

# **2025 Annual Report**

## **of the Liechtenstein National Prevention Mechanism**

pursuant to Art. 17 of the Optional Protocol to the Convention against  
Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

### **I. Introductory remarks**

#### **A) Composition of the Liechtenstein National Prevention Mechanism**

In the Government's session of 12 December 2023, it appointed the current Prison Supervisory Commission [*Strafvollzugskommission*] pursuant to Art. 17 of the Penal System Act [*Strafvollzugsgesetz, StVG*] of 20 September 2007, LGBl. [*Landesgesetzblatt, Liechtenstein Law Gazette*] 2007 No. 295, for the term of office from 1 January 2024 to 31 December 2027. In addition to its duties pursuant to Art. 17 StVG, the Prison Supervisory Commission also carries out the duties of the National Prevention Mechanism (NPM). The powers and duties of the NPM in this context are laid down in Art. 17 et sqq. of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

In the reporting year, the Prison Supervisory Commission and therefore the National Prevention Mechanism was composed as follows:

- Sarah-Ladina Frick, Chair of the Liechtenstein Prison Supervisory Commission and of the Liechtenstein NPM;
- Tamara Moosmann, Deputy Chair of the Liechtenstein Prison Supervisory Commission and of the Liechtenstein NPM;

- Dr. Pepo Frick, Member of the Liechtenstein Prison Supervisory Commission and of the Liechtenstein NPM;
- Claudia Hagen, Member of the Liechtenstein Prison Supervisory Commission and of the Liechtenstein NPM;
- Karin Quaderer, Member of the Liechtenstein Prison Supervisory Commission and of the Liechtenstein NPM;

## **B) Dates and times of the individual visits and institutions**

In accordance with Art. 17 et sqq. of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (LGBI. 2007 No. 260), the NPM paid multiple visits to places of detention in the Principality of Liechtenstein in 2025. While the visit to the LAK<sup>1</sup>, St. Florin House in Vaduz had been announced, the other visits of the NPM were made without prior notice.

In the reporting year, the Liechtenstein NPM carried out its inspections at the following dates and times:

- 10 January 2025, from 10:30 to 12:00 Uhr, State Prison, Vaduz
- 19 February 2025, from 09:45 Uhr to 11:30 Uhr, LAK, St. Florin House, Vaduz.
- 11 June 2025, from 08:30 Uhr to 11:00 Uhr, State Prison, Vaduz
- 3 September 2025, from 13:30 Uhr to 16:30 Uhr, State Prison, Vaduz
- 9 December 2025, from 09:00 Uhr to 12:00 Uhr, State Prison, Vaduz
- 29 December 2025, from 09:00 to 11:00 Uhr, State Prison, Vaduz

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<sup>1</sup> Translator's note: LAK = *Liechtensteinische Alters- und Krankenhilfe*, Liechtenstein Old Age and Illness Care.

Preliminary meetings and debriefings were held by the NPM promptly before and after the supervisory visits, during which the general conditions and the respective course of action were laid down and the results were discussed.

In addition, meetings for exchange were carried out in 2025 by the NPM with the following institutions:

- 19 February 2025, from 11:30 to 13:30 Uhr, Guardianship Association [*Sachwalterverein*], Triesen
- 25 September 2025, from 11:30 Uhr to 13:00 Uhr, Human Rights Association (*Verein für Menschenrechte*), Schaan

Also, the Liechtenstein Prison Supervisory Commission / the Liechtenstein NPM were questioned during the visit of the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) in Liechtenstein on 7 April 2025. The results of the questioning will be part of the fifth CPT Report for Liechtenstein, but were not yet available at the time when the present report was prepared.

## **II. Inspection findings**

### **A) Vaduz State Prison**

#### **a) Facilities and access to detainees**

The members of the NPM were granted unlimited access to all common facilities and cells during all visits. Also, talks with detainees could be carried out by the NPM members without any limitations. The prison officers present provided the members of the NPM with suitable rooms offering the necessary privacy for the talks during the respective visits.

During the visits, the members of the NPM spoke not only with the persons detained in the State Prison but also with the prison officers present, inquiring about the detention and working conditions as well as about organisational procedures in the State Prison.

