



OFFICE FOR FOREIGN AFFAIRS
PRINCIPALITY OF LIECHTENSTEIN

Vaduz, 7 March 2017

Reply to the List of Issues

in relation to the second and third periodic report of Liechtenstein on implementation of the International Covenant on Economic, Social and Cultural Rights, submitted on 16 October 2016

1. General information

1. In general, it should be emphasised that Liechtenstein has ratified the European Convention on Human Rights (ECHR), which covers several of the rights enshrined in the Covenant. Because Liechtenstein thus recognises the jurisprudence of the European Court of Human Rights (ECtHR), while it has not recognised the communications procedure under the Covenant, it is more probable that courts and complainants will invoke the ECHR instead of the Covenant when alleged violations of economic, social, or cultural rights are at issue.

2. In judgments concerning the refusal for children to participate in swimming instruction (Judgment StGH 2014/039) and sex education (Judgment StGH 2012/130), the Constitutional Court has relied on the Covenant. In both cases, the Constitutional Court invoked article 13(3) of the Covenant and in principle confirmed the liberty of parents to ensure the moral and religious education of their children. While the Constitutional Court decided in favour of an exemption in the case of swimming instruction, it supported participation by children in the case of sex education.

3. In one case before the Constitutional Court (StGH 2011/81) concerning reapportionment of building land, one of the rights invoked by the complainants was the right to work under the Universal Declaration of Human Rights. The Constitutional Court argued that the corresponding right under the Covenant (article 6) was not applicable to the case at issue.

4. In 2007, complainants in a case involving withdrawal of a residence permit argued unsuccessfully that the right to work enshrined in the Covenant also encompassed the right to job placement (StGH 2007/71).

5. In November 2016, Parliament adopted the Law on the Liechtenstein Human Rights Association (LHRA Act),¹ thus creating an independent national human rights institution in Liechtenstein. The LHRA Act entered into force on 1 January 2017. Funding for the first three years was fixed at CHF 350,000 annually. The legal framework for the Human Rights Association was defined with the goal of fulfilling the Paris Principles. This includes a

¹ Liechtenstein Law Gazette (LGBl) 2016 No. 504 (www.gesetze.li).

legislative basis, a comprehensive mandate for the protection and promotion of human rights, adequate infrastructure and funding, independence, and pluralist representation of the social forces.

6. Article 1(1) of the LHRA Act specifies that the Liechtenstein Human Rights Association (LHRA) is the independent national human rights institution of the Principality of Liechtenstein as set out in the 1993 Paris Principles of the United Nations. According to article 4(2), the LHRA has the following responsibilities in particular:

- a) it advises authorities and individuals on human rights issues;
- b) it supports victims of human rights violations;
- c) it informs the public on the situation of human rights in Liechtenstein;
- d) it carries out investigations and recommends appropriate measures to authorities and individuals;
- e) it comments on draft laws and ordinances and on the ratification of international agreements to the extent they are significant to human rights;
- f) it promotes dialogue as well as national and international cooperation with offices relevant to human rights.

7. According to article 1(2) LHRA Act, the LHRA also serves as an independent ombuds office for children and young people for purposes of article 96 of the Children and Youth Act. The Ombuds Office for Children and Young People, which was established in 2009, thus became part of the LHRA as per 1 January 2017.

8. On 10 December, Liechtenstein non-governmental organisations held a founding ceremony for the Liechtenstein Human Rights Association and adopted its articles. The first board consisting of seven members was elected for the 2017-2020 term. Its most important responsibilities include building up the new institution and setting up a secretariat.

9. In the course of establishing the LHRA, offices within the National Administration responsible for the implementation and formulation of national policy in the fields of integration and equal opportunity, including the Equal Opportunities Unit (*Stabsstelle für Chancengleichheit*; SCG), were consolidated within the Office of Social Services effective 1 January 2017. Where previously, several offices and commissions had been responsible for these tasks, they and their resources will now be bundled. Thanks to this reorganisation, synergies will be utilised and the formulation of integration and equal opportunity policy will become more effective and efficient. The Equal Opportunities Unit and its responsibilities remain visible within the Office of Social Services, given that they are being continued as a unit within the office. The subtasks for which the Equal Opportunities Unit was independently responsible were transferred to the newly created LHRA effective 1 January 2017.

