

VISIT REPORT

LIECHTENSTEIN

April 2025



CPT

EUROPEAN COMMITTEE
FOR THE PREVENTION OF
TORTURE AND INHUMAN OR
DEGRADING TREATMENT
OR PUNISHMENT

PERIODIC VISIT

7 - 11 April 2025

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Prevention of Torture and Inhuman
or Degrading Treatment or Punishment

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Contents

KEY OBSERVATIONS	4
EXECUTIVE SUMMARY	5
I. INTRODUCTION	8
A. The visit, the report and follow-up.....	8
B. Consultations held by the delegation and cooperation encountered	8
C. National Preventive Mechanism	9
II. FACTS FOUND DURING THE VISIT AND ACTION PROPOSED	10
A. Law enforcement agencies	10
1. Preliminary remarks.....	10
2. Ill-treatment.....	10
3. Safeguards against ill-treatment.....	11
4. Conditions of detention	14
B. Prison establishments.....	15
1. Preliminary remarks.....	15
2. Ill-treatment.....	16
3. Conditions of detention	16
4. Healthcare services	17
5. Prison staff.....	19
6. Contact with the outside world.....	20
7. Discipline	21
8. Security-related issues	22
9. Information for inmates	23
C. Situation of persons deprived of their liberty pursuant to decisions of Liechtenstein courts and transferred to establishments in Austria and Switzerland	24
D. Involuntary psychiatric hospitalisation	25
1. Preliminary remarks.....	25
2. Civil involuntary placement, review and complaint procedures	26
APPENDIX I – List of establishments visited by the CPT’s delegation.....	29
APPENDIX II – List of the national authorities, other bodies and non-governmental organisations with which the CPT's delegation held consultations	30

KEY OBSERVATIONS

PRIORITY TOPICS

■ Prison

LAW AND POLICIES – A comprehensive overhaul of the legal provisions governing the treatment of remand and sentenced prisoners to ensure that at least the minimum treatment standards are expressly laid down by law

CONDITION OF DETENTION – Accommodate foreign nationals detained under aliens legislation in an appropriate facility for administrative detention

CHRONIC ISSUES

■ Police

SAFEGUARDS – Updating Police Act, Aliens Act and Code of Criminal Procedure to ensure that the fundamental safeguards against ill-treatment are legally guaranteed for all persons deprived of their liberty by the police

■ Psychiatry

SAFEGUARDS – Assure essential rights to psychiatric patients involuntarily held at establishments abroad by finalising the respective bilateral treaty with Switzerland (and possibly Austria)

GOOD PRACTICE

■ Prison

PRISON STAFF – Positive staff-inmate relations with constructive and frequent interaction based on the notions of dynamic security

CONTACT WITH THE OUTSIDE WORLD – Enabling foreign nationals detained under aliens legislation to contact their families by video-calls

THE CPT AND LIECHTENSTEIN

Liechtenstein ratified the ECPT in 1991, and the Committee's first visit took place in 1993.

Since ratification, the CPT has carried out 5 periodic visits to the country including visits to the National Police Headquarters, the National Prison and prisons in Austria as well as Switzerland holding persons sentenced by Liechtenstein courts, Vaduz Hospital, elderly homes and a border post.

All the visit reports have been published. Liechtenstein did not accept the automatic publication of the visit reports.

EXECUTIVE SUMMARY

During its periodic visit to Liechtenstein, the CPT's delegation reviewed the conditions of detention and the treatment of persons deprived of their liberty by Liechtenstein authorities. For this purpose, the delegation examined the situation of persons held at Vaduz State Prison and paid particular attention to the safeguards afforded to persons detained by the police. It also spoke to persons sentenced by Liechtenstein courts who were held in Austria and Switzerland and assessed the legal safeguards surrounding the involuntary placement of patients in psychiatric hospitals abroad.

Throughout the visit, the delegation received excellent co-operation from both the national authorities and staff at the establishments visited.

As regards the National Preventive Mechanism (NPM), the Committee recommends that the NPM enlarges the scope of its monitoring in order to ensure that all categories of detention places are being visited, including places where persons are detained by the police.

The CPT notes positively that its delegation received no allegations of ill-treatment of detained persons by staff in any of the establishments visited.

Throughout the report, the Committee expresses concern that the legal provisions regarding the treatment of persons deprived of their liberty are in large parts incomplete or outdated and not in line with the Committee's long-standing standards. For instance, the rights of access to a lawyer and to a doctor as well as the right to inform a person of trust of one's detention, are still not legally guaranteed for all persons detained by the police. Similarly, persons held in prison have very limited legal entitlements to make phone calls and to receive visits and disciplinary solitary confinement can still be imposed on them for up to four weeks (including for juveniles). Furthermore, the legal situation of psychiatric patients placed in hospitals in Switzerland or Austria remains unclear and several safeguards against ill-treatment are not fully guaranteed for these patients.

The CPT acknowledges in this connection that the current treatment of persons deprived of their liberty in Liechtenstein appears to be in many aspects in line with the CPT's standards and the report even highlights positive practices. However, this is largely due to the current authorities' willingness to find individual solutions or not to make use of the far-reaching restrictions and sanctions provided for by law. It is not acceptable that fair and equal treatment of persons deprived of their liberty depends on goodwill rather than being guaranteed by law. Such state of affairs leaves undue room for arbitrariness. Therefore, in the interest of the rule of law, at least the minimum treatment standards for persons deprived of their liberty must be expressly stipulated in the relevant legislation.

At the National Police Headquarters in Vaduz, the delegation had serious concerns about a small waiting cell (measuring about 2 m²) which was equipped with a metal ring for shackling detainees to the wall whilst seated on a bench. Even if only used for very short periods of less than an hour, handcuffing detained persons to fixed objects is inappropriate and could amount to degrading treatment. The CPT requests confirmation that the ring has been removed.

In connection with the above-mentioned need for legally guaranteeing the fundamental safeguards against ill-treatment, the CPT also recommends abolishing the legal provisions allowing for the supervision of conversations between detained persons and their lawyers and those for fully denying the presence of a lawyer during police questioning. The Committee is equally concerned that juveniles may still be subjected to police questioning and requested to sign statements without the benefit of the presence of either a lawyer or a trusted person. It also reiterates its recommendation that a fully-fledged and properly funded system of legal aid for indigent persons already at the stage of police custody be developed.

Another repeated recommendation concerns the need to re-establish a custody register at the National Police Headquarters. The CPT further asks for the most recent version of the information sheet to be made available to detainees in a wider range of frequently needed foreign languages.

The Committee notes positively that the police custody area had been fully renovated. It comprised a well-equipped multi-occupancy detention cell for up to three detainees and two excellently designed secure cells providing a safe environment particularly for persons in need of detoxification and/or at risk of serious self-harm or suicide.

At Vaduz State Prison, the material conditions of detention remained very good and the report again highlights the positive atmosphere at the establishment with constructive relations and frequent interaction between management, staff and inmates, based on the notions of dynamic security and care.

That said, the CPT points out that the establishment is not an adequate place for the detention of foreign nationals under aliens legislation. The Liechtenstein authorities should take the necessary measures to ensure that this group of administrative detainees is accommodated in a less carceral facility.

As regards the regime activities on offer for inmates, the CPT acknowledges the challenges faced by the management due to the establishment's small size and the diversity of its inmate population. It appreciates the efforts made to provide opportunities to work and frequent access to the outdoor exercise yard and the fitness room. Nonetheless, the CPT encourages the Liechtenstein authorities to expand the offer of activities in particular for inmates held for prolonged periods.

In respect of the health care services provided, the CPT welcomes the fact that inmates could usually see a doctor without delay at their own request. However, it remains a matter of serious concern that, despite the specific recommendation repeatedly made by the Committee after its previous visits, newly arrived inmates still did not benefit from a comprehensive medical examination upon their admission. All persons admitted to the State Prison should be examined by a doctor, or by a qualified nurse reporting to a doctor, no later than 24 hours of their admission. The CPT further recommends that provision of psychological care be reinforced at the prison. In addition, efforts should be continued to ensure that all inmates in need of psychiatric in-patient care be transferred to an appropriate hospital without undue delay. Finally, inmates should not be requested to disclose the reason to see the doctor on a request form which is visible to custodial staff.

The Committee notes positively that that the prison management appeared to be able to ensure a secure environment for inmates and staff without frequent recourse to disciplinary sanctions. Nonetheless, in the context of the above-mentioned need for an overall update of the legal provisions concerning the treatment of inmates, the Committee reiterates its view that the legally defined maximum for disciplinary solitary confinement of adults should be no more than 14 days (and preferably less). It should further be fully abolished in respect of juveniles. The CPT also recommends that inmates are generally allowed to receive visits without physical separation, except in individual cases where there may be a clear security concern. The possibility to make use of straight-jackets and shackles as security measures should be fully removed from the relevant legislation. Other recommendations concern information provided to inmates, including the Prison's House Rules, and inmates' possibilities to file complaints.