The furniture in the State Prison is generally functional but shows signs of wear and damage caused by use or age. When the NPM inquired about the general rhythm of replacement for the furniture in the State Prison, the answer was that only little resources were invested in checking and replacing furniture. Also, the furniture in the staff common room had been brought by the staff themselves. The NPM then suggested laying down criteria according to which furniture would be checked for wear and damage in accordance with its age and if necessary replaced, or if necessary promptly replaced on occasion following reporting by the prison staff.

When checking the facilities of the State Prison, it was also found in the reporting year that there were differences in the furnishing of showering facilities. While the shower in the women's section had been recently refurbished, the other two showers had not been refurbished. The prison officers confirmed that tiles would fall from the walls from time to time because of a continuing problem with humidity, which required continuous repair. The NPM then suggested that all showers in the State Prison be brought to the state of repair of the shower in the women's section.

A positive aspect concerning the furnishing of the State Prison is the new refrigerator installed during the reporting year; it has lockable compartments, so that it is now possible for every detainee to store a small amount of own food there.

#### **b) Treatment of detainees by employees of the State Prison**

During the vast majority of the quarterly visits to the State Prison, the detainees stated that they were treated very respectfully by the prison officers. The

detainees did not report to the NPM any direct or indirect occurrence of physical or psychological violence by prison officers.

In the reporting year, one detainee was dissatisfied with the medical care experienced and the corresponding treatment by the prison officers as well as by the medical doctor involved; that person subsequently filed a criminal complaint for failure to render assistance. Except for the case mentioned, no other situations were reported to the NPM in the reporting year that would indicate potential misconduct of the State Prison's employees vis-à-vis detainees.

During the visits of the NPM to the State Prison, the atmosphere was quiet, and the observable procedures gave the impression of well-coordinated routine. The NPM found in all the talks with the State Prison staff that the prison officers showed high personal commitment as well as understanding for the detainees and their needs but still kept their professional distance from the detainees and ensured that the rules were complied with. One positive aspect which the NPM would like to highlight is the prison staff's efforts to communicate with the detainees in spite of possible language barriers and their willingness to even acquire new language skills for this purpose.

In the reporting year, the prison officers divided the detainees into two separate groups for several months. The reason was a violent incident between two detainees of the State Prison, which incident even went to court as a result of an indictment for assault. According to the prison officers, there had been a verbal dispute, as a result of which one detainee had beat another and had caused an injury to that other detainee's head.

The prison officers stated that they had then immediately separated the two detainees involved in the incident, each in one of the two groups. Contact between the two groups had then been minimised by the prison officers as far as possible. This had been done to prevent another escalation, to protect the two detainees from each other, and to calm down the situation on the medium term.

In addition to the conflict described above, there was another conflict in the reporting year between two other inmates who shared a cell, as a result of which one of the inmates injured himself. In consequence, the two detainees involved were therefore moved into single cells by the prison officers. Here, too, separation served the purpose of de-escalation and the protection of the detainees.

### **c) Medical care, food, and hygiene**

All the detainees the NPM talked with during the reporting year stated that no timely medical admission examination by a health professional to ensure their individual fitness for detention had taken place when they had been admitted to the State Prison. The detainees stated that the first contact with a health professional had taken place as late as a few days after detention had started, that contact taking the form of a talk with the prison doctor. They stated that these talks had only lasted a few minutes, and that no vital parameters had been measured and there had been no questions as to existing allergies or intolerances. Pursuant to Art. 125 StVG, it is mandatory that a medical examination be carried out promptly after detention. The agreement between the prison doctor and the Office of Public Health concerning the services to be performed also includes such an examination within 24 hours after detention has started.

The effects of the lack of such an admission examination as to fitness for detention became obvious to the NPM by the talks with the detainees. The examination for fitness for detention of a detainee suffering from diabetes had also taken place as late as a few days after detention had started. No physical examination (such as a measurement of blood glucose) of that person had been carried out, either, even though a prescription for diabetes medication had at the same time been issued for the person concerned.

The detainee told the NPM that before the contact with the prison doctor, it had not been possible for several days to receive diabetes medication or equipment for measuring blood glucose. It had also not been made possible to pick up the person's own medical equipment (medication and device to measure blood

glucose). It is the view of the NPM that the described lack of diabetes medication and the resulting impossibility to treat the diabetes illness constitutes an unacceptable health risk for detainees, a risk which could be prevented by carrying out a medical admission examination during the first 24 hours of detention.