10. Because Liechtenstein is a small country with limited human resources, no new memberships in international organisations are currently being considered. This includes membership in the ILO. As a member of the European Economic Area (EEA), however, Liechtenstein transposes the relevant EU acts and especially the high EU labour standards into national law. In combination with the human rights conventions that Liechtenstein has ratified, the country achieves a very high standard in regard to economic, social, and cultural rights.

2. Issues relating to general provisions of the Covenant (arts. 1-5)

Article 2(1) — Minimum available resources

11. Each year, Liechtenstein expends more than CHF 20 million on International Humanitarian Cooperation and Development (IHCD). Because of delays in calculating gross domestic product and gross national income, only the ratio of official development assistance (ODA) for 2013 was available at the time the country report was submitted. In 2014, Liechtenstein expended CHF 25.0 million on IHCD, corresponding to an ODA of 0.50 per cent. In 2015, Liechtenstein invested CHF 23.3 million in IHCD, while CHF 24.1 million went to IHCD in 2016 according to unofficial data. Liechtenstein is still committed to the ODA target of 0.7% which it even exceeded in 2012.

12. Liechtenstein participated actively in the negotiations on the Addis Ababa Action Agenda (AAAA) and joined the international consensus in the adoption of this document at the Third International Conference on Financing for Development. The AAAA, which was confirmed by the UN General Assembly in July 2015, includes the following in paragraphs 5 and 18:

"We reaffirm the importance of freedom, human rights, and national sovereignty, good governance, rule of law, peace and security, combating corruption at all levels and in all its forms, and effective, accountable and inclusive democratic institutions at the subnational, national and international levels as central to enabling the effective, efficient and transparent mobilization and use of resources."

"Good governance, rule of law, human rights, fundamental freedoms, equal access to fair justice systems, and measures to combat corruption and curb illicit financial flows will be integral to our efforts."

13. Liechtenstein shares the view that a range of measures at the subnational, national, and international levels are necessary for the effective, efficient, and transparent mobilisation and use of resources. These measures must be carried out in several areas, especially with a view to human rights, rule of law, and anti-corruption at all levels and in all their forms. Liechtenstein reports in the relevant bodies on its measures to prevent corruption, money laundering, and organised crime. Please refer to the relevant reports in this context.

14. In its Liechtenstein Declaration in 2009, Liechtenstein committed itself to international standards on transparency and the exchange of tax information in accordance with OECD specifications. Since then, Liechtenstein has concluded 17 double taxation agreements according to the OECD standard and 27 tax information exchange agreements. Liechtenstein signed the Multilateral Memorandum of Understanding on Automatic Exchange of Information for Tax Purposes in 2014 and ratified the Multilateral Convention on Mutual Administrative Assistance in Tax Matters in 2016. Effective 1 January 2017, Liechtenstein also agreed on automatic exchange of information for tax data with 60 countries. Liechtenstein plans to expand this network to include further States parties to the Multilateral Convention on Mutual Administrative Assistance in Tax Matters starting in 2019, with an effective date of 1 January 2018. Liechtenstein also participates actively in

the OECD's Inclusive Framework for implementation of measures relating to the BEPS (Base Erosion and Profit Sharing) project.

Article 2(2) – Non-discrimination

15. As already noted in paragraphs 10 to 13 of the second and third periodic report submitted in September 2015, the principle of equal treatment is effectively implemented in Liechtenstein through the Liechtenstein Constitution, the international human rights conventions ratified by Liechtenstein, and settled case law.

16. In April 2016, an amendment to § 283 of the Criminal Code (StGB) entered into force, introducing a comprehensive prohibition against discrimination. While previously only racial discrimination constituted a criminal offence, public incitement to hatred or discrimination on the basis of language, nationality, ethnicity, religion, ideology, gender, disability, age, or sexual orientation is now also a criminal offence, subject to a custodial penalty of up to two years. The refusal on the basis of the characteristics enumerated above to provide a person or a group of persons with a service intended for the general public is also punishable. Prosecutors and judges are receiving training in regard to these legislative changes.