The report further deals with the situation of persons deprived of their liberty pursuant to decisions of Liechtenstein courts who were held at establishments in Austria and Switzerland and describes several shortcomings in their treatment at the establishments visited (Innsbruck Prison, Saxerriet Prison, Forensic Department of Hall Regional Psychiatric Hospital). The CPT invites the Liechtenstein authorities to raise these issues with the competent Swiss and Austrian authorities.

With regard to psychiatric patients held against their will at establishments in Switzerland and Austria, the CPT welcomes that the relevant legal provisions appeared to be generally implemented in practice. However, it recommends amongst others to amend the law in order to ensure that in the context of involuntary placement, retention (of formerly voluntary patients) and placement reviews, all patients are entitled to benefit from legal assistance whether or not they are under guardianship as well as from independent psychiatric expertise.

The CPT also welcomes the Liechtenstein authorities' efforts to clarify the legal uncertainties regarding the involuntary placement of psychiatric patients abroad through the conclusion of a bilateral treaty with Switzerland. It urges the Liechtenstein authorities to pursue their efforts to finally conclude the treaty. The treaty should amongst others ensure that essential rights are guaranteed throughout the patients' deprivation of liberty abroad and that patients are enabled to file complaints against their treatment to internal and external bodies.

I. INTRODUCTION

A. The visit, the report and follow-up

1. In pursuance of Article 7 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereinafter referred to as “the Convention”), a delegation of the CPT carried out a periodic visit to Liechtenstein from 7 to 11 April 2025. The visit was part of the CPT’s programme of periodic visits for 2025 and was the Committee’s fifth visit to Liechtenstein.¹

2. The visit was carried out by the following members of the CPT:

- Karin Rowhani-Wimmer (Head of delegation)
- Lise-Lotte Carlsson
- Dmytro Yagunov.

They were supported by Borys Wòdz (Head of Division) and Almut Schröder of the CPT Secretariat, and assisted by an expert, Veronica Pimenoff (psychiatrist, former Head of Department at Helsinki University Psychiatric Hospital, Finland).

3. The list of establishments visited by the CPT can be found in Appendix I.

4. The report on the visit was adopted by the CPT at its 118th meeting, held from 3 to 7 November 2025, and transmitted to the authorities of Liechtenstein on 18 November 2025. The various recommendations, comments and requests for information made by the CPT are set out in bold type in the present report. The CPT requests that the authorities of Liechtenstein provide within six months a response containing a full account of action taken by them to implement the Committee’s recommendations, along with replies to the comments and requests for information formulated in this report.

B. Consultations held by the delegation and cooperation encountered

5. In the course of the visit, the CPT delegation held consultations with Sabine Monauni, Deputy Prime Minister and Minister of the Interior, Economic Affairs and the Environment, Jules Hoch, Chief of the National Police, Martin Alge, Head of the Office of Justice, and Eva-Maria Mödtagl, Head of the Office of Health, as well as other senior officials from the Ministries and services concerned. Exchanges were also held with representatives of the Prison Supervisory Commission (*Strafvollzugskommission*) as the country’s National Preventive Mechanism, and non-governmental organisations.

6. The CPT is pleased to note that throughout the visit, the cooperation received from both the national authorities and staff at the establishments visited has been excellent. The delegation enjoyed rapid access to all places visited, was provided with the information necessary for carrying out its task and was able to speak in private with persons deprived of their liberty. The delegation would like to thank in particular Harald Oberdorfer, the CPT’s Liaison Officer from the Office of Justice, for his efficient assistance provided before and during the visit.

7. Since the CPT’s very first visit to Liechtenstein (in 1993), the Liechtenstein authorities have considered it important to follow the standard practice of requesting the publication of the Committee visit reports together with the corresponding Government responses. The CPT welcomes this approach.

1. The visit reports and the responses of the Liechtenstein authorities on all previous visits are available on the CPT website: <https://www.coe.int/en/web/cpt>.

However, for several years now, both the Committee of Ministers and the Parliamentary Assembly of the Council of Europe have been encouraging the Organisation's member states which have not yet done so to request the automatic publication of future CPT visit reports and related Government responses.²

The Liechtenstein authorities are invited to consider authorising in advance the publication of all future CPT visit reports concerning Liechtenstein and related government responses, subject to the possibility of delaying publication in a given case.

C. National Preventive Mechanism

8. Liechtenstein ratified the Optional Protocol to the UN Convention against Torture (OPCAT) in 2006 and a Prison Supervisory Commission (*Strafvollzugskommission*) subsequently began operating as the National Preventive Mechanism (NPM) in 2008.

According to its mandate under Section 17 of the Liechtenstein Law on the Execution of Sentences (*Strafvollzugsgesetz – StVG*), the Commission is responsible for inspecting the prison and in particular for monitoring the treatment of inmates. The Commission's five members carry out unannounced visits to Vaduz State Prison at least four times a year. They are empowered to interview prisoners in private and to be provided by the prison management with all relevant information and documentation, and make use of these rights. After each monitoring visit, a confidential report, including concrete recommendations, is transmitted to the Government, while the findings of all visits are summarised and published in annual activity reports. In addition, a yearly exchange is held with the Ministry in charge of prison matters.

As Liechtenstein's National Preventive Mechanism (NPM) under the OPCAT, the Commission is also in charge of monitoring places of deprivation of liberty other than the prison. It is positive in this respect that the Commission also visits retirement homes where persons might be deprived of their liberty. However, the CPT would like to point out that police detention is also a deprivation of liberty and should be monitored by the NPM.

The CPT recommends that the Liechtenstein authorities take the necessary steps to ensure that all categories of places of deprivation of liberty are monitored on a regular basis by the National Preventive Mechanism in the light of these remarks.

2. See, in particular, Parliamentary Assembly Resolution 2160 (2017) adopted on 26 April 2017, and Committee of Ministers' reply to Recommendation 2100 (2017), adopted at the 1301st meeting of the Ministers' Deputies of 29 November 2017. See also [Frequently asked questions - CPT](#).

II. FACTS FOUND DURING THE VISIT AND ACTION PROPOSED

A. Law enforcement agencies

1. Preliminary remarks

9. The legal provisions concerning the grounds and maximum length of pre-trial detention have remained unchanged since the CPT's visit in 2016. It is recalled that a criminal suspect may be held in police custody for up to four days before being seen by a judge and transferred to the prison (Sections 129 and 130 Code of Criminal Procedure/*Strafprozeßordnung* - StPO).

10. Foreign nationals may also be held in police custody under the Aliens Act (*Ausländergesetz*). Their apprehension by the police for identification purposes can last up to three days (*kurzfristige Festhaltung*, Section 57 Aliens Act). They can further be detained by the police for up to four days in the context of deportation proceedings prior to their possible transfer to the State Prison (*Inhaftierung*, Sections 58 to 59a Aliens Act).

11. Under the Police Act (*Polizeigesetz*), persons may be taken into custody for a maximum of 24 hours mainly for posing a danger to themselves or to others or for presenting a serious threat to public safety and order (*Polizeigewahrsam*, Section 24h). In addition, persons may be deprived of their liberty by the police for identification purposes or for questioning (*Befragung*), both for an unspecified duration (Sections 24 and 24b (3)).



12. Concerning police officers' interaction with psychiatric patients, for instance in the context of an involuntary hospitalisation (see paragraph 69 below), the CPT would like to be informed if such interaction is guided by special rules and if officers receive specific training in this respect.

13. During this visit, the delegation visited Vaduz Police Headquarters, which is the only police detention establishment in Liechtenstein. It is located in the same building as the State Prison.

2. Ill-treatment

14. As was the case during the previous visit, the delegation received no allegations of excessive use of force or other forms of ill-treatment of detained persons by police officers.

15. However, a new, small waiting cell (measuring about 2 m²) on the administrative corridor of Vaduz Police Headquarters was equipped with a metal ring for shackling detainees to the wall whilst seated on a bench. Reportedly, the cell was only used for very short periods of less than an hour, but no record was kept on the use of the waiting cell or on the frequency and length of instances of shackling detainees to the wall. Even if infrequent and short (as the delegation was told), handcuffing detained persons to fixed objects is an outdated practice, impeding the development of contemporary professional policing. Instead, persons acting in a violent manner should be kept in a secure detention cell of appropriate size.



The CPT would like to receive confirmation that the metal ring has been removed.

3. Safeguards against ill-treatment

a. introduction

16. Despite the CPT's recommendation after the last visit,³ a police custody register had not been re-introduced at Vaduz Police Headquarters. Therefore, the delegation was not in a position to fully assess the implementation in practice of the fundamental safeguards against ill-treatment.

The Committee must reiterate that a custody register would enhance transparency and accountability in policing in order to ensure the implementation of detainees' rights in every case. It would also facilitate the work of inspection services and internal and external monitoring bodies.

