availability of the easily accessible reporting mechanisms for children to enable the disclosure of abuse by child victims.

25. **In the light of article 9 (3) of the Optional Protocol, the Committee recommends that the State party:**

(a) **Continue to provide appropriate support services for children, including during investigation, prosecution and aftercare by training professionals working with and for children, including law enforcement officers, border and immigration authorities, judges, prosecutors, social workers and medical staff, in children’s rights, child protection and child-friendly interviewing skills;**

(b) **Establish mechanisms and procedures for the early identification of child victims of offences under the Optional Protocol and accessible, child-friendly procedures for complaints, compensation and remedies;**

(c) **Accelerate the establishment of one safe space for providing access to legal aid to all children and other services, such as the Barnahus (“children’s house”) or similar child-friendly and multidisciplinary one-stop centres.**

## **VIII. International assistance and cooperation (art. 10)**

### **Multilateral, bilateral and regional agreements**

26. **In the light of article 10 (1) of the Optional Protocol, the Committee encourages the State party to continue to strengthen international cooperation through multilateral, regional and bilateral arrangements, especially with neighbouring countries, including by strengthening procedures and mechanisms for coordinating the implementation of such arrangements, with a view to making progress in respect of the prevention of offences covered under the Optional Protocol and the detection, investigation, prosecution and punishment of those responsible for any such offences.**

## **IX. Implementation and reporting**

### **A. Follow-up and dissemination**

27. **The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented, including by transmitting them to relevant ministries for appropriate consideration and further action.**

28. **The Committee recommends that the report and the written replies to the list of issues submitted by the State party and the present concluding observations be made widely available, including through the Internet, to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate on and awareness of the Optional Protocol and its implementation and monitoring.**

**B. Next periodic report**

29. In accordance with article 12 (2) of the Optional Protocol, the Committee requests the State party to include further information on the implementation of the Optional Protocol and the present concluding observations in its next periodic report to be submitted in accordance with article 44 of the Convention.

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