



## **Rights and obligations of the Reigning Prince**

The Principality of Liechtenstein is a constitutional hereditary monarchy on a democratic and parliamentary basis. The rights and obligations of the Head of State are enshrined 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 the 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 nations.

He performs this task regardless of the required cooperation of the government. As Head of State, the Reigning Prince either personally signs international treaties or delegates their signature to an authorized representative. Some treaties under international law require the consent of the Parliament in order to be valid.

In foreign relations, the Head of State plays a particularly active role that extends way beyond general official duties. The Liechtenstein legation in Bern, for example, which was established under Prince Franz Josef II at the expenses of the Princely House in 1944, is an example of the Princely House's active foreign policy. The same applies to the country's admission to the United Nations in 1990 and its accession to the European Economic Area in 1995, both of which were initiated by Prince Hans-Adam II.

### **Involvement in lawmaking (Art. 9, 64 and 65)**

The Reigning Prince is actively involved in the legislative process. He has both the right of initiative and the right of sanction.

The right of initiative enables the Reigning Prince to introduce a decree, an amendment or a repeal of a law in the form of government bills.

Unlike in other constitutional monarchies, the Reigning Prince as head of state is by no means reduced to merely formally signing and thus recognizing laws. Rather, the princely sanction is a substantial act in the legislative process. A bill only acquires the force of law and thus validity when it has been sanctioned by the Reigning Prince, countersigned by the Prime Minister and made public.

If the Reigning Prince does not sanction within six months, the bill does not enter into force and has definitely failed. So far, the Princely House has only exercised its right of veto on three occasions: In 1961 when a new hunting law was submitted, in 1994 when the constitutional court act was amended and in 1998 with the amendment of the Law on the Promotion of Adult Education. All cases have in common that the denial of the sanction was justified by the Reigning Prince.



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

The Reigning Prince has the right to issue emergency decrees under 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. The emergency decrees shall cease to have effect no later than six months after they are issued.

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

The Reigning Prince and the Diet use a joint body for the selection of judges.

The Reigning Prince chairs this body and has the casting vote. He may appoint as many members to this body as the Parliament sends representatives. The Parliament sends one representative from each electoral group represented in Parliament. The government sends the government member responsible for the judiciary. 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 him or her as a judge.

If the Parliament rejects the candidate recommended by the panel and no agreement can be reached on a new candidate within four weeks, then the Parliament must propose an opposing candidate and call a referendum. In the event of a referendum, the citizens of the country who are entitled to vote are also entitled to nominate candidates under the conditions of an initiative (Art. 64). If more than two candidates are put to the vote, the vote shall be held in two ballots in accordance with Art. 113, para.2. The candidate who receives an absolute majority of the votes shall be appointed 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 u. 51)**

In the event of an accession to the throne, the Parliament must be convened for an extraordinary session within 30 days. At this session, the heir to the throne confirms in a written document that he "will govern the Principality of Liechtenstein in accordance with the Constitution and the other laws, preserve its integrity and inseparably and in the same manner observe the sovereign rights". The members of Parliament then swear the oath of allegiance.

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

The Reigning Prince has the right to appoint a deputy.



The Reigning Prince may entrust the prince of his House who is next of age and entitled to succeed to the throne with the exercise of his sovereign rights as his deputy on account of temporary incapacity or in preparation for succession to the throne.

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

The People may bring a substantiated no-confidence motion against the Reigning Prince.

At least 1500 eligible voters must demand such a motion. If the motion of no confidence is passed, the Parliament makes a recommendation and orders a popular vote. If the motion is accepted in the popular vote, the house law of the Princely House determines the further procedure.

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

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

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

### **Enactment of princely decrees (Art. 49 and Art. 85)**

The Reigning Prince has the power to enact princely decrees.

The Reigning Prince convenes Parliament at the beginning of the year by means of such a decree. The Prime Minister attends to the business entrusted to him directly by the Reigning Prince and to the decrees and ordinances emanating from the Reigning Prince or a regency.

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

The Reigning Prince appoints the Prime Minister and the members of government in agreement with the Parliament, at the latter's proposal.

Should a government lose the confidence of the Reigning Prince or the Parliament, its mandate to exercise the office expires. Should an individual member of government lose the confidence of the Reigning Prince or the Parliament, the Reigning Prince and the Parliament decide by mutual agreement on his or her dismissal.

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

The people may introduce an initiative to abolish the monarchy.

At least 1500 eligible voters must demand such an initiative. If the initiative is accepted by the People, the parliament must draw up a new, now republican constitution. It must be submitted to a referendum 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 at the same popular vote.