Whilst acknowledging that the individual detention files were very well kept, the Committee reiterates its recommendation that a custody register (electronically or on paper) be established at the National Police Headquarters, in light of the preceding remarks.

b. notification of custody

17. The law guarantees the right to notify a relative or other person of trust about one's custody for criminal suspects (Section 128a StPO).

For persons apprehended under Section 24h (4) of the Police Act (*Polizeigewahrsam*) this right is guaranteed "as far as not endangering the purpose" of detention. The CPT acknowledges that the exercise of this right could be made subject to certain exceptions designed to protect the legitimate interests of the police investigation. However, as already recommended in 2016, such exceptions must be clearly circumscribed in law and should be subject to appropriate safeguards. In particular, any delay should be recorded in writing, together with the specific reasons thereof, require the express approval of a senior police officer unconnected with the case (or a public prosecutor), and be applied for the shortest time necessary. When it is envisaged to limit or defer the exercise of this right, notification of custody to another third party designated by the detained person concerned should first be considered. It is regrettable that the law has remained unchanged.

As for other persons detained under the Police Act – for the purpose of identification or for questioning – the right of notification of custody is not stipulated at all.

For foreign nationals detained under the Aliens Act (Sections 58 to 59a), the law provides that detainees should be enabled to inform a person of their choice "in Liechtenstein" (only), while in respect of foreign nationals who are *apprehended* under the Aliens Act (Section 57) no such right seems to be guaranteed at all.⁴

The CPT acknowledges that the information sheet which is apparently handed to all categories of detainee (*Informationsblatt Inhaftierung*, see below paragraph 28) includes the right to inform a relative or friend.⁵

Nevertheless, the CPT calls upon the Liechtenstein authorities to take the necessary steps to ensure that *all* persons deprived of their liberty by the police are *formally guaranteed by law* and granted in practice the right to inform a relative or other person of their choice of their situation as from the very outset of their deprivation of liberty. This right should also apply to detained persons whose family members reside outside Liechtenstein, and must also be granted when the deprivation of liberty is very brief.

Any restrictions on the right of notification of custody should be surrounded by appropriate safeguards in line with the precepts outlined above.

3. See the CPT's report on its 2016 visit, CPT/Inf (2017) 21, paragraph 12. [The CPT and Liechtenstein - CPT](#).

4. At least not within the first 24 hours. After that, the foreign detainee has at least a right to "deal with important personal matters" (Section 57 (3a) Aliens Act).

5. It also mentions the possibility to delay that right in certain cases "until the critical investigations are terminated".

c. access to a lawyer

18. For persons detained under criminal law (*Festgenommene*), the right to benefit from the assistance of a lawyer is granted by law⁶ and, according to the Liechtenstein authorities, is also implemented in practice.

19. However, the CPT is concerned that the StPO still provides for the possibility to supervise conversations between detained persons and their lawyers.⁷ Moreover, the presence of a lawyer may be fully denied during questioning “in so far as it is considered necessary to prevent the investigation or the gathering of evidence from being adversely affected by the lawyer’s presence”.⁸ The possibility to have another lawyer present instead is not foreseen (but the law provides that the interrogation should then possibly be audio- and video-recorded).

The CPT’s objective of guaranteeing an effective right of access to a lawyer is to prevent ill-treatment (rather than ensuring due process or the right to defence). In the Committee’s experience, it is during the period immediately following the deprivation of liberty that the risk of intimidation and ill-treatment is greatest. As stressed repeatedly in the reports on previous visits, there can be no reasonable justification for a total denial of the right to talk to a lawyer in private or to have a lawyer present during questioning. The CPT also wishes to recall that the European Court of Human Rights has emphasised repeatedly the importance of persons deprived of their liberty having a lawyer present during police questioning.

The Committee acknowledges that the above-mentioned provisions of the StPO might in current practice only be applied very rarely. It nevertheless reiterates its view that they should be removed from the law entirely in order to legally guarantee all detainees the right of access to a lawyer, which includes the right to talk to a lawyer in private and to have a lawyer present during questioning.

In their response to the CPT’s 2016 report,⁹ the Liechtenstein authorities announced that they would consider, for cases where a (particular) lawyer is refused, enabling the appointment of another lawyer, similar to the provisions in Austrian law.¹⁰ Regrettably, the Liechtenstein law also remains unchanged concerning this safeguard.

20. As for detainees held under the Police Act (that is, persons apprehended under Section 24h (4) and those detained for identification purposes or for questioning), the right of access to a lawyer is not legally guaranteed.

21. The Aliens Act provides only those foreign nationals who are apprehended under Section 58 to 59a (*Inhaftierte*) with the right to have “oral and written contact with a lawyer” (Section 62 (1)). It is unclear whether this includes the right to the lawyer’s *presence* during the interrogation. For foreign nationals “apprehended” (*kurzfristig festgehalten*) under Section 57 of the Aliens Act, this right is not stipulated at all.

22. The CPT once again calls upon the Liechtenstein authorities to take the necessary steps – including at the legislative level – to ensure that the right to meet a lawyer in private and to have them present during police questioning is *legally guaranteed*, and granted in practice, to every single person deprived of their liberty, as from the moment they are obliged to remain with the police.

6. Section 128a StPO stipulates the right to *notify* a lawyer as from the outset of their deprivation of liberty or immediately afterwards. The right to benefit from the *assistance* of a lawyer, that is, to meet a lawyer and to have a lawyer present during police questioning (and when meeting the investigating judge) is expressly guaranteed by law only from the moment the person concerned has formally acquired the status of an accused person (*Beschuldigter*, Section 23 (1) StPO), as opposed to that of a criminal suspect (*Verdächtigter*, Section 24 (1) StPO). However, Section 23 (3) StPO stipulates that the legal provisions concerning the accused are also applicable to the criminal suspect (as long as they are not “limited to the investigation by their nature”).

7. By decision of the investigating judge and for up to one month, Section 30 (3) StPO.

8. Section 147 (2) StPO.

9. CPT/Inf (2017) 22, page 5.

10. Section 59 (4) of the Austrian StPO.

23. It also remained the case that indigent persons could not in practice benefit from the presence of a lawyer during police questioning. The law only provides the possibility for legal aid (under certain conditions) from the moment when the court decided that the detainee is taken into remand custody.¹¹

As for the practice, the delegation was informed that persons detained by the police were generally offered one telephone conversation free of charge with a lawyer through the hotline of the Bar Association (*Rechtsanwaltlicher Journaldienst*). This is positive, but not sufficient.

The Committee must emphasise again that the right of access to a lawyer can only be an effective safeguard against ill-treatment if persons who are not in a position to pay for a lawyer can also benefit from a lawyer's presence *already whilst in police custody*. If this is not the case, the right of access to a lawyer will remain, in many cases, purely theoretical.

The CPT reiterates its recommendation that steps be taken, including at a legislative level, to ensure that a fully-fledged and properly funded system of legal aid for indigent persons at the stage of police custody be developed. This system should be applicable from the very outset of police custody.

d. access to a doctor

24. It is positive that the information sheet mentioned that detainees could ask to see a doctor, and apparently most detainees were seen by a doctor in the context of their placement in a police custody cell. The delegation also received no complaints in this respect from the detained persons interviewed.

25. Nevertheless, it is regrettable that this legal safeguard against ill-treatment is also not legally guaranteed for all categories of detainee in the respective laws.

A new provision in the Police Act (Section 24h (3)) obliges the police to ensure an immediate examination by a doctor if a person detained for posing a danger to themselves or to others discernibly requires a medical assessment. This is a step in the right direction. However, it is not sufficient. Access to a doctor should be an express *right* of every detainee regardless of the reason for their detention.

As for foreign nationals detained under the Aliens Act, the law (Section 62 (4)) requires only emergency medical care and the essential treatment of illnesses. The right of access to a doctor does not seem to be guaranteed for persons detained under criminal legislation either.

26. Furthermore, it appeared that police officers sometimes decided to remain present during medical examinations. In the CPT's view, non-medical staff may only be present in exceptional cases, at the request of the healthcare professional.

27. The CPT recommends that *all* persons deprived of their liberty by the police be expressly guaranteed by law the right to have access to a doctor from the very outset of their deprivation of liberty. The relevant provisions should make clear that:

- **a request by a detained person to see a doctor should always be granted (it is not for police officers, nor for any other authority, to filter such requests);**
- **as a general rule, all medical examinations/consultations should be conducted out of the sight and hearing of police staff, under conditions fully guaranteeing medical confidentiality; however, the presence of non-medical staff at the request of the healthcare professional may be warranted in exceptional cases.**

11. Section 26 (2) StPO.

e. information on rights

28. According to the information received, and in line with internal regulations, persons detained by the police who understood German were informed about their rights orally at the outset of their deprivation of liberty. They also received a recently revised information sheet (*Informationsblatt Inhaftierung*) setting out their rights in an understandable manner. It is further positive that the detainees were apparently allowed to keep the information sheet in their cell.