17. Apart from the aforementioned amendment to the StGB, several special laws contain concrete provisions protecting from discrimination. For instance, labour law expressly provides for protection of the personality of the employee. The term "personality" is defined broadly, including gender, race, nationality, sexual orientation, and other characteristics. Non-discrimination provisions are also found in the Gender Equality Act and the Disability Equality Act.

18. With this legal framework, Liechtenstein already offers comprehensive protection from discrimination. In the view of the Government, no further legislative changes are currently needed.

19. Liechtenstein has successfully implemented many measures to promote tolerance and mutual understanding. A Violence Protection Commission works to combat violence in the public sphere (including ideological and religious extremism). From 2010 to 2015, the commission successfully implemented a plan of measures to combat right-wing extremism. In 2010, for instance, it conducted a campaign against right-wing violence entitled "Standing up to right-wing violence". Also as part of the Government's integration concept entitled "Strength through diversity", measures have been taken to promote mutual understanding. Two integration conferences for that purpose took place in 2011 and 2012.

20. Promoting mutual understanding and combating xenophobia are an integral part of the curriculum in schools. Alongside denominational religious instruction in secondary schools, the subject "Religion and Culture" is offered with the goal of promoting understanding for different religions and cultures. For Muslim students, Muslim religious instruction is offered at the primary school level. This instruction is supported financially by the State. In part thanks to the measures already taken, racial discrimination and intolerance do not currently represent an evident problem in Liechtenstein society.

Article 3 – Equal rights of men and women

21. From January 2013 until its dissolution in December 2016, the Equal Opportunities Unit was allocated a monthly average of 1.15 full-time equivalent positions, in addition to the position of head of unit held by a senior advisor of the Ministry for Social Affairs. But because of the restructuring phase, the full-time equivalent positions actually available during this time period fluctuated considerably between 0.8 and 1.8.

	2016	2015	2014	2013
Total budget	471,000	471,000	504,000	543,000
- of which project funds for gender equality	120,000	120,000	126,000	124,000
- Share of total budget	25.4%	25.4%	24.6%	22.8%

Table 1: Financial resources of the Equal Opportunities Unit from 2013 to 2015 in CHF, with financial resources for projects promoting gender equality in absolute figures and percentages

3. Issues relating to the specific provisions of the Covenant (arts. 6-15)

Article 6 – The right to work

22. In 2015, an average of 302 persons was unemployed. At the same time, an average of 372 jobs was vacant, 281 for permanent positions. The following employment figures draw on the most recent available data as of 31 December 2015. No statistical data on the basis of disability, ethnic origin, or nationality are collected in regard to employment or unemployment.

Gender	Employed		Full-time		Part-time	
	Number	Percentage	Number	Percentage	Number	Percentage
Women	14,849	40.4%	7,579	26.1%	7,270	74.0%
Men	21,906	59.6%	19,350	71.9%	2,556	26.0%
Total	36,755	100%	26,929	100%	9,826	100%

Table 2: Employed persons by gender and terms of employment, 2015

Age group	Total		Residence			
			Liechtenstein		Abroad	
	Number	Percentage	Number	Percentage	Number	Percentage
0-20	1,606	4.4%	1,008	5.9%	598	3.0%
21-30	6,579	17.9%	2,751	16.1%	3,828	19.5%
31-40	8,748	23.8%	3,398	19.9%	5,350	27.2%
41-50	10,046	27.3%	4,512	26.4%	5,534	28.2%
51-60	7,765	21.1%	4,104	24.0%	3,661	18.6%
61+	2,011	5.5%	1,330	7.8%	681	3.5%
Total	36,755	100%	17,103	100%	19,652	100%

Table 3: Employed persons by age and place of residence, 2015

Total	Age			Nationality		Gender	
	15-24	25-49	50+	Liechtenstein	Other	Male	Female
2.4%	3.0%	2.4%	2.1%	1.7%	3.4%	2.3%	2.5%

Table 4: Average unemployment by age, nationality, and gender, 2015

23. As already mentioned in paragraph 17, Liechtenstein's labour law expressly provides for protection of the personality of the employee. The term "personality" is defined broadly, including gender, race, nationality, sexual orientation, and other characteristics. An employee who believes that their personality has been violated by their employer may take legal action.