Another detainee who the NPM talked with in the reporting year also stated that a specific medicament (subject to prescription) had been critically required by him for health reasons. That medicament had to be brought to the State Prison by relatives because the admission examination by the prison doctor had been carried out only after a few days. During that examination, the doctor then had prescribed that medicament for him, and he had then received it through the prison. But if his relatives had been unable to bring the medication, it would have been impossible for the detainee to receive it, since no medical examination had been carried out promptly after detention had started.

On the basis of the feedback received during the reporting year, the NPM scheduled a meeting with the prison doctor in charge, who confirmed that there is currently no standardised procedure for an examination concerning fitness for detention and the corresponding medical admission examination. He also confirmed that the current admission examination is limited purely to a short conversation, and that the examinations do not take place within 24 hours. He also confirmed that no interpreter is present during the examinations if the persons does not speak German or English. During the meeting with the NPM, the prison doctor was open for an improvement of the current situation and indicated his readiness to develop a suitable standardised procedure in cooperation with the NPM for examining fitness for detention.

Accordingly, the NPM pointed out repeatedly during the reporting year that a mandatory, standardised procedure carried out by health professionals had to be installed to check fitness for detention in the State Prison. In the course of this procedure, the person's health status at the time of entering the State Prison must be recorded and documented in such a way that sufficient information on physical

health (alcohol test, drug test, signs of violence or self-injury, possible pregnancy of women), chronic diseases (risk of interrupting treatment), allergies (risk of intolerance or anaphylactic shock), infectious diseases (risk of contagion of other detainees, such as in the case of tuberculosis, hepatitis, HIV, ...), addictions and substance abuse (risk of withdrawal symptoms), and on mental health (risk of suicidality or psychological decompensation) is available for the person to be put in detention.

Also, possible requirements of medication must be recorded, and the corresponding medication must be ensured. A final assessment of fitness for detention must be made by a health professional on the basis of the information acquired by the admission examination. In addition, any present allergies, required medication, or other adjustment of the detainment situation necessary as a result of the state of health must be communicated by the health professional to the prison staff at the State Prison directly after the admission examination.

With persons who do not speak German or English, it must be ensured that the admission examination (as well as all other medical or psychiatric consultations) can be carried out without any limitations, and if this is not so, an interpreter must be called in.

In addition, the examination must be mandatory for all persons to be detained at the start of their detention and must not depend on whether the future detainee wishes or does not wish to subject to it. Any medical restrictions must be known from the outset for the prison officers to be able to react to them and make possible adjustments (such as suicidality, offering medication, taking into account of allergies).

During the reporting year, a pregnant detainee was held in the State Prison, which constituted a palpable challenge for the prison officers. Since no gynaecologist is assigned to the State Prison, the detainee was either taken to the State Hospital, or an emergency physician was contacted when there were health problems. In addition, the prison officers scheduled monthly appointments with a

gynaecologist. These external appointments did of course lead to substantial additional workload for the staff; however, the prison officers clearly communicated in the talks that the welfare of a pregnant person and her unborn child took precedence, and that they would rather obtain medical treatment once too often in order to ensure that mother and child would be well at all times.

Concerning food in the State Prison, all detainees stated to the NPM that the food in the State Prison was of good quality, and that religious dietary regulations were taken into account in a sufficient amount. The amount of food was also assessed as sufficient. The food is delivered to the State Prison by an external caterer and is not prepared in the State Prison directly. Inmates who were subject to food restrictions for health reason stated to the NPM that such restrictions had been taken into account rather slowly. The NPM assumes that this is in connection with the fact that so far, inmates have not been asked by the prison doctor about allergies or intolerances, so that the adjustment of the food offered had to be "negotiated" by the inmates directly with the prison officers.

Several inmates stated to the NPM that they would wish for more flexible showering times. Currently, it is possible to take a shower six times per week in the morning, which is considered a great plus. However, the inmates who do sports would like to have the opportunity to take a shower after sports, in particular in summer. Such flexibility in showering times is however currently impossible in the State Prison due to the lack of available human resources.

#### **d) Opportunities for inmates to work**

Since the State Prison is intended as a remand prison and is therefore oriented at short detention periods, the opportunities for inmates to work are limited. The prison officers do not have the space to create more substantial opportunities for work and to implement more commissions for work.

All the inmates interviewed by the NPM stated their interest in being able to work during detention. Inmates pending deportation also stated that they would wish for an opportunity to learn. This wish must also be considered in the context of the often long detention period of inmates pending deportation in the State Prison (up to 18 months).

