

Da: Juergen.Nagel@gerichte.li <Juergen.Nagel@gerichte.li>

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A: secretariat@iaj-uim.org

Oggetto: AW: NEW DEADLINE: IAJ questionnaire upon the Effects of COVID-19 Pandemic /NOUVELLE DATE LIMITE:questionnaire UIM sur les effets de la pandémie du COVID-19

Dear Colleagues

On behalf of the Liechtenstein Association of Judges (VLR) I can respond to this questionnaire as follows:

Ad 1.: In Liechtenstein an urgent statute on special measures also concerning the judiciary is in force since the 8th of April, which shall apply until June 15 provisionally. What is affecting the courts the most is a provision according to which public trials and oral hearings shall only take place in urgent cases. This has led to a backlog especially in the first instance. But due to the fact that there haven't been any infections for more than three weeks, it is planned to abolish the said provision.

Ad 2.: In our country the pandemic related "legal reform" have not affected the Rule of Law and the Human rights in a relevant way.

Ad 3.: In Liechtenstein the so-called legal reforms had no significant impact on the separation of powers, since the parliament has released the statute in question. Also within the judiciary a shift of powers has not taken place. Nevertheless it was and still is the duty of the Court Presidents to implement the special measures to protect the safety of the judges and the parties.

Ad 4.: see the answer to 1. In general the special measures don't distinguish between civil, criminal and administrative cases. But it is self-evident that for instance cases, where the accused or defendant is in custody, are treated as urgent. Otherwise it is in the discretion of the competent judge to decide whether a case is "urgent" or not.

Ad 5.: see answer to 4.

Ad 6.: No.

Ad 7.: Yes.

Ad 8.: Legal deadlines are still interrupted until June 15, but this provision of the Covid-19-Act will expire afterwards. Contrary to that the procedural timeframes can still get extended according to the planned prolongation of the afore mentioned statute until September 16, if a party is claiming so for corona-related reasons.

Ad 9.: It is possible to replace public trials and oral hearings by videoconference, but the courts haven't made use of this possibility often. E-justice hasn't been introduced in Liechtenstein up to now. Home office has been recommended to the judges during the corona crisis, but the access to the court server is limited, what makes working at home not very efficient.

Ad 10.: Our Association has not been involved directly, but the Court Presidents have been consulted by the Ministry of Justice in advance.

Ad 11.: There doesn't exist a "High Council for the Judiciary" in Liechtenstein.

Ad 12.: The Bar Association did support the Covid-19-Act, because it was in their interest too.

Best regards

Jürgen Nagel
President of the Liechtenstein Association of Judges (VLR)

Lic. iur Jürgen Nagel, LL.M.
Senatsvorsitzender / Presiding Judge
Fürstliches Obergericht / Princely Court of Appeal
Spaniagasse 1
FL-9490 Vaduz
Telefon +423 236 65 02
Telefax +423 236 71 82
E-Mail juergen.nagel@gerichte.li