24. It should also be mentioned that unemployment and in particular youth unemployment are at a comparatively very low level (see table 4). It is not currently evident that any specific social groups are being discriminated against on the labour market or that they encounter special difficulties finding employment.

Article 7 – The right to just and favourable conditions of work

25. Currently, collective agreements have been declared generally binding on 12 industries in Liechtenstein. A collective agreement also exists with the Liechtenstein Chamber of Commerce and Industry (LCCI), through which more than 40 member businesses with a total of approximately 12,000 employees in Liechtenstein voluntarily commit to pay a minimal wage of CHF 3,250 per month. According to estimates of the Office of Economic Affairs and the Liechtenstein Employees' Association (*Liechtensteiner ArbeitnehmerInnenverband*; LANV), this means that about 10,000 employees in Liechtenstein (of a total of 36,755 as of the end of 2015) are not subject to a minimum wage. These are largely employees in the financial industry, where the average wages are among the highest in the country according to the Wage Statistics.

26. To prevent wage dumping, a tripartite commission observes the labour market. It is composed of two representatives each of employers, employees, and the State. The Employer and Employee Associations have the right to propose election of their representatives to the commission. If the commission identifies abuses on the labour market, it seeks to mediate directly with the employers concerned. If this is unsuccessful after two months, the commission requests the Government to issue a regular working contract providing minimum wages for the industries or professions concerned. The commission has the right to information and to inspection of all documents necessary to conduct an investigation. In disputed cases, the Office of Economic Affairs decides.

27. To implement the Gender Equality Act, which prohibits gender discrimination in the workplace, an information campaign entitled "Gender equality is worth it" was carried out. In 2014, the "pay respect" project of the Liechtenstein Employees' Association received the recognition award in the context of the Equal Opportunities Award. Since 2009, the Liechtenstein Government has also supported the annual "Equal Pay Day", which aims to draw attention to wage discrimination against women. In cooperation with Switzerland, the "Wagemobile" – a mobile travelling exhibition – came to Vaduz in 2015. On this occasion, numerous events were held, including brief counselling sessions for

young women, a seminar on salary discussions, and a discussion round with female members of Parliament.

28. These activities are having an impact: The difference between the average monthly wages of men and women has fallen steadily over the past 10 years. According to the most recent issue of the Wage Statistics, the gap was 16.5% in 2014 compared with 17.2% in 2012. While the gap was still 20% in 2006, it fell to 19.5% in 2009 and to 17.8% in 2010. For the youngest group of employees (ages 20 to 24), the wage gap between women and men in 2014 continued to decline at an already low level: from 3.4% in 2012 to 1.4% in 2014. According to a study commissioned by the Swiss Federal Statistical Office, which can be applied analogously to Liechtenstein due to the similar situation, it can be assumed that 56% of the wage gap between men and women can be explained with reference to objective factors.

	Monthly gross wages in CHF		
	Total	Men	Women
2005	5,819	6,381	5,092
2006	5,885	6,468	5,176
2008	6,315	6,903	5,556
2010	6,257	6,811	5,600
2012	6,380	6,875	5,694
2014	6,522	7,036	5,873
Annual change	+1.3%	+1.1%	+1.6%

Table 5: Monthly gross wages (median) by gender since 2005

	Monthly gross wages in CHF			Difference between genders
	Total	Men	Women	
Total	6,522	7,036	5,873	16.5%
Age 20 to 24	4,577	4,614	4,550	1.4%
Age 25 to 29	5,526	5,633	5,360	4.8%
Age 30 to 34	6,486	6,690	6,175	7.7%
Age 35 to 39	7,028	7,396	6,500	12.1%
Age 40 to 44	7,302	7,924	6,382	19.5%
Age 45 to 49	7,313	8,125	6,331	22.1%
Age 50 to 54	7,139	8,078	6,067	24.9%
Age 55 to 59	7,385	8,183	6,231	23.9%
Age 60 to 64	7,118	7,969	6,140	23.0%
Age 65+	6,392	7,004	5,418	22.6%