For detainees who did not have a sufficient command of German, the information sheet was available in six foreign languages, but the authorities informed the delegation that the foreign language versions did not include the most recent revision. The CPT notes positively in this connection that good arrangements were in place to enable the presence of interpreters covering a wide range of languages, for the questioning at the latest.

The CPT recommends that the most recent version of the information sheet be made available in a wider range of frequently needed foreign languages in order to be handed out to detainees who do not have a sufficient command of German.

The authorities should also consider providing a simplified pictogram version of the information sheet for persons with reading difficulties.

All persons deprived of their liberty by the police should be further requested to sign a statement attesting that they have been informed of their rights, and whether they have availed themselves of these rights or have waived them.

f. juveniles

29. The CPT notes that juveniles are very rarely detained by the police. The Juveniles Justice Act (*Jugendgerichtsgesetz - JGG*) contains certain safeguards for this case, such as the mandatory notification of parents and the possibility to have a trusted person present during questioning (Sections 21a and 24 JGG). However, it is regrettable that despite the CPT's specific recommendations previously made,¹² there are still no express provisions to ensure that detained juveniles are never subjected to police questioning or required to sign any statement related to the offence of which they are suspected without the presence of a lawyer and, ideally, a trusted adult. The onus should not be placed on the juvenile to request the presence of a lawyer or trusted person: such a presence should be mandatory.

The Committee calls upon the Liechtenstein authorities to take the necessary steps – including at the legislative level – to ensure that these precepts are implemented whenever a juvenile is detained by the police.

4. Conditions of detention

30. The CPT welcomes that the police custody area had been fully renovated. It comprises a well-equipped¹³ multi-occupancy detention cell for up to three detainees. In addition, two excellently designed secure cells provided a safe environment in particular for persons in need of detoxification and/or at risk of serious self-harm or suicide. The detention conditions in these cells do not call for any specific comments.

12. See the CPT's report on its 2016 visit, CPT/Inf (2017) 21, paragraph 23. [The CPT and Liechtenstein - CPT](#).

13. The cell was equipped with a triple bunk bed, table, bench, call bell and sanitary annex including toilet and shower.

B. Prison establishments

1. Preliminary remarks

31. The delegation visited the Liechtenstein State Prison¹⁴ in Vaduz and also met persons sentenced by Liechtenstein courts who are currently accommodated at Innsbruck Prison in Austria and at Saxerriet Prison in Switzerland. Reference is made in this respect to part II.C. of this report.

32. Vaduz State Prison is the only prison in Liechtenstein. Set up as a remand prison in 1991 and with a capacity of 20 places, this prison has neither the space nor the resources to provide a suitable environment for sentenced prisoners. Therefore, sentenced prisoners generally serve their prison term in Austrian prisons based on an agreement¹⁵ concluded between Liechtenstein and Austria in 1982.¹⁶ When they approach the end of their sentences, prisoners who are likely to live in Liechtenstein after the end of their prison term are transferred to Saxerriet Prison in Switzerland for the preparation of their release (*Entlassungsvollzug*). Female or juvenile inmates are only very exceptionally held at the prison and if so, usually for very short periods.

These arrangements appear to be an adequate response to many previous difficulties faced by Vaduz State Prison when it was also accommodating sentenced prisoners, as the establishment is clearly not suitable for any longer-term detention.

33. However, it is a matter of serious concern for the CPT that Vaduz Prison not only holds remand prisoners, but also foreign nationals detained under aliens legislation.¹⁷ This group of detainees continues to be held at the prison under the same regime as prisoners, often for months on end and sometimes for more than a year.¹⁸

It should be recalled that detention under aliens legislation is a form of administrative detention and, as such, should be clearly distinguished from detention in relation to a criminal offence. Therefore, the conditions in immigration detention should not be carceral, but mainly ensure minimum internal security and promote normality. As already outlined in the previous report, this should include that detained migrants' freedom of movement within the detention facility is restricted as little as possible and that they be provided with every opportunity to remain in meaningful contact with the outside world (including frequent opportunities to make telephone calls and receive visits).

The CPT recommends that the Liechtenstein authorities take the necessary measures to ensure that foreign nationals detained under aliens legislation are accommodated in a less carceral facility, taking into account the comments made by the Committee in paragraphs 75 to 100 of its 19th General Report (CPT/Inf (2009) 27) as well as the standards contained in the CPT's factsheet on immigration detention.¹⁹

34. At the time of the visit, Vaduz State Prison was accommodating 15 male adult persons. Most of these were remand prisoners and three were foreign nationals detained under aliens legislation.

14. The prison had previously been visited by the CPT in 1993, 1999, 2007 and 2016.

15. Treaty on the Accommodation of Prisoners of 4 June 1982, see [1983.039 | Lilex – Gesetzesdatenbank](#).

16. According to a recently established practice, sentenced prisoners are usually sent to Innsbruck Prison (2 hours' drive from Liechtenstein) which can offer work, vocational training and also treatment for substance users and persons in need of psychiatric care. If necessary due to other special needs, prisoners are in some cases also transferred further to other prisons in Austria. For instance, in January 2025, eight persons were held at Innsbruck Prison, two each in Stein and Sonnberg Prisons, and one each in Suben and Göllersdorf Prisons.

17. In addition, Vaduz State Prison is also occasionally used for other types of administrative detention and detention pending extradition.

18. According to Section 61 of the Aliens Act, the maximum length of detention is usually six months, but may exceptionally be extended to 18 months.

19. See [Immigration Detention factsheet](#).

35. On a more general note, the CPT's delegation observed that the legal provisions concerning the treatment of prisoners and the prison's House Rules from 2007 (applying to all categories of inmate) were in several aspects too rigorous and not in line with the Committee's long-standing standards. This relates, amongst other things, to inmates' very limited rights to make phone calls and to receive visits, as well as to the possibility of imposing disciplinary solitary confinement for up to four weeks (including for juveniles), issues which will be outlined in further detail in several parts of this prison chapter (see paragraphs 39, 52, 57 and 63).

The CPT acknowledges in this connection that the current treatment of inmates in practice, as observed during the visit, is much less problematic and the report even highlights several positive practices. However, this is largely due to the current prison manager's willingness to find individual solutions and not to make use of the far-reaching restrictions and sanctions provided for by law. While the prison manager's attitude is commendable, it is not acceptable that fair and equal treatment of persons deprived of their liberty depends on an individual prison manager's goodwill rather than being guaranteed by law. Such a state of affairs leaves undue room for arbitrariness.

Therefore, in the interest of legal certainty and more generally the rule of law, at least the minimum treatment standards for persons deprived of their liberty must be expressly laid down by law and be reflected in other regulations, such as the prison's House Rules.

Reference is made in this respect to the recommendations in paragraphs 39, 54, 61 and 63 below.

2. Ill-treatment

36. As was the case during previous visits, the delegation received no allegations of ill-treatment of detained persons by prison officers. On the contrary, at Vaduz State Prison in particular, the delegation again heard many positive comments from inmates about the management and staff's professional behaviour and commitment.

Violence between inmates did not appear to be a major problem and whenever it did occur, staff seemed to react quickly and adequately.

3. Conditions of detention

a. material conditions

37. Material conditions at Vaduz State Prison remained very good. As was the case during previous visits, the prison comprised 20 spacious, clean, well-equipped²⁰ cells with sanitary annex (all for single use), which do not call for further comments. A separate unit with three cells and a kitchenette on the upper floor was used when necessary to accommodate women, juveniles, or detainees under a stricter separation regime.

The conditions of the two outdoor yards (a bigger yard downstairs and one for separated inmates on the upper floor) had improved insofar as shelters had been installed, allowing inmates to spend time outdoors even in inclement weather.²¹ This is positive.

20. Each cell was equipped with a bed, table, chair, wardrobe, bedside table, TV and call-bell.

21. The yard downstairs, which was normally used by several prisoners at the same time, was further equipped with benches, a table tennis table and a chess set.

b. regime

38. At the time of the visit, inmates who were allowed to associate with other inmates of the same category could usually spend between 2.5 and 3.5 hours per day with others at the outdoor yard and in the well-equipped fitness room. For a further three hours per day they were offered access to a communal room with a large choice of board games and bookshelves for borrowing books.

The delegation was informed that inmates who needed to be separated from all others were at least allowed three hours out of cell per day: one hour in the yard and about two hours in the fitness room or the communal room. Most inmates were also offered at least some paid work (for example, maintenance, cleaning, kitchen, laundry, packing and other manual work for external companies, carpentry workshop etc.). However, for some inmates, this was limited to a few hours per week.