In the reporting year 2025, the situation was positive in that there was in most cases sufficient work for those inmates who were able to work. At times when there is not enough work, the prison officers will assess the financial situation of the individual inmates and grant the opportunity for work to those who have the least financial means.

#### **e) Detention pending deportation**

Although the State Prison is intended as a remand prison, inmates pending deportation were detained in the State Prison throughout the reporting year. The detention situation is particularly strenuous for inmates pending deportation, since these are de facto detained within the penal system but should actually be in administrative detention. The State Prison staff stated to the NPM that the inmates pending deportation emphasized time and again that they had no idea why they were in prison, given that they were not criminal perpetrators. Accordingly, it was particularly difficult for them to fit in with and accept the detention situation, which they considered to be unjust, and taking care of them was a challenging task for the staff.

When asked about this by the NPM, the State Prison staff confirmed that all inmates pending detention showed self-harming behaviour. The inmates pending detention were under high mental pressure due to their fear of the return trip and the uncertainties connected with it (time, conditions, possible consequences, lack of perspective), which showed in the form of self-injury and addiction. Some of

the detainees had several meters of scars on their body as a result of self-injury, often from cutting injuries.

It was also discussed that the detention period of inmates pending deportation in the State Prison – which is intended for short-term detention only – is often too long by far. The prison staff stated that this had additional negative effects on the mental health of inmates pending deportation. Therefore, such inmates often requested medication to make the situation more bearable for them, which in turn brought the risk of addiction. During the reporting year, the long detention period was also observed by the NPM; for example, inmates pending deportation were interviewed who at the time of the conversation had already been in detention pending deportation in the State Prison for as long as 14 months.

The reporting year was the first time that the Liechtenstein NPM used interpreters in order to be able to talk with inmates pending deportation in their respective native languages, since there had often been language barriers during prior interviews. The inmates pending deportation interviewed by the NPM confirmed the assessment by the prison officers and stated that the situation was mentally strenuous for them, and that they did not know why they were in prison. They stated that they sometimes felt unable to shower or to eat because the situation was so strenuous for them. One inmate told the NPM that he had hardly eaten for the last 10 days because he was so unwell mentally. The inmate pending deportation whose head had been injured also reported that he was afraid of being attacked again in the State Prison and that he no longer felt safe. Positive aspects mentioned by the inmates pending deportation were the possibility to contact their family or friends on the telephone, and the way they were treated by the staff. The latter often helped them to translate official documents, a fact which the inmates perceived as a great way to support them.

The prison officers are attempting to deal with the situation in the best way possible, but they confirmed to the NPM that the inmates pending deportation required a different detention regime than the regular pre-trial detainees. A

different way of accommodating detainees pending deportation could also create the opportunity for them to prepare for returning to their home country, as is already happening in other institutions for detainees pending deportation in neighbouring countries. This way of creating a perspective for life after deportation would increase the willingness to travel back and reduce resistance and self-harming behaviour. In addition, this would take some workload off the staff of the State Prison, since no more conflicts would be created by the fact that there were different guidelines and rules for pre-trial detainees and detainees pending deportation (such as use of telephones, legal representation, working).

#### **f) Inmates with mental issues**

The increase in the number of inmates with mental issues that was observed over the past years has continued in 2025. The persons responsible stated that since the State Prison is so small and is purely a remand prison – which means that inmates typically stay only for a short period – it is almost impossible to get suitable programmes and therapies in motion on an individual basis. In addition, the State Prison does not have any staff with psychological or psychiatric training. The prison doctor and the prison psychiatrist are not on site on a permanent basis but only depending on the situation, which has the result that prompt action becomes more difficult in exceptional mental situations or crises.

Also, a new prison psychiatrist is being looked for, since the current prison psychiatrist will retire in the near future. According to the persons responsible, the search has been unsuccessful so far, which is why the current prison psychiatrist has agreed to continue his work somewhat longer until a suitable solution has been found. If the position were to remain vacant, the care of inmates with mental issues would become even more difficult.

As a result of the agreement with the Austrian authorities entered into in 2024, the challenge of treating inmates with mental health issues could be mitigated in part, but inmates with mental health issues still pose a substantial challenge for

the State Prison in everyday operations because there often remains some time in the State Prison before such inmates can be transferred to Austria.