Table 6: Monthly gross wages (median) by gender and age in 5-year age brackets, 2014

29. Projects have also been implemented to weaken gender-specific role models and stereotypes, such as the conference "Work has no gender – role models in education and career" held in 2014. Gender stereotypes in career choice were illuminated in a lecture

and a panel discussion. Tours through the "roles:parkour" travelling exhibition were held with students in secondary schools, for the purpose of questioning how role models and stereotypes shape school and career choices, family structures and habits, as well as advertising and media.

30. For a detailed breakdown of wages by age and gender, see tables 5 and 6. The wage data disaggregated by age indicate three wage phases: During the first phase from age 20 to 44, wage increased along with age. With each additional year, the median wage increased by 2.4%. In the subsequent second phase between the ages of 45 and 59, wages oscillate: Comparing ages 40 to 44 with the age group from 50 to 54, wages first dropped from CHF 7,302 to CHF 7,139 per month, followed by an increase of median gross wages to CHF 7,385 for ages 55 to 59. The third phase starting at age 60 exhibited a decline in median gross wages. The age-dependent wage development of women and men exhibits several striking differences, with an increase in the wage difference between women and men as ages rise.

31. In Liechtenstein, no statistical data are collected on wages disaggregated by ethnic origin. Wages are broken down only by nationality. After a first decline in the wage differences between Liechtensteiners and foreigners between 2010 and 2012, differences declined again between 2012 and 2014: from 10.4% in 2012 to 7.9% in 2014. While the median wage for Liechtensteiners in 2014 was CHF 6,891, the median for foreigners was CHF 6,387. At the same time, the wages of cross-border commuters from abroad exceeded those of Liechtenstein residents for the first time in 2014: The median wage of working residents in 2014 was CHF 6,500, which was 0.9% lower than the median wage of cross-border commuters (CHF 6,558).

	Total	Liechtensteiners	Foreigners
Total	6,522	6,891	6,387
Sector 1 Agriculture	3,963	(6,000) ²	2,724
Sector 2 Industry and manufacturing	6,518	6,447	6,541
Sector 3 Services	6,547	7,079	6,175

Table 7: Monthly gross wages by sector and nationality in CHF, 2014

Article 9 – The right to social security

32. The Liechtenstein Foreigners Act (*Ausländergesetz; AuG*) sets out grounds and conditions under which the permanent residence permit may be revoked for foreigners from third countries. Under article 49(b), the permit may be revoked if the foreigner is permanently and substantially dependent on social assistance. This provision is expressly not to be understood in a way that the foreigner may not draw on social assistance. Foreigners with permanent residency have a right to social assistance as long as it is not on a permanent and substantial basis.

² Figures based on a population of fewer than 100 persons are indicated in parentheses on statistical grounds, because these figures may be subject to statistical fluctuations.

33. Article 69(2)(e) AuG sets out that the Office of Social Services, which is responsible for social assistance, shall notify the Migration and Passport Office if a foreigner has received more than CHF 75,000 in financial social assistance. It should be noted that any contributions from Unemployment Insurance, rental subsidies, or reductions of health insurance premiums are not included in this amount. The law does not provide any immediate consequences for the foreigner on the basis of this notification. However, the Migration and Passport Office may, on the basis of this notification, verify whether the foreigner is permanently and substantially dependent on financial social assistance. It is evaluated on a case-by-case basis whether a revocation procedure is initiated. In the view of the Government, this procedure is necessary to prevent the abuse of social benefits.

34. A foreigner may appeal a revocation of a permanent residence permit pursuant to article 49 AuG. There have been several judgments of the Administrative Court (*Verwaltungsgerichtshof*; VGH) in this regard to date. The Administrative Court has *inter alia* decided that a revocation of the permanent resident permit pursuant to article 49(b) AuG is not possible if the foreigner has lived in Liechtenstein for more than 30 years. The Government therefore believes that foreigners from third countries have sufficient access to social assistance. It therefore does not see any need to amend article 49 AuG.

