

*d) other instruments of international law at international level?*

As has been mentioned, it is stated in Art. 15 (2) StGHG that rights that are quasi equivalent to those granted by the Constitution<sup>71</sup> are also granted by treaties such as

- 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),
- the Convention of 18 December 1979 on the Elimination of all Forms of Discrimination against Women (lit. d), and
- the Convention of 10 December 1984 against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (lit. e).

There is only occasional practice of the State Court as to these treaties, namely concerning the ICERD and concerning the ICCPR.<sup>72</sup>

*3. Are there any provisions of constitutional law imposing a legal obligation on the constitutional court to consider decisions by European courts of justice?*

There is no explicit obligation. One should however mention Art. 34 of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice<sup>73</sup>, according to which the EFTA Court will prepare opinions on the interpretation of the EEA Agreement. If such a question is submitted to a court of an EFTA state and if that court considers a decision on that question to be crucial for rendering its judgment, it may submit that question to the EFTA Court to prepare such an opinion. The fact alone that this is an "opinion" already shows that there is no mandatory obligation to take it into account,

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<sup>71</sup> In more detail: Peter Bussjäger, *Beschwerde*, p. 867.

<sup>72</sup> Concerning the ICERD, see StGH 2005/89 = LES 2007, 411 (412); StGH 2008/67; StGH 2011/203, [www.gerichtsentseide.li](http://www.gerichtsentseide.li). Concerning the ICCPR, see for example StGH 2009/79 + 80; StGH 2011/32, [www.gerichtsentseide.li](http://www.gerichtsentseide.li); StGH 2011/80, [www.gerichtsentseide.li](http://www.gerichtsentseide.li); StGH 2011/81, [www.gerichtsentseide.li](http://www.gerichtsentseide.li); StGH 2012/21; StGH 2012/100, [www.gerichtsentseide.li](http://www.gerichtsentseide.li); StGH 2012/130 and StGH 2013/11, [www.gerichtsentseide.li](http://www.gerichtsentseide.li).

<sup>73</sup> LGBl. 1995 Nr. 72.