In addition, detainees pending deportation are not part of this agreement, but these are the very inmates that are under particular mental stress. It should also be mentioned that there is a large overlap between addiction and mental health issues. During the reporting year, there were once again inmates in the State Prison who had an addiction background. Here, too, the State Prison – intended as a remand prison – meets its limits if such inmates stay in the State Prison for a longer period of time.

#### **g) Female detainees**

The State Prison had two female inmates during the reporting year. The two female inmates were always accommodated in a separate area of the State Prison. It was possible for the two inmates to be in contact in this area during the day, so that an isolation of the female detainees could be prevented.

The female inmates also had the opportunity to walk and do sports in a special courtyard every day. Contact with the male inmates existed only because both inmates had a family relationship with one of the male inmates, so that the possibility of regular contact (with a separating glass plate) had been created by the employees of the State Prison.

#### **h) Juvenile detainees**

During the reporting year, one person was detained in the State Prison who at the time of admission was assumed to be a minor. There was no examination concerning fitness for detention when detention started; rather, contact with the prison doctor took place a few days later and was limited to a short conversation. The purportedly minor detainee stated to the NPM that he was spending the entire day in his cell, since he was not allowed to have contact with the other, adult inmates. He also was not allowed to call his relatives on the telephone or

have visitors, since there was a danger of collusion. His daily contact with other people was limited to seeing the prison staff when they brought him food. He was otherwise alone in his cell. He would also be alone in the yard, which is why he did no longer use it.

The prison officers informed the NPM that as far as the staff was concerned, there were no differences between the treatment of adult inmates and juvenile inmates, apart from the latter's isolation from the adult inmates. The prison officers also confirmed that the inmate in question was de facto isolated in his cell. As a result of the danger of collusion, the inmate was not permitted to have contact with his family, neither in person nor on the telephone. Under the provisions governing the danger of collusion, there was no mitigation for juvenile detainees. It was only when the danger of collusion would cease to apply that juvenile inmates would be allowed to have phone calls with or visits from their relatives. Isolation as far as contact with the other, adult inmates was concerned would continue for minors even when there was no longer any danger of collusion.

The juvenile inmate told the NPM that since his detention had started, a social worker from the Office of Social Services had visited him (with an interpreter), and that these and his lawyer were the inmate's only contacts apart from the prison staff.

In this specific case, doubts had arisen over time with regard to the age of the purportedly juvenile detainee. But regardless of whether the person in this specific case was or was not a minor, the case itself exemplifies for the NPM the problems caused by the admission of minors to the State Prison. What the NPM considers to be particularly critical is the enormous extent of isolation existing for juveniles admitted to the State Prison. The NPM therefore suggested that a standard procedure be developed with all public authorities involved for the detention of minors in the State Prison, and that alternatives for the admission of juvenile pre-trial detainees be examined at the same time. In this, special emphasis is to be placed on minimising isolation, the possibility of contacting relatives (if applicable, through the lawyer or third parties), and the elaboration of a structure for the day.

### **i) Dog present in the State Prison**

The NPM noticed during its visits that the dog which had otherwise been mostly present in the State Prison was no longer there. Upon inquiry, the prison staff told the NPM that there had been a change to the guidelines. It was no longer permitted to have the dog on the premises, since the relevant provisions had been harmonised with those applicable to the police.

It is a well-known fact that the presence of animals in prisons has positive effects both on the well-being of the individual inmates and on the general atmosphere in the prison. Animals can reduce the sense of isolation felt, have a positive influence on the social behaviour of the inmates, and have a de-escalating effect, since they react to tensions. In the penitentiary system, pre-trial detention is one of the most mentally strenuous phases, which is why it appears important to the NPM to create an atmosphere that is as free as possible from tensions, which can be created with simple means, such as the presence of an animal. The NPM therefore suggested in the reporting year to assess whether the presence of animals / a dog (as an already proven measure) could be re-established in the State Prison.

### **B) Visit to St. Florin House, Vaduz, of the LAK**

On 19 February 2025, the members of the NPM paid a pre-announced visit to the nursing home of the LAK's St. Florin House, Vaduz. In St. Florin House, care is provided for patients suffering from dementia illnesses and therefore may require measures restricting their mobility if necessary.

The NPM visited the generally accessible facilities of the institution and a patient's room. There was a meeting with the management of the institution and an interview with a nurse working there. Due to the residents' mental health condition, it was impossible to interview any of them.

The common rooms of St. Florin House were furnished in a loving and comfortable style and offered sufficient room for various activities. The rooms have a standard functional furniture and may then be furnished by the individual residents by bringing their own furniture (to a predetermined extent). All facilities visited by the NPM were flooded with light and very clean.