Article 10 – Protection of family and children

35. No legislative changes are currently planned regarding family reunification for foreigners from third countries within the framework of the Foreigners Act. The Government believes that the existing provisions are compatible with Liechtenstein's international obligations and that the right to family life is guaranteed in Liechtenstein.

36. Integration measures in Liechtenstein are based on the principle of "promote and demand". This means that foreigners wishing to reside in Liechtenstein for the long term must sign an integration agreement. This includes the obligation to learn the German language. To receive a permanent residence permit, foreigners must also pass a civics examination. In return, the State supports the integration of foreigners by providing financial assistance for language classes and subsidies for various integration projects.

37. The goal of the integration measures is neither to discriminate against foreigners nor to make family reunification more difficult. Instead, they should be understood as measures to improve equal opportunity, to reduce discrimination, and to promote mutual understanding. By learning the German language, foreigners substantially increase the probability of finding a job and being able to participate in public life. This significantly reduces the risk of social marginalisation and discrimination.

38. The same is true of family reunification. Every foreigner from a third country has the right to family reunification, subject to the conditions set out in article 33 of the Foreigners Act. For that purpose, the family includes the spouse and joint unmarried children under the age of 18 as well as adopted and foster children.

39. Article 33(1)(c) AuG stipulates that the spouse living abroad who wishes to move to Liechtenstein must already provide evidence of basic knowledge of the German language before arrival. This does not apply to children moving to Liechtenstein, however. Article 26(1) of the Foreigners Ordinance further specifies that the spouse must provide evidence of language level A1 of the Common European Framework of Reference for Languages. In

the view of the Government, the effort required to attain this beginner's level of language competence while still in the home country is reasonable. The purpose of this measure is indeed to facilitate integration of the family member moving to Liechtenstein. A basic knowledge of the German language gives the person moving to Liechtenstein significantly greater chances of finding a job in Liechtenstein and of integrating into society. The goal of the integration measures is not to make family reunification more difficult. Instead, the goal is to promote equal opportunity and prevent discrimination.

Article 11 – The right to an adequate standard of living

40. As already mentioned in the report, there are no statistical data on the situation of foreigners in the rental market. Also as mentioned in the report, there is sufficient housing in Liechtenstein and no homelessness. According to the Building and Housing Statistics, of a total of 17,384 permanently occupied housing units as of 31 December 2015, 806 were not occupied but available, corresponding to a vacancy rate of 4.6%. This can be considered a supply surplus. By comparison, the vacancy rate in Switzerland in 2015 was 1.19%. The State attaches great importance to the freedom of contract of private actors, and in light of the high number of vacant housing units, the State sees no need to intervene in this area.

Article 12 – The right to physical and mental health

41. The most recent data on the consumption of tobacco, cannabis, and alcohol can be found in the Public Health Report on the Principality of Liechtenstein published by the Swiss Health Observatory, based on a health survey from the year 2012. The data are representative for the Liechtenstein population age 15 and up.

	Total	Women	Men
Non-smokers	52.6%	59.4%	45.7%
Former smokers	22.3%	21.6%	23.1%
Smokers	25.0%	19.0%	31.2%

Table 8: Tobacco consumption, total and by gender, 2012

	Women	Men
Age 15 to 34	20.6%	42.2%
Age 35 to 49	21.6%	31.9%
Age 50 to 64	19.8%	27.1%
Age 65+	11.3%	15.3%

Table 9: Smokers by age and gender, 2012

	Women	Men
Never, abstinent	20.1%	9.1%
Rarely (≤ 3 times/month)	38.5%	21.9%
Once or more per week	35.8%	57.3%
Once or more per day	5.6%	11.7%

Table 10: Alcohol consumption by gender, 2012

	Age			
	15-34	35-49	50-64	65+
Never, abstinent	22.7%	19.7%	12.5%	26.3%
Rarely (≤ 3 times/month)	42.9%	44.6%	38.1%	22.4%
Once or more per week	34.4%	33.2%	40.4%	36.6%
Once or more per day	0.0%	2.5%	9.0%	14.7%

