

GRECO: Fourth Round Evaluation Report on Liechtenstein



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News

On 16 December 2020, GRECO published its [fourth round evaluation report](#) on Liechtenstein. This evaluation round was launched in 2012 in order to assess how states address the prevention of corruption with respect to Members of Parliament (MPs), judges, and prosecutors (for other reports à [eucriM 1/2018, 39-40](#); [3/2019, 184](#); [3/2020, 196-197](#) with further references). The assessment includes ethical principles, rules of conduct and conflicts of interest, declarations of assets, prohibition or restriction of certain activities, enforcement of the applicable rules, and public awareness.

Liechtenstein is one of the smaller member states of GRECO. There are no civil society organisations working specifically on corruption, and the country is not covered by corruption perception indexes. Liechtenstein has made significant efforts to adapt its legislation to international requirements concerning various aspects of corruption and fully implemented GRECO's recommendations from the third evaluation round. Due to its size, however, the country faces specific challenges. For many years, only two parties had a political impact, both in parliament and in the government. This has changed in recent years. Currently, there are five parties in parliament, which has also influenced the balance between parliament and government. Another important aspect is the role of the prince, who is the head of state. His powers were greatly strengthened after a constitutional reform in 2003, which the Venice Commission found objectionable, particularly with regard to his veto power over laws passed by parliament.

A peculiarity in the judiciary is that a large number of judges work part-time, additionally serving as barristers in local law firms. Some even come from neighbouring countries, e.g., Austria and Switzerland. These issues might lead to real or perceived conflicts of interest. In contrast, prosecutors occupy full-time positions.

The perception in the country appears to be that corruption levels are low. There were virtually no corruption-related practices in the country, hence no cases reported in the judiciary and prosecution service so far. Against this background, GRECO recommends the following for MPs:

- Increasing the transparency of the legislative process as far as the parliamentary commission's preliminary examination of draft legislation is concerned;
- Adopting a code of conduct for MPs on various relevant integrity matters, accompanied by practical guidance and accessible to the public;
- Introducing *ad hoc* disclosure if conflicts emerge between specific private interests of MPs and a matter under consideration in parliamentary proceedings;
- Establishing rules on contacts between MPs and third parties seeking to influence parliamentary proceedings;

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- Introducing a system of public declarations on the financial and economic interests of MPs, including spouses and dependent family members;
- Promoting trainings and awareness-raising measures regarding the conduct expected from MPs as regards integrity and the declaration of interests, including the possibility of confidential counselling for MPs on these matters.

As far as judges are concerned, the GRECO report recommends the following:

- Significantly increasing the role of the judiciary in the selection process of judges, with all respective vacancies to be made public and more transparent;
- Adopting, supervising, and making publicly accessible a judicial code of conduct, including explanatory comments and practical examples;
- Carefully considering the issue of full professionalization of all judges and limiting the number of part-time judges;
- Introducing rules on conflicts of interest regarding judges who also practise as lawyers.

With regard to prosecutors, GRECO recommends developing a code of conduct, accompanied by explanatory comments and practical examples. Moreover, Liechtenstein is called on to provide training on various topics related to ethics and integrity, with the possibility of confidential counselling.

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