During the visit of the NPM, the residents were staying in the common room, and the atmosphere in the facility was relaxed and quiet. The members of the NPM were able to observe the loving attitude of the nursing staff towards the residents. There was also a cat, which has lived in the nursing home for years, moves freely on the premises of St. Florin House, and is the residents' favourite. During the visit of the NPM, one of the employees also had her dog with her, which was also staying in the common room. The residents obviously enjoyed the presence of the two animals.

Concerning potentially mobility-restricting measures, it can be noted that the ward where persons suffering from dementia are cared for does not have any doors to the outside that are closed by keys or locks. Rather, the exit door of the ward is secured by a code. The code itself is written right next to the door. However, due to their dementia, the residents are typically no longer able to read the code and then enter it correctly. Accordingly, this system ensures that the persons – who as a result of their illness often have a strong urge to move – cannot leave the building unnoticed. This security measure works without the need for strongly secured doors, which would give the impression to the residents that they are "locked in".

In addition, St. Florin House understands itself as an open house inasmuch that the residents may have visitors at any time. There are no fixed visiting times; rather, the relatives know the code for the door and are therefore able to visit St. Florin House at any time.

Various topics were addressed by the members of the NPM in the talks with the management and the employee of St. Florin House. It was noted that mobility-

restricting measures were only rarely necessary in St. Florin House, and that it is always attempted as a first step to find organisational solutions by which potentially mobility-restricting measures will not become necessary in the first place.

Where they are necessary, however, these measures are carried out in agreement with the doctor treating the resident in question. The management / the employee stated that such steps are also closely coordinated with the patient's relatives.

The NPM also addressed the issue of how the institution manages to protect the nursing staff from violence by the patients, since attacks against nursing staff may happen on occasion in the context of dementia illnesses. The staff reported that the LAK had guidelines in this context, which the staff used. In general, the LAK had already elaborated many guidelines and had thus created much transparency as to how the nursing staff is supposed to deal with the individual challenging situations.

Cooperation between the employees in St. Florin House was described as very positive, supporting, and sympathetic, and the amount of staff available is considered to be sufficient in view of the number of residents currently present. The NPM noticed during the talks that the staff know the individual residents well, are aware of their needs, and are also in close contact with the residents' relatives.

In summary, the members of the NPM had a very positive impression during the visit to St. Florin House about the implementation of nursing activities concerning persons suffering from dementia. The NPM took very positive notice of the friendly surroundings and the respectful and appreciative treatment of the present dementia patients.

During the reporting year, the NPM did not receive any information concerning persons in any of the dementia wards of the LAK being subjected to any unjustified measure depriving persons of liberty or restricting their mobility.

### **III. Cooperation with the Government and with other authorities and institutions**

#### **A) Cooperation with and access to the institutions visited**

Just as in the previous year, the cooperation between the Liechtenstein NPM and the competent Liechtenstein authorities and with the institutions visited by the NPM was once again very good during the reporting year.

#### **B) Annual exchange with the Government, the Office of Justice, and the National Police**

The annual exchange between the NPM of the one part and the Government (represented by the Ministry of Social Affairs and Justice), the Office of Justice, and the Liechtenstein Police of the other part took place on 11 November 2025.

The exchange was characterised by an open and constructive discussion of the topics addressed during the reporting year in the quarterly reports of the Prison Supervisory Commission. As had been communicated during last year's annual meeting, the NPM's activities in the year 2025 focused on the situation of detainees pending deportation. It could be found during the talk that all parties knew of the problems concerning detention pending deportation and none of the persons present was happy with the current situation.

The parties present at the meeting also showed understanding for the fact that detainees pending deportation are under substantial mental strain (traumata resulting from experiences during flight, fear from returning home, debt incurred for fleeing, etc.), resulting in mental health issues, self-harming behaviour, suicidal thoughts, or addiction during detention. The parties present were also unanimous in their assessment that the State Prison is unable to treat mental health issues and addictions to a sufficient extent, since – being intended as a remand prison – it can offer neither psychological nor psychiatric nor psychosocial intervention to stabilise the mental situation of detainees. The creation of opportunities for help

is also rendered more difficult by the language barrier often encountered. Also, detainees pending deportation with mental health issues cannot be brought to psychiatric institutions in Switzerland and must therefore often remain in the State Prison. There is an option for stationary psychiatric treatment in Austria, but this is only one room, which is also used by Austrian detainees and is occupied most of the time.