Table 11: Alcohol consumption by women according to age, 2012

	Age			
	15-34	35-49	50-64	65+
Never, abstinent	7.8%	7.4%	12.6%	9.1%
Rarely (≤ 3 times/month)	29.6%	28.5%	9.6%	14.3%
Once or more per week	60.1%	59.1%	57.7%	48.1%
Once or more per day	2.5%	5.0%	20.2%	28.5%

Table 12: Alcohol consumption by men according to age, 2012

Consumed	Total	Women	Men
Never	79.2%	87.1%	71.0%
More than 12 months ago	16.7%	12.5%	21.0%
In the past 12 months	4.1%	0.4%	8.0%

Table 13: Cannabis consumption, total and by gender, 2012

Consumed	Age				
	15-24	25-34	35-44	45-54	55-59
Never	74.9%	64.5%	78.4%	87.7%	92.2%
More than 12 months ago	20.0%	21.8%	20.1%	11.6%	7.8%
In the past 12 months	5.1%	13.7%	1.5%	0.8%	0.0%

Table 14: Cannabis consumption by age, 2012

Articles 13 and 14 – The right to education

42. Teachers instructing German as a Second Language (GSL) regularly evaluate children's progress using assessment tools and observations, exchange information with other teachers, and measure progress on an individualised basis, for instance using linguistic

diagnostic assessments (*Linguistische Sprachstandserhebung*). However, there are no statistical evaluations or publications measuring the success of GSL instruction on the basis of individual students, since this would be possible only to a very limited extent in light of the low enrolment numbers and the lack of anonymity. The GSL intensive course for foreign-language children who have recently arrived in Liechtenstein or are seeking asylum is offered at two schools in separate classes. The current enrolment is 19.

43. Participation in several PISA studies (most recently in 2012) showed that foreign-language students in Liechtenstein from low-education households – as in many other countries – tend to have lower scholastic achievement. However, this trend was in decline from test to test. On a positive note, students with German as a second language attained only slightly lower scores in mathematics and English in the 2015 standardised tests in all three secondary level tracks in Liechtenstein than students whose native language was German.

44. The PISA tests also permit the positive observation that the influence of socioeconomic origin on scholastic achievement is modest when compared with other countries internationally. At the same time, it should be noted that different opportunities due to the language spoken at home and socioeconomic background arise not only in regard to the ability to live up to one's achievement potential, but also in regard to assignment to the tracks in Secondary Level I.

	German as a first language	German as a second language
<i>Oberschule</i>	54.0%	46.0%
<i>Realschule</i>	87.0%	13.0%
<i>Gymnasium</i>	87.0%	13.0%

Table 15: Share of pupils in 8th grade with German as a second language according to secondary school track (from less demanding to more demanding), 2015

	First language				
	Total	Share in %	German	Other	N/A
Total	4338	100.0	3278	945	115
Kindergarten	778	100.0	583	179	16
A	394	50.6	376	18	-
B	252	32.4	130	120	2
C	28	3.6	20	8	-
N/A	104	13.4	57	33	14
Primary school	1938	100.0	1470	423	45
A	974	50.3	924	49	1
B	613	31.6	332	280	1
C	178	9.2	141	37	-
N/A	173	8.9	73	57	43
Oberschule	407	100.0	234	173	-
A	158	38.8	152	6	-
B	163	40.0	45	118	-
C	37	9.1	18	19	-
N/A	49	12.0	19	30	-
Realschule/Secondary Level I (private)	732	100.0	598	106	28
A	412	56.3	409	3	-
B	184	25.1	99	85	-
C	67	9.2	55	12	-
N/A	69	9.4	35	6	28
Gymnasium (Class 1-4)	403	100.0	360	42	1
A	247	61.3	244	3	-
B	87	21.6	56	31	-
C	38	9.4	32	5	1
N/A	31	7.7	28	3	-
Special education school	80	100.0	33	22	25
A	20	25.0	17	3	-
B	25	31.3	10	15	-
C	7	8.8	4	3	-
N/A	28	35.0	2	1	25

Table 16: School children in kindergartens, primary schools, Secondary Level I, and special education school by school level, migration background, and first language, school year 2014/2015; migration background: A) the child and one or both parents were born in Liechtenstein. B) The child was born in Liechtenstein and both parents abroad. C) The child and both parents were born abroad.

