



## **Rights and duties of the Reigning Prince (extract)**

The Principality of Liechtenstein is a constitutional hereditary monarchy on a democratic and parliamentary basis. The rights and duties of the Head of State are laid down in the Constitution of the Principality of Liechtenstein of 5 October 1921:

### **Immunity (Art. 7 para. 2)**

The Reigning Prince is not subject to jurisdiction in Liechtenstein and enjoys comprehensive immunity. The same applies to any member of the Princely House who exercises the function of Head of State on behalf of the Reigning Prince.

### **Foreign affairs (Art. 8)**

The Reigning Prince represents the State of Liechtenstein in all its relations with foreign countries.

The Reigning Prince performs this function without prejudice to the requisite involvement of the responsible Government. As Head of State, the Reigning Prince either signs international treaties in person or delegates this task to an authorised representative. Some international treaties also require the approval of the Parliament in order to be valid.

In foreign policy, the Head of State plays an active role that goes beyond the general duties of representation. For example the Liechtenstein Legation in Bern, which was established in 1944 under Reigning Prince Franz Josef II at the expense of the Princely House, is the fruit of such active foreign policy. The same applies to the country's accession to the United Nations in 1990 and to the European Economic Area (EEA) in 1995, both of which were initiated by Reigning Prince Hans-Adam II.

### **Sanction (Art. 9 and 65)**

The Reigning Prince is actively involved in the legislative process.

For any law to attain legal force, it must, in addition to the assent of Parliament, be sanctioned by the Reigning Prince, countersigned by the responsible Prime Minister and promulgated in the Liechtenstein Legal Gazette (Landesgesetzblatt).

If the Reigning Prince does not give his assent within six months, a bill does not enter into force and is irrevocably rejected. In the last hundred years, the Reigning Princes have exercised their veto right four times:

1921, on the Finance Bill. The Reigning Prince was of the opinion that the salary of the Prime Minister should be paid entirely by the State.

1961, on the draft of a new hunting law. The problem in this case was the inadequate drafting of the law.



1994, when the Law on the Liechtenstein State Court was amended. This concerned the State Court's power of interpretation.

1998, when the Law on the Promotion of Adult Education was amended. The Reigning Prince was concerned that not all religious communities could benefit from state funding.

All cases have in common that the refusal to sanction was explained by the Reigning Prince.

### **Issuance of emergency decrees (Art. 10)**

The Reigning Prince has the right to issue emergency decrees in certain circumstances.

This enables the Reigning Prince – in compliance with constitutional requirements – to take the necessary measures for the security and welfare of the state in urgent cases without the involvement of Parliament. Emergency decrees expire at the latest six months after they have been issued.

### **Courts (Art. 11 and 96)**

The Reigning Prince and Parliament use a joint committee to select judges.

The Reigning Prince chairs this committee and has the casting vote. He may appoint as many members to this body as the number of representatives delegated by Parliament. Parliament sends one representative from each electoral group represented in Parliament. The Government delegates the Minister of Justice. The body may only recommend candidates to Parliament with the consent of the Reigning Prince. If Parliament elects the recommended candidate, the Reigning Prince appoints the person as a judge.

If Parliament rejects the candidate recommended by the body and no agreement is reached on a new candidate within four weeks, Parliament shall recommend an opposing candidate and call a popular vote. In the event of a popular vote, citizens with the right to vote are also entitled to nominate candidates subject to the conditions of an initiative (Article 64). If more than two candidates are put forward, the vote shall be held in two rounds. The candidate obtaining the absolute majority of the votes will be appointed as judge by the Reigning Prince.

### **Right of pardon (Art. 12)**

The Reigning Prince has the right of pardon.

This enables the Reigning Prince to pardon convicted persons, to mitigate or commute legally adjudicated sentences, and to quash initiated investigations.

### **Oath of allegiance (Art. 13 and 51)**

Every successor to the throne shall, prior to receiving the oath of allegiance, declare upon his Princely honour and dignity in a written proclamation that he will reign over the Principality of Liechtenstein in



accordance with the Constitution and other laws, that he will maintain its integrity, and that he will observe the rights of the Reigning Prince indivisibly and equally.

In the case of a succession to the throne, Parliament must be convened for an extraordinary meeting within 30 days to receive the declaration of the Reigning Prince and to take the oath of allegiance.

### **Right to appoint a deputy (Art. 13bis)**

The Reigning Prince has the right to appoint a representative.

The Reigning Prince may entrust the next Heir Apparent of his House who has attained majority with the exercise of the sovereign powers as his deputy on account of temporary incapacity or in preparation for the succession to the throne.

### **Vote of no-confidence (Art. 13ter)**

No less than 1,500 Liechtenstein citizens have the right to submit a reasoned motion of no-confidence against the Reigning Prince.

Parliament shall issue a recommendation on such a motion at its next meeting and order a popular vote. If the motion of no-confidence is adopted in the popular vote, the House Law of the Princely House determines the next steps.

### **Parliament (Art. 48 and 54)**

The Reigning Prince has the right to convene Parliament, to close it and, for important reasons, to adjourn it for a maximum of three months or to dissolve it.

Traditionally, the Reigning Prince opens Parliament at the beginning of each year with a ceremonious speech.

### **Issuance of Princely decrees or ordinances (Art. 49 and Art. 85)**

The Reigning Prince has the right to issue decrees or ordinances. For example, at the beginning of the year the Reigning Prince summons Parliament by Princely ordinance. The appointment of a Reigning Prince's deputy is also regulated by Princely ordinance.

The Prime Minister is responsible for matters directly entrusted to him by the Reigning Prince and for the countersignature of the laws and any decrees or ordinances issued by the Reigning Prince.

### **Government (Art. 79 and 80)**

The Reigning Prince appoints the Prime Minister and the other members of the Government with the agreement of Parliament and on its proposal.



If the Government loses the confidence of the Reigning Prince or of Parliament, it ceases to hold office.  
If an individual member of the Government loses the confidence of the Reigning Prince or of Parliament, the Reigning Prince and Parliament decide on his or her dismissal by common accord.

### **Abolition of the monarchy (Art. 113)**

The people can introduce an initiative to abolish the monarchy.

This requires a petition of at least 1,500 voters. If the initiative is adopted by the People, Parliament must draw up a new Constitution on a republican basis. It must submit it to a popular vote after one year at the earliest and two years at the latest. The Reigning Prince has the right to present a new Constitution to the People in the same popular vote.