The CPT acknowledges the challenges due to the prison's small size and the need to accommodate and occupy different categories of inmates separately. Against this background, it welcomes the management's continued efforts to provide opportunities to work, including for external companies, and to allow inmates to have frequent access to the outdoor yards and fitness room. Nevertheless, the current arrangements for activities remain insufficient, in particular for persons held at the prison for prolonged periods. The aim should be to ensure that all prisoners spend a reasonable part of the day (that is, eight hours or more) outside their cells engaged in purposeful activities of a varied nature (for example, work, education and recreation/association) tailored to their needs. The longer the term of detention, the more varied these activities should be.

The lack of sufficient regime activities is even more problematic in respect of the foreign nationals held at the prison under aliens legislation. As mentioned above, detention under aliens legislation should be clearly distinguished from detention in relation to a criminal offence, and the detention conditions should promote normality. This would require an "open door" regime and a varied offer of regime activities for a large part of the day. Such activities could include, for instance, language classes, IT/computer classes, arts and crafts, and cookery skills.



The Committee once more encourages the Liechtenstein authorities to pursue their efforts to expand the offer of activities for all inmates held at the State Prison, in light of the preceding remarks. As regards foreign nationals held under aliens legislation in particular, reference is made to the recommendation made in paragraph 33 above.

39. As regards access to the open air, it is regrettable that the legislation and the prison's House Rules still stipulate that "exercise in the open air" was mandatory for all inmates on days when they did not work outside.²² Exceptions could only be made for medical reasons certified by the prison doctor. Whilst acknowledging that in practice inmates were not compelled to take outdoor exercise, the CPT is astonished to note that such a provision is still in force. **The CPT reiterates its view that this anachronistic rule should be removed from the legislation and from the prison's House Rules.**

4. Healthcare services

40. It remained the case that the prison did not employ any healthcare staff. Instead, a general practitioner was contracted and visited the prison once per week for a few hours and also upon request whenever possible. When he was not at the prison, he was usually available by telephone and another doctor would replace him when he was exceptionally unavailable. This system appeared to work well, and the delegation gained the impression that inmates could usually see the doctor without undue delay at their own request. In the event of an emergency, the general practitioner and/or an ambulance were called, or the inmate was transferred to the nearby Vaduz Hospital.

The CPT notes positively in this connection that all custodial staff (including those working part-time) received first-aid refresher training at least every two years.

22. Section 40 StVG and Section 7 (4) of the House Rules.

41. However, the Committee remains concerned that, despite the specific recommendation repeatedly made after its previous visits, newly arrived inmates still did not benefit from a comprehensive physical admission examination by a healthcare professional.

When a person was newly admitted, the doctor was informed by email. In the event that the inmate themselves or an officer indicated an urgent need for medical care, the doctor and/or an ambulance were called or the inmate was transferred to the nearby Vaduz Hospital.

Otherwise, the contracted doctor would only meet the new inmate on their next regular visit to the prison – sometimes up to one week after the person’s arrival – and would not usually carry out a physical examination.

The CPT acknowledges the prison’s difficulties in ensuring the frequent presence of a doctor. However, it reiterates its view that a systematic and comprehensive medical admission examination, carried out promptly upon admission, is indispensable, especially to identify potential medical conditions including transmissible diseases and mental health problems (see below paragraph 44), to prevent suicides and in order to record possible injuries in a timely manner.

The CPT calls upon the Liechtenstein authorities to take the necessary steps to ensure that all persons newly admitted to Vaduz Prison – irrespective of their legal status – benefit from a comprehensive medical examination as soon as possible and, save for exceptional circumstances, no later than 24 hours after their admission by a healthcare professional. Such medical screening could be performed by a doctor or a fully qualified nurse reporting to a doctor.

During this examination, particular attention should be paid to the possible existence of mental health needs, acute and chronic diseases, infections, addiction, injuries, medication needs as well as traumatic disorders and signs of victimisation.

42. As regards the recording and reporting of injuries, the Committee notes that violent incidents or the arrival of an injured person were very rare at the prison. Nevertheless, procedures should be in place to ensure the timely and diligent documentation of such cases. In their response to the CPT’s report on its 2016 visit, the authorities announced that they were considering developing a “standardised procedure” in this respect.²³

The CPT would like to be informed if clear guidelines and procedures have been put in place regarding the recording and reporting of injuries and if so, to receive a copy.

The Committee would like to emphasise in this connection that the procedures concerning the reporting of injuries in particular must ensure that whenever injuries are recorded by a healthcare professional which are consistent with allegations of ill-treatment made by an inmate (or which, even in the absence of allegations, are indicative of ill-treatment), the report is immediately and systematically brought to the attention of the relevant investigative authority.

43. As regards medical confidentiality, the House Rules stipulate²⁴ that inmates who wish to see a doctor must indicate the reasons for such a request. The (multi-purpose) request forms which inmates were required to complete included a field for such reasoning, so the given reasons were then visible to the custodial staff filtering the requests. However, it appeared that in practice, indicating the reasons was not mandatory and many inmates did not complete this information.

23. CPT/Inf (2017) 22, page 9.

24. Section 20.

Nevertheless, the CPT reiterates its recommendation that steps be taken to ensure that all inmates have confidential access to the doctor, that is, that they are not requested to disclose the reason for their request to see a doctor to custodial staff. The request forms could for instance be modified so that the field “reasoning” is replaced by an optional field offering to add “further information” or “comments”. As long as the requests to see a doctor are handled by custodial rather than by healthcare staff, the House Rules should not require that reasons for seeing the doctor be indicated.

44. As regards mental health, consultations with a psychologist were offered twice a month. However, this appeared not to be sufficient. In recent years, there had been a steady increase in the number of inmates with mental health issues. Several detainees met by the delegation displayed symptoms consistent with post-traumatic stress disorder (PTSD) and/or substance dependence and would have needed prompt and targeted psychological support, even during short stays at the prison. This applies in particular to many of the foreign nationals held under aliens legislation, who are often in highly vulnerable situations, and to newly arrived inmates awaiting trial.

45. It further remained the case that a psychiatrist was available upon request. However, in the event of emergencies at night and on weekends, it was apparently not always possible to reach a psychiatrist. The delegation was also informed that detainees with severe mental health problems who were in need of in-patient psychiatric care often had to stay at the prison for longer periods as it remained difficult to find appropriate hospital places for them.

46. The CPT recommends that the Liechtenstein authorities:

- **reinforce the provision of psychological care at the prison and develop the role of the prison psychologist, especially as regards trauma treatment, addiction and crisis psychology;**
- **ensure that psychiatric emergency care is available at any time;**
- continue their efforts to ensure that all inmates in need of psychiatric in-patient care be transferred to an appropriate hospital without undue delay.**

47. It is a positive development that inmates’ medical files were now stored safely in an electronic medical database.²⁵ The individual medical records also appeared to be well kept.

5. Prison staff

48. The CPT would like to highlight positively the good atmosphere at the prison, with constructive relations and frequent interaction between management, staff and inmates, based on the notions of dynamic security²⁶ and care.

49. At the time of the visit, the staff complement comprised the prison manager, six full-time prison officers (*Vollzugsbeamte*) and eight contracted custodial staff working part-time (to the equivalent of two and a half full-time posts).²⁷ Contracted custodial staff had received internal on-the-job training and were mainly covering night and weekend shifts. Arrangements were also made to ensure the presence of female staff members whenever female detainees were held at the prison.

25. In emergency cases during the doctor’s absence, the database could be made accessible to other healthcare professionals.

26. Dynamic security is the development by staff of positive relationships with prisoners based on firmness and fairness, in combination with an understanding of their personal situation and any risk posed by individual prisoners (see also Rule 51.2 of the [revised European Prison Rules](#)). For further information on the concept of dynamic security see also [UN-Handbook on Dynamic Security and Prison Intelligence](#) (New York 2015).

27. On weekdays, three staff members were usually present during the daytime, two on weekends. One staff member was always present at night.

6. Contact with the outside world

50. It is regrettable that the prison's House Rules and partly also the legal provisions on prisoners' right to make phone calls and to receive visits remain too restrictive, despite the CPT's previous criticism and despite the current prison manager's generous practice. As outlined above (paragraph 35), such provisions give undue room for arbitrariness.

51. Firstly, the prison's House Rules still do not guarantee inmates any right to make phone calls. They only provide that phone calls – including with legal representatives – “may be allowed” when duly justified in writing.²⁸ This reflects the strict legal provisions for sentenced prisoners,²⁹ but is not in line with the CPT's minimum standard of regular and frequent access to the telephone at least once per week.

As for the current practice, it is positive that inmates were usually granted one hour of phone calls per week. The CPT also welcomes the fact that foreign nationals detained under aliens legislation had recently been allowed to maintain contact with their families by making two video-calls per week.³⁰ It would be desirable to provide this possibility also to the other inmates, for instance through a secured computer.

52. Secondly, regarding inmates' right to receive visits, the House Rules still mention only “at least one visit of at least ½-hour duration per week, including one visit every six weeks which may be extended to at least one hour”.³¹ As with the phone calls, this reflects the restrictive legal provisions for sentenced prisoners,³² but is not in line with the CPT's long-standing standard of at least one visit hour per week for all categories of inmate.