The prolonged detention period for inmates pending deportation, the differentiated handling of detention in one prison, and the corresponding challenges for the staff at the State Prison were also discussed in detail during the meeting.

However, it was also clearly communicated to the NPM during the exchange that even though the mentioned issues had been identified, the present parties were flatly unable to offer any options for solution in the short term to improve the situation of detainees pending deportation in Liechtenstein. A solution involving the Altstätten Deportation Centre had been considered but would be impossible to implement by the police, since the geographical distance was too large, which would make the conditions for deportation more difficult. As a result of this feedback, the NPM will keep its focus on detention pending deportation also in the year 2026.

In addition, the National Police will carry out an investigation to find a short-term and medium-term perspective for improving the situation of detainees pending deportation and for finding possible alternative solutions.

Another focus topic of the NPM for 2026 results from the meeting of the NPM with the representatives of the CPT carried out in the reporting year. The NPM was already informed in the course of the visit that it had in the past not carried out its duties to their full extent. It was in particular criticised that the Liechtenstein NPM does not currently carry out any supervision with regard to the activities of the Liechtenstein National Police and the measures employed there to restrict the liberty of persons or deprive them of liberty; rather, the NPM merely reviews the penitential system and the closed wards of the LAK. It was subsequently laid down

by all parties present at the exchange that specifications will be created for the Liechtenstein NPM on the basis of the CPT report, which should become available in spring 2026. However, the measures carried out by the National Police to deprive persons of their liberty will in any case be covered by the NPM in 2026 already.

During the exchange, medical and psychiatric care in the State Prison and in particular the admission examination by a health professional as to fitness for detention was also addressed. The National Police stated that they were aware that examinations were currently not carried out during the legally prescribed timespan of 24 hours after the beginning of detention. They were not happy with this, but argued that it was the result of the fact that it was very challenging to fill the position of prison doctor and to find someone who would bring the flexibility in terms of time to carry out the examinations promptly.

Previous attempts to find a doctor from Liechtenstein had been unsuccessful, which is why the current prison doctor was from Vorarlberg/Austria. It was equally difficult to find a prison psychiatrist, but this would become an urgent topic due to the impending retirement of the current doctor. Inquiries with the Liechtenstein Medical Council had not led to success in either case. The National Police stated that as a consequence, it was being considered for 2026 to carry out a general review of personal profiles in the State Prison, and that it was also being considered in this context whether the admission examination could be carried out not by a medical doctor but by a health professional. The NPM offered its assistance in elaborating such a solution.

The National Police is also examining whether – as a result of the prolonged stays of inmates in the State Prison – it will be possible to create better psychological and/or psychotherapeutic support of detainees in Liechtenstein, regardless of whether the detainees are in pre-trial detention or in detention pending deportation.

## C) Exchange with the Human Rights Association

The annual exchange of the NPM with the Liechtenstein Human Rights Association (*Verein für Menschenrechte in Liechtenstein*, VMR) took place on 25 September 2025. Technical content and topics concerning both the NPM and the VMR were discussed in the course of a constructive and appreciative talk.

The topic of (juvenile and adult) detainees pending deportation was discussed in more detail, as were the current prolonged detention periods for both pre-trial detention and detention pending deportation in a prison intended only for short-term detention.

What was also discussed were the complaints submitted to the VMR by Liechtenstein persons detained in Austria. The VMR will take additional steps here since the Liechtenstein NPM is, as a result of its jurisdiction, unable to review detention situations abroad.

It was discussed in general terms that the State Prison was intended as a pre-trial prison for adult men and will accordingly meet its limits where minors or women are in detention in addition to the regularly detainees. Although it does not happen very frequently that juvenile or female detainees are held in the State Prison, the NPM and the VMR would consider it useful if there were a standardised procedure for both situations, which could then be used for orientation when the occasion arises. The competencies of the various authorities would be clearly defined, and no improvised individual solutions would have to be found with the consequence that – depending on the circumstances – juvenile or female detainees would de facto be in isolated detention in the State Prison for a long time.

Just like in the previous year, there were intensive discussions in the reporting year on medical care in the State Prison as well as the situation of inmates with mental health issues and addictions. Despite the agreement with Austria, there are still persons with mental health issues and addictions in pre-trial detention or in detention pending deportation, and there is no personnel with the required training in the State Prison. There is also still no standardised and prompt medical

examination to check for fitness for detention and thus also the physical and mental health of the detainees.

