

Schengen acquis

Liechtenstein is part of the Schengen Area. The Protocol⁸ to the Swiss Association Agreement⁹, - which was entered into for Liechtenstein's accession to the Schengen Treaty and entered into force on 7 April 2011 - is an international treaty, which just like the EEAA applies directly in Liechtenstein as an agreement under international law. Pursuant to that Protocol's Art. 2, the provisions of the Schengen acquis listed in Annex A and Annex B to the Association Agreement as they apply to the Member States of the European Union shall be implemented and applied by Liechtenstein under the conditions envisaged in these Annexes. Furthermore, new acts or measures of the Union must be implemented subject to Art. 5.

Dublin acquis

The Dublin/Eurodac acquis entered into force in Liechtenstein on 1 April 2011.¹⁰ Pursuant to Art. 2 of the respective Protocol, the provisions of the Dublin Regulation and the Eurodac Regulation including their implementing Regulations shall be implemented by Liechtenstein and applied in its relations with the Member States of the European Union. Furthermore, acts or measures amending or building upon that provision shall be applied too (Art. 5).

ECHR

The ECHR entered into force in Liechtenstein on 8 September 1982.¹¹ Pursuant to Art. 15 (1) of the *Gesetz über den Staatsgerichtshof* (StGHG, State Court Act), the State Court decides on complaints as far as the complaining party asserts that a right of such party guaranteed by the Constitution or by international agreements has been violated. These international agreements¹² first and foremost include the ECHR (lit. a).¹³

⁸ See in this context: the Protocol between the European Union, the European Community, the Swiss Confederation, and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community, and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, LGBl. 2011 no. 131 (German text).

⁹ See also in this context: Astrid Epiney/Andrea Egbuna-Joss, Rechtsfragen der Mitwirkung Liechtensteins am Schengen-System und an der europäischen Asylpolitik, LJZ 2007, p. 52 – 69 (p. 54).

¹⁰ Protocol between the Swiss Confederation, the European Community and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the Swiss Confederation and the European Community on the criteria and procedure for determining the State responsible for examining an application for asylum lodged in a member state or in Switzerland, LGBl. 2011 no. 132 (German text).

¹¹ In detail: Wolfram Höfling, Liechtenstein und die Europäische Menschenrechtskonvention, in: Archiv des Völkerrechts 1998/2, p. 141 et seq.

¹² The other international agreements included in Art. 15 (2) StGHG are:

- the International Covenant of 16 December 1966 on Economic, Social, and Cultural Rights (lit. b),
- the International Convention of 21 December 1965 on the Elimination of All Forms of Racial Discrimination (lit. c),