As for the practice, it is positive that the current prison manager usually granted inmates two visit hours per week.

53. Thirdly, it remained the case that, in line with the relevant legislation, remand prisoners still had to request authorisation from the competent court for every single visit or telephone call.³³ The CPT recognises that on occasion it may be necessary, in the interests of justice, to impose certain restrictions on visits or phone calls for particular remand prisoners. However, it also reiterates its view that remand prisoners should, as a matter of principle, be entitled to receive visits and make telephone calls, rather than these being subject to authorisation by a judge. This precept is also set out in Rules 24.1 and 99 of the revised [European Prison Rules](#).³⁴ Any specific prohibition in a given case to permit such contact should be specifically substantiated by the needs of the investigation and be applied for a specific period of time. If it is considered that there is an ongoing risk of collusion, particular visits (or telephone calls) can always be monitored.

54. The Committee reiterates its recommendation that the Liechtenstein authorities amend the relevant legal provisions, including the prison's House Rules, in order to ensure that *all* categories of inmate are as a rule entitled to

- **regular and frequent access to the telephone at least once per week and**
- **at least one visit hour per week.**

The law should further guarantee that contact with a lawyer can never be totally denied.

28. Section 12.

29. Section 88 StVG.

30. With their own mobile phones through the prison's internet “hotspot”.

31. Appendix B of the House Rules.

32. Section 84 StVG.

33. Section 137 a StVG and Section 12 (3) of the House Rules.

34. See Rules 24.1 and 99.

As regards remand prisoners in particular, the CPT recommends that the Liechtenstein authorities take steps to ensure that the legal provisions governing their contact with the outside world are revised in light of the remarks made in the preceding paragraph.

The authorities should also consider providing the possibility of making video-calls to all categories of inmate.

55. Moreover, it is regrettable that newly arrived inmates – including foreign nationals in administrative detention – were generally only allowed to receive visits through glass partition for several months at the beginning of their detention. The CPT accepts that, in certain cases, it will be justified for security-related reasons or to protect the legitimate interests of an investigation, to have visits take place in booths. It also acknowledges that inmates with small children were apparently allowed a short “hugging time” of a few minutes with their children. Nevertheless, applying the same visiting restrictions indiscriminately to all inmates is not appropriate; “open” visits around a table should be the rule and “closed” visits in a booth the exception, for all categories of inmates. A decision to impose a closed visit should be well-founded and reasoned based on an individual risk assessment.

The CPT recommends that the Liechtenstein authorities take the necessary steps – including at the legislative level – to ensure that all inmates are able to receive visits without physical separation, except in individual cases where there may be a clear security concern.

7. Discipline

56. The CPT would like to highlight positively that the prison management appeared to be able to ensure a secure environment for inmates and staff without frequent recourse to disciplinary sanctions and in particular with extremely rare and very short recourse to solitary confinement (*Hausarrest*).³⁵ This is at least partly due to the above-described constructive relations between management, staff and inmates, based on the notions of dynamic security and care (see paragraph 48 above).

57. However, it is regrettable that the legal provisions on disciplinary sanctions remain too restrictive and have still not been brought in line with the CPT standards. As outlined above (see paragraph 35), basic rights and minimum standards must be guaranteed by law to all prisoners and should not merely depend on a prison manager’s individual practice.

58. In particular, the law³⁶ still allows sentenced and remand prisoners – including juveniles – to be held in solitary confinement for up to four weeks. The CPT must reiterate that any form of isolation may have a detrimental effect on the physical and/or mental well-being of the person concerned. Therefore, the legal maximum length of the sanction should be no more than 14 days for adults, and preferably lower.³⁷

As regards juveniles in particular, isolation may have an even more harmful effect on their physical and mental well-being. In this regard, there is a clear trend at the international level to promote the abolition of solitary confinement as a disciplinary sanction in respect of juveniles. Particular reference is made to the United Nations Standard Minimum Rules on the Treatment of Prisoners (*Nelson Mandela Rules*), which have recently been revised by a unanimous resolution of the General Assembly and which explicitly stipulate in Rule 45 (2) that solitary confinement shall not be imposed on juveniles.³⁸ The CPT fully endorses this approach.

35. The measures following a breach of rules were usually a talk with the manager about the causes of the infringement and eventually a reprimand or temporary exclusion from work. In very serious cases, on average less than once a year, solitary confinement was imposed for very few days in either the inmate’s own or a security cell.

36. Section 108 (1) StVG, applicable to remand prisoners via Section 133 (4) StPO.

37. See paragraph 56(b) of the [21st General Report on the CPT’s activities](#).

38. See also Rule 67 of the [United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#) (General Assembly Resolution A/RES/45/113, Annex).

59. Further, despite the specific recommendation made by the CPT in the report on the 2016 visit, the relevant legislation continues to provide that the sanction of solitary confinement usually entails a total prohibition on visits, phone calls and correspondence.³⁹

The CPT must stress again that any restrictions on contact with family and other persons as a form of disciplinary punishment can only be justified when the offence relates to such contact. Reference is also made in this respect to Rule 60.4 of the revised European Prison Rules.⁴⁰

60. As regards the disciplinary procedure, it is positive that the law requires that the inmate concerned must be heard, must be informed about appeal avenues and that interpretation should be provided if the inmate does not have a sufficient command of German.⁴¹ However, a written copy of the decision shall be given to the inmates concerned only upon their request and the law does not require for the decision to be reasoned.

61. The CPT recommends that the relevant legislation be revised in order to ensure that:

- **the legally defined maximum period for solitary confinement as a punishment for adults is no more than 14 days for a given offence, and preferably lower; sequential disciplinary sanctions resulting in an uninterrupted period of solitary confinement in excess of the maximum period should be prohibited;**
- **solitary confinement as a punishment for juveniles is fully abolished;**
- **disciplinary punishments do not include a total prohibition of contact with the outside world and that restrictions on contact are applied only as far as the offence relates to such contact;**
- **inmates facing disciplinary sanctions are systematically provided with a copy of the disciplinary decision, including the reasons for the decision.**

Further, the disciplinary procedures should be explained in the Prison House Rules.

8. Security-related issues

62. As mentioned above (see paragraph 30), the prison had two excellently designed secure cells which provided a safe environment for persons in a state of severe agitation or at risk of suicide and self-harm.

According to the security cell register, these cells were rarely used and, if so, mostly for less than a day.⁴² It is also positive that, according to the information received, placement in a security cell, and its extension, was only made upon authorisation of a medical doctor. The doctor also visited the person placed in a security cell immediately after their placement and – if they stayed in the cell for more than 24 hours – every day thereafter. Rip-proof clothing was available and reportedly given to the inmate concerned when necessary.

63. However, it is a matter of concern that Liechtenstein legislation still allows for the use of shackles (*Fesseln*) and straitjackets as special security means.⁴³ The Committee acknowledges that these means have not been applied in practice for many years. Nevertheless (see paragraph 35 above), in the interest of legal certainty, **the CPT recommends that these provisions be removed from the law.**

39. Section 108 (2) StVG.

40. Rule 60.4 of the revised European Prison Rules stipulates that punishments shall not include a total prohibition of family contact.

41. Section 110 StVG.

42. In the first three months of 2025, a security cell had only been used once, for nine hours. In 2024, the security cells had been used five times, of which four lasted less than 24 hours and the fifth less than 48 hours.

43. Section 96 (2) StVG and Section 133 (4) StPO.

9. Information for inmates

64. All inmates received a comprehensive information brochure upon their arrival. The brochure included, amongst others, the prison's House Rules, a universal request form, information on the availability of socio-psychological and religious services, and information about the modalities for visits. It is also positive that inmates were asked to sign to confirm their reception of the information brochure.

As was the case in 2016, the House Rules were available in eight foreign languages, but some of the other relevant information was only available in German. For other foreign languages, basic information was reportedly translated orally either by staff or by professional interpreters, who accompanied the inmates' lawyers soon after their admission.⁴⁴

The CPT recommends that all relevant information for inmates – in particular regarding the prison routines and inmates' rights and duties – be translated into a wider range of the most frequently needed foreign languages in order to ensure that the relevant basic information can also be provided to inmates in writing.

The authorities should further consider providing a simplified pictogram version of the relevant information for persons with reading difficulties.

Regarding the necessary update of the prison's House Rules, reference is made to paragraphs 39, 54 and 61 above.

10. Complaints procedures

65. In practice, internal complaints could be made orally to staff or to the prison manager, who appeared very approachable and usually responded swiftly, flexibly and individually. Internal complaints could also be made in writing by filling the general request form and placing it on an open shelf for requests in the accommodation corridor. However, these complaints were not confidential as they were seen by custodial staff.