In the context of the exchange, the VMR also criticised that the accommodation conditions in the State Prison come with limitations as to contact with relatives. There was no room for conjugal visits, no family room, and no playing room. There was no support of families and no preparation or follow-up support of visits to the State Prison, nor was there any clear set of rules in this regard. The VMR had already contacted the management of the State Prison in this regard, but there had been no efforts for improvement so far. In this context, the furnishing of the State Prison in general as well as the space available there were discussed, and it was found that in view of the limited room available and the way the State Prison was currently being used, building a new prison to meet the adjusted requirement in the Liechtenstein penitentiary system should be taken into consideration.

#### **D) Exchange with the Liechtenstein Guardianship Association**

A first-time exchange took place in the reporting year on 19 February 2025 between the Liechtenstein NPM and the Liechtenstein *Sachwalterverein* (Guardianship Association).

The exchange had the purpose of getting to know each other and finding interfaces as well as of pointing out the respective competencies and duties.

In particular, the NPM broached the issue of how the contact with and the accompaniment of detained persons with a guardian takes place in Liechtenstein and abroad. It was found that the Guardianship Association holds contact with detainees subject to guardianship in foreign penitentiaries in particular by telephone and video telephone, while on-site visits of guardians are typically impossible because the distances involved would entail a substantial workload for the Guardianship Association.

Persons who are subject to guardianship and are detained in the State Prison are regularly visited on-site by the Guardianship Association and are accompanied and supported over the course of the criminal proceedings. The Guardianship Association is the entity competent for applying for legal aid for the persons subject to guardianship, and the guardians are also present during the court hearings and accompany persons subject to guardianship to the interrogations at the police. To ensure that this can happen, the guardians are informed of any arrest of a person subject to their guardianship, so that they can take the necessary measures. The Guardianship Association also cooperates with the Liechtenstein Probation Service (*Bewährungshilfe*) with regard to the persons subject to their guardianship and considers this cooperation to be a very positive one.

#### **IV. Summary and outlook**

It can be noted for the reporting year 2025 that the institutions in Liechtenstein visited by the Liechtenstein NPM where persons are deprived of their liberty are kept in a professional way.

The treatment of the persons deprived of their liberty in Liechtenstein is positive in most cases. The situation of detainees pending deportation in Liechtenstein is an exception. Due to the current practice that detainees pending deportation are accommodated in a prison intended as a remand prison rather than a prison for administrative detention, the liberty of the persons concerned is restricted excessively. In this, the current situation leads to mental strain for the detainees pending deportation as well as to an increased workload for the prison officers, who have to manage two different detention regimes in one prison. The NPM therefore suggests to examine alternative accommodation for detainees pending deportation.

The limited room on the premises of the State Prison also has the consequence that where there are several detention regimes and where female and juvenile

detainees are accommodated, but also where groups of detainees must be separated, the natural consequence is unrest, conflicts, a strained general atmosphere, and a high organisational and staff workload, so that the isolation of individual inmates cannot be avoided.

The NPM therefore recommends a fundamental reassessment of the spatial conditions of the State Prison in view of the current use as a remand prison for men, women, and juveniles as well as a detention facility for administrative detention / detention pending deportation for men, women, and juveniles.

In summary, last year's finding can be maintained that with regard to the pre-trial detainees no systematic grievances can be found by the NPM, and that detainment in this regard is mostly in line with the provisions of the law. One exception is the lack of a prompt admission examination by a health professional in the State Prison concerning fitness for detention and the resulting consequences. The NPM therefore suggests that the procedures connected with the admission examination be adjusted, and that the examination take place within the first 24 hours of detention, as is prescribed by the law and the agreement between the prison doctor and the Office of Public Health concerning the services to be performed. The NPM also suggests examining at the same time how the psychological, psychotherapeutic, and psychiatric care of detainees with mental health issues and addictions in the State Prison could be improved.

What is crucial for 2026 in the view of the NPM is that a catalogue of tasks be laid down for the Liechtenstein NPM in cooperation with the Government and the authorities involved on the basis of the CPT Report. The NPM will then be able in 2026 to act on the basis of this catalogue of tasks and carry out additional reviews of measures potentially depriving persons of liberty in Liechtenstein.

Balzers, April 2026