	First language				
	Total	Share in %	German	Other	N/A
Total	4421	100.0	3310	944	167
Kindergarten	740	100.0	547	167	26
A	384	51.9	364	16	4
B	249	33.6	122	123	4
C	43	5.8	33	8	2
N/A	64	8.6	28	20	16
Primary school	1925	100.0	1464	401	60
A	990	51.4	933	46	11
B	599	31.1	327	267	5
C	193	10.0	144	43	6
N/A	143	7.4	60	45	38
Oberschule	420	100.0	245	175	-
A	166	39.5	162	4	-
B	170	40.5	43	127	-
C	44	10.5	21	23	-
N/A	40	9.5	19	21	-
Realschule/Secondary Level I (private)	769	100.0	576	114	79
A	429	55.8	397	2	30
B	194	25.2	96	94	4
C	73	9.5	54	12	7
N/A	73	9.5	29	6	38
Gymnasium (Class 1-4)	422	100.0	381	41	-
A	256	60.7	253	3	-
B	92	21.8	62	30	-
C	45	10.7	39	6	-
N/A	29	6.9	27	2	-
Voluntary 10th school year	58	100.0	34	24	-
A	22	37.9	21	1	-
B	21	36.2	8	13	-
C	6	10.3	3	3	-
N/A	9	15.5	2	7	-
Special education school	87	100.0	63	22	2
A	21	24.1	18	3	-
B	27	31.0	11	15	1
C	10	11.5	7	3	-
N/A	29	33.3	27	1	1

Table 17: School children in kindergartens, primary schools, Secondary Level I, and special education school by school level, migration background, and first language, school year 2013/2014; migration background: A) the child and one or both parents were born in Liechtenstein. B) The child was born in Liechtenstein and both parents abroad. C) The child and both parents were born abroad.

	First language			
	Total	German	Other	N/A
Total	4434	4233	91	110
Kindergarten	728	693	17	18
A	390	389	1	-
B	236	229	7	-
C	57	54	3	-
N/A	45	21	6	18
Primary school	1928	1869	31	28
A	1003	1003	-	-
B	610	606	4	-
C	200	190	10	-
N/A	115	70	17	28
Oberschule	384	359	25	-
A	153	153	-	-
B	145	142	3	-
C	52	46	6	-
N/A	34	18	16	-
Realschule/Secondary Level I (private)	838	788	8	42
A	455	455	-	-
B	207	205	2	-
C	83	80	3	-
N/A	93	48	3	42
Gymnasium (Class 1-4)	412	408	4	-
A	250	250	-	-
B	80	80	-	-
C	56	54	2	-
N/A	26	24	2	-
Voluntary 10th school year	65	61	4	-
A	21	21	-	-
B	28	28	-	-
C	10	8	2	-
N/A	6	4	2	-
Special education school	79	55	2	22
A	17	17	-	-
B	28	27	1	-
C	10	9	1	-
N/A	24	2	-	22

Table 18: School children in kindergartens, primary schools, Secondary Level I, and special education school by school level, migration background, and first language, school year 2012/2013; migration background: A) the child and one or both parents were born in Liechtenstein. B) The child was born in Liechtenstein and both parents abroad. C) The child and both parents were born abroad.

Article 15 – Cultural rights

45. Freedom of religion and conscience is guaranteed under article 37 of the Constitution. There are no specific laws limiting the exercise of religion. Religion can thus be exercised freely, as long as doing so is compatible with the laws in force and does not endanger the public order.

46. Liechtenstein is also a State party to many international conventions guaranteeing the freedom of religion (ECHR, ICERD, ICCPR, etc.). Liechtenstein has moreover recognised the right of individual complaint under the ICERD and the ICCPR.