The law further provided that external complaints against decisions of the prison manager could be filed with the Complaints Commission for Administrative Matters (*Beschwerdekommision für Verwaltungsangelegenheiten*).⁴⁵ However, the delegation was told that this "had not been practiced yet".

While some inmates made use of the internal complaint possibilities, others – in particular foreign nationals – claimed not to be aware of the possibility of filing a complaint. The House Rules (for those who received them in a language they understood) still contained only brief information stipulating that "After breakfast has been served, written or oral requests [...] or complaints (Section 114, paragraph 2, of the Law on Enforcement of Sentences) may be made by inmates to the staff member in charge."

The Committee recommends that inmates be systematically informed, orally and in writing, of the modalities to lodge internal and external complaints. Further, steps should be taken to ensure that inmates can lodge their complaints confidentially (for instance, by using locked complaints boxes and/or closed envelopes).

44. At the time of the visit, all inmates were foreign nationals and only some of them had a good command of German.

45. Section 114 (2) StVG and Section 4 (1) h of the Complaints Commission Act/*Beschwerdekommisionsgesetz*.

C. Situation of persons deprived of their liberty pursuant to decisions of Liechtenstein courts and transferred to establishments in Austria and Switzerland

66. As already mentioned in paragraph 31 above, the delegation interviewed several persons who had been deprived of their liberty by decisions of Liechtenstein courts and who had then been transferred and accommodated in establishments located in Austria and Switzerland. The transfer and the placement took place pursuant to framework agreements concluded by Liechtenstein with Austria and with the Swiss Canton of Sankt Gallen. The basic principle of both agreements was that the deprivation of liberty of such persons was governed by the rules applicable at the respective places where those persons were accommodated, with the exception of aspects touching upon temporary (leave), conditional and definitive liberation, for which Liechtenstein courts remained solely or at least primarily competent.

67. The delegation interviewed persons belonging to the aforementioned category and serving sentences at Innsbruck Prison (Austria) and Saxerriet Prison (Switzerland). Further, the delegation spoke with a person who had been declared criminally irresponsible and sentenced to compulsory psychiatric treatment, accommodated at the Forensic Department of Hall Regional Psychiatric Hospital (Austria).

It should be stressed that none of the interviewed persons made any allegations of ill-treatment by staff of the respective establishments. Further, the delegation did not hear any allegations and did not gather any other indications suggesting that the persons interviewed might have been victims of inter-prisoner (or inter-patient) violence.

68. Overall, the conditions of detention of the aforementioned persons appeared to be adequate. However, a number of issues of concern merit a mention in this report.

As regards Innsbruck Prison, these issues include: cramped and worn-out accommodation; insufficient number of non-smoking cells; lack of confidentiality of requests for medical consultations (which had to be made to custodial staff in an open form, stating the reason) and occasional long delays in access to doctors (in particular specialists); exposure to illegal drugs (lack of a drug-free unit); inadequate visiting entitlement (30 minutes per week, as compared with the CPT's minimum standard of one hour per week); rather limited access to a telephone (two calls per week); and insufficient written information for prisoners regarding house rules and inmates' rights (including the avenues of complaint).

As for Saxerriet Prison, the main issues of concern were: lack of access to genuine daily outdoor exercise for prisoners accommodated in the closed unit (they had access to an outdoor area only once a week, while for the remainder of the time they could use a caged area located in the end of the unit which did not allow proper physical exertion); a very cursory initial medical screening (without a proper physical examination), lack of confidentiality of medical data (being included in the administrative files of inmates) and distribution of medication by non-medical staff; exposure to illicit drugs (reportedly entering easily) in the open units; occasionally (for some prisoners) relatively low visiting entitlement in the closed unit (two hours twice per month, as compared with the CPT's minimum standard of at least one hour per week) and routine resort to closed-type visiting arrangements (through glass) in the closed unit.

Concerning the Forensic Department of Hall Regional Psychiatric Hospital, the only real issue of concern was the insufficient visiting entitlement (30 minutes per week, with the possibility of a longer, two-hours' maximum, visit every three months) although this was to some extent compensated by generous access to a telephone and video calls.



The CPT invites the Liechtenstein authorities to raise the above-mentioned issues with the competent authorities in Austria and Switzerland.

D. Involuntary psychiatric hospitalisation

1. Preliminary remarks

69. Persons with mental illnesses or mental disabilities can, under certain conditions, be involuntarily placed in a care institution under the Social Welfare Act (*Sozialhilfegesetz – SHG*).⁴⁶

Persons in respect of whom such placements are necessary are usually accommodated in psychiatric hospitals in Switzerland (and rarely in Austria) due to the lack of appropriate institutions in Liechtenstein.⁴⁷ Several agreements have been concluded with hospitals or health services abroad to regulate such placements. Despite these agreements, it remained unclear if the Liechtenstein Court's placement decisions were legally valid in Switzerland and Austria. In Austria, the Liechtenstein placement decisions were not usually recognised. Therefore, a new placement procedure under Austrian law was carried out for each patient. In Switzerland, the decisions had recently been recognised in many cases, but not in all.

In order to clarify the legal uncertainties surrounding involuntary placements abroad, a multidisciplinary working group had been set up by the Government several years ago. Based on the working group's final report, the Government decided in 2016 to initiate negotiations with the Swiss authorities to clarify the open legal questions through a bilateral treaty. It was also envisaged to consider concluding a similar treaty at a later stage with the Austrian authorities.

The delegation was informed during the visit that the negotiations with the Swiss authorities were almost finalised and that the draft treaty was with the Swiss authorities pending clarification of some legal details. Reference is made in this respect to the recommendation in paragraph 81 below.

70. As regards forensic patients, the rules governing the imposition by a court of preventive measures (*Maßnahmenvollzug*) remained unchanged since the CPT's last visit. Persons who have "committed a criminal offence [...] under the influence of a mental disorder" may be placed by court order for an unlimited period in an institution for mentally disturbed offenders (*Anstalt für geistig abnorme Rechtsbrecher*).⁴⁸ Similarly, involuntary placement in a specialised institution may be ordered in respect of substance dependent persons who have committed a criminal offence under the influence of intoxicating or narcotic substances (*entwöhnungsbedürftige Rechtsbrecher*),⁴⁹ or in respect of persons who are considered to be "dangerous recidivists" (*gefährliche Rückfalltäter*).⁵⁰

In the absence of an appropriate establishment on the territory of Liechtenstein, preventive measures were implemented in Austrian establishments, in accordance with the above-mentioned bilateral treaty concluded with Austria in 1982, which also regulates the holding of Liechtenstein convicts in Austrian prisons (see paragraph 32 above).⁵¹

Three persons were held in preventive detention in Austria at the time of the visit. The delegation met one person who had been declared criminally irresponsible and sentenced to compulsory psychiatric treatment, accommodated at the Forensic Department of Hall Regional Psychiatric Hospital (Austria). For further details on this matter reference is made to paragraphs 66 to 68 above.

However, the delegation was informed during the visit that at least one forensic patient had been temporarily held in a closed establishment in Switzerland. The CPT would like to be informed under which treaty such placement in Switzerland took place and how many forensic patients from Liechtenstein are currently being held in Swiss establishments.

46. Sections 18d ff.

47. For instance, the delegation was informed that at the end of February 2025, 11 involuntary patients from Liechtenstein had been held in different institutions in Switzerland in the St. Gallen, Zürich and Graubünden Cantons.

48. Section 21, paragraph 1, of the Penal Code.

49. Section 22 of the Penal Code.

50. Section 23 of the Penal Code.

51. [Treaty between the Principality of Liechtenstein and the Republic of Austria on the Accommodation of Prisoners](#)

2. Civil involuntary placement, review and complaint procedures

71. The most frequently applied involuntary placement procedure is the emergency placement procedure. In cases of imminent danger (*Gefahr im Verzug*), the Chief Public Health Doctor, their deputy or the physician on duty must order the immediate placement of the person and notify the court of first instance (*Landgericht*). The patient must be informed in writing about the reasons for the placement order and the possibility of being assisted by a person of trust.⁵² However, the law does not provide for the patient's rights to benefit from *legal* assistance and to be heard in person by the judge.

The court must approve or reject the initial (emergency) placement within five days. It is a positive development that this decision is now limited in time with a validity of up to six weeks.⁵³ An appeal against the court decision may be lodged to the Appellate Court within 14 days.⁵⁴ If the emergency placement is approved, and continued involuntary hospitalisation is considered necessary, the court must initiate the ordinary placement procedure (see below paragraph 74).

72. According to the documentation examined, the legal provisions concerning emergency placements were generally implemented in practice.⁵⁵ As regards the need for legal assistance in particular, the delegation was informed that, in practice, a legal advisor was frequently appointed. The advisors were law-school graduates (*Rechtsreferendare*) working for a period of six months with the Liechtenstein court. They met the patients in person at the hospitals abroad.

However, it is a matter of concern that reportedly no legal advisor was appointed when the patient was under guardianship for court matters. In the CPT's view, the right to legal assistance should be granted whether or not the patient is under guardianship.

73. Further, the CPT remains concerned by the fact that, despite the specific recommendations following previous visits, the patients were not heard by a judge in the context of the court's decision on the lawfulness of the placement.

74. Under the ordinary placement procedure (non-emergency), a Chief Public Health Doctor (*Amtsarzt*), their deputy or the Office for Social Services (*Amt für Soziale Dienste*) must apply to the court of first instance (*Landgericht*), which may then order an involuntary placement. The court must hear the person concerned and appoint a legal adviser (*Rechtsbeistand*) to assist them, but only "if necessary".

The law also requires that a "specialist opinion" (*Fachgutachten*) be sought.⁵⁶ According to the Liechtenstein authorities,⁵⁷ such opinion is always provided by an expert who is independent of the establishment where the person is placed. This is commendable. The reasoned placement decision must further be brought to the attention of the person concerned and other interlocutors such as the Office for Social Services and the Chief Public Health Doctor. An appeal against a decision on the initial placement (or against its renewal) may be lodged within 14 days to the Appellate Court.⁵⁸

75. According to the documentation examined, these legal provisions were generally implemented in practice.⁵⁹ As in the context of the emergency procedure, a legal advisor was frequently appointed in practice, but not when the patient was under guardianship for legal matters (see paragraph 72 above).

52. Section 18k (2)c and e.

53. Section 18k (2)f.

54. Section 29.

55. In addition, the patient was examined again by a hospital psychiatrist upon admission to the psychiatric hospital abroad, and patients were generally also informed about the possibility of filing an appeal.

56. Section 18i (1).

57. See their response to paragraph 70 of the CPT's 2016 report, CPT/Inf 2017 (50) at page 16.

58. Section 29.

59. The hearing of the patient took place by way of judicial assistance (*Rechtshilfe*) through a judge of the country where the patient had been placed.

76. Voluntary patients can, in certain cases, be retained at an establishment (*Zurückbehaltung*) on decision of the establishment's medical leadership (*ärztliche Leitung*). In such cases, the Liechtenstein law provides that the emergency procedure for involuntary placements should be applied, including the obligatory court review after up to five days as described above (paragraphs 71).⁶⁰ The delegation gained the impression that in these cases too the legal provisions were usually implemented in practice.

However, it remained unclear to what extent the retention procedures involved independent psychiatric expertise. In the CPT's view, the decision to deprive a psychiatric patient of their liberty should never be taken by one doctor alone but should always involve the expertise of a second independent psychiatrist. Commissioning a psychiatric expert opinion independent of the hospital in which the patient is held would in this context offer an important additional safeguard.

77. According to the law, any involuntary placement must be subject to an automatic court review by the Liechtenstein Court (*Landgericht*) after six months, then again after another six months and later once a year.⁶¹ Patients themselves can also request a review at any time. Such requests must be decided upon immediately in writing.⁶² The patient's discharge from the establishment is either decided by the court or by the hospital.⁶³ Regrettably, the law does not specify if any independent psychiatric expert must be involved, if there is a right to legal assistance and if the patients should be heard in the context of this review.

78. As for the practice, it appeared that the legal provisions concerning the review procedure were also generally implemented. However, as it was not guaranteed by law, legal assistance was often not provided.⁶⁴ Further, the patient or their guardian were usually asked to provide a written statement, but personal hearings did not take place.

Moreover, here again it also remained unclear to what extent the review procedures involved independent psychiatric expertise. As outlined above (paragraph 76), commissioning a psychiatric expert opinion independent of the hospital in which the patient is held would offer an important additional safeguard.

79. Regrettably, it also appeared that patients were not systematically informed about the legal possibility to request their release at any time.⁶⁵

80. Finally, the delegation could not get a clear answer as to whether the patients concerned had the possibility to file complaints against their treatment at the psychiatric establishment abroad and if they were informed accordingly.

81. The CPT recommends that the Liechtenstein authorities amend the legislation in order to ensure that, in the context of involuntary placement of patients and retention (of those formally considered as voluntary) in a psychiatric establishment and, at reasonable intervals, of their review, all patients are entitled:

- to be heard in person by a judge in the context of the court procedure and
- to benefit from legal assistance whether or not they are under guardianship.

As regards the involvement of independent expertise, reference is made to the precepts outlined in paragraphs 76 and 78 above.

Patients should also be systematically informed – at the very outset of their deprivation of liberty – about their right and the practical modalities to request release and to file complaints.

60. Section 18e, 18h and 18k SHG.

61. Section 18l SHG.

62. Section 18d (4) SHG.

63. Sections 18d (3) and 18g (3) SHG.

64. At least not for the patients who were under guardianship for court matters, see paragraphs 72 and 75.

65. Section 18d (4) SHG.

Further, as regards the draft bilateral treaty with the Swiss authorities concerning involuntary psychiatric hospitalisations in Switzerland, the Committee urges the Liechtenstein authorities to pursue their efforts to conclude the treaty. The treaty should ensure that the fundamental legal safeguards against ill-treatment are guaranteed throughout the patients' deprivation of liberty abroad (in particular the rights to have the need for continued involuntary placement regularly reviewed by an independent authority or a court and in this context to be heard in person by a judge, to have access to legal assistance, and to benefit from independent psychiatric expertise). Patients should also be able to file complaints at any time to internal and external bodies and to be informed accordingly.

The CPT would like to receive a copy of the treaty. As far as involuntary psychiatric placements of Liechtenstein patients may also take place in Austrian establishments, a respective treaty should be concluded with the Austrian authorities and submitted to the CPT accordingly.

APPENDIX I – List of establishments visited by the CPT’s delegation

Police establishment

- National Police Headquarters, Vaduz

Prison

- Vaduz State Prison

Establishments in Austria and Switzerland where persons are deprived of their liberty pursuant to decisions of Liechtenstein courts

- Innsbruck Prison (Austria)
- Forensic Department of Hall Regional Psychiatric Hospital (Austria)
- Saxerriet Prison (Switzerland)

APPENDIX II – List of the national authorities, other bodies and non-governmental organisations with which the CPT's delegation held consultations

A. National authorities

Ministry of the Interior, Economic Affairs and the Environment

Sabine Monauni	Deputy Prime Minister and Minister of the Interior, Economic Affairs and the Environment
Jules Hoch	National Police, Chief of Police
Stephan Gstöhl	National Police, designated Head of the Central Police Services (ZPD)
Michael Beck	National Police, Head of the Vaduz State Prison
Daniela Narr-Jäger	National Police, Legal Department
Martina Brändle-Nipp	Immigration and Passport Office, Head of the Legal Department
Julia Walch	Immigration and Passport Office, Head of the Asylum Department

Ministry of Infrastructure and Justice

Martin Alge	Office of Justice, Office Head
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Ministry of Social Affairs and Culture

Eva-Maria Mödlagl	Office of Health, Office Head
Silvia Dehler	Office of Health (<i>Amt für Gesundheit</i>), Public Health Doctor
Heidi Gstöhl	Office of Social Services (<i>Amt für Soziale Dienste</i>), Office Head
Alexandra Marxer	Office of Social Services, Head of Psychiatric and Psychological Services

B. Other bodies

National Preventive Mechanism

Sarah-Ladina Frick	Chair of the Prison Supervisory Commission (<i>Strafvollzugskommission</i>)
Tamara Moosmann	Deputy Chair of the Prison Supervisory Commission
Pepo Frick	Member of the Prison Supervisory Commission
Karin Quaderer	Member of the Prison Supervisory Commission

District Court

Lukas Oehri	District Judge
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C. Non-governmental organisations

- Association for Human Rights in Liechtenstein (*Verein für Menschenrechte in Liechtenstein*)
- Association for Probation Service Liechtenstein (*Verein für Bewährungshilfe Liechtenstein*)

“NO ONE SHALL BE SUBJECTED TO TORTURE OR TO INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT”

Article 3 of the European Convention on Human Rights

Established in 1989 by the Council of Europe Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the CPT's aim is to strengthen the protection of persons deprived of their liberty through the organisation of regular visits to places of detention.

The Committee is an independent, non-judicial preventive mechanism, complementing the work of the European Court of Human Rights. It monitors the treatment of persons deprived of their liberty by visiting places such as prisons, juvenile detention centres, police stations, immigration detention facilities, psychiatric hospitals and social care homes. CPT delegations have unrestricted access to places of detention, and the right to interview, in private, persons deprived of their liberty. They may access all the information necessary to carry out their work, including any administrative and medical documents.

The CPT plays an essential role in promoting decency in detention, through the development of minimum standards and good practice for states parties, as well as through coordination with other international bodies. The implementation of its recommendations has a significant impact on the development of human rights in Council of Europe member states and influences the policies, legislation and practices of national authorities regarding detention.



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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.