Employment of persons with disabilities: an assessment of the effectiveness of national policies

Liechtenstein

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1 Executive summary

1.1 Analysis of the employment situation of persons with disabilities, including the disability employment gap

In Liechtenstein, no data is collected on the employment of persons with disabilities nor are there analysis of this aspect of labour market. Due to Liechtenstein's geographical, economic, cultural and social proximity to Switzerland, there are similarities in the labour market situation, social structure and population. Therefore, in the absence of data collected specifically in Liechtenstein, an approximation of the labour situation of persons with disabilities must be based on the data collected in Switzerland. According to Swiss statistical data,[1] around two thirds of persons with disabilities who are of working age (16-64 years) in Switzerland participated in the Swiss labour market in 2022. In 2019, the employment rate for persons with disability was 67.9 % and the employment rate of persons without disability was 82 %. As a result, the picture has changed little over the course of four years.

In a special evaluation on request for this report, the Liechtenstein Office of Statistics provided an estimate of the number of employed persons with disability, based on the national health survey of 2017 (the most recent available data). By aggregating individual data on the working age population, an employment rate for persons with disabilities of 49.46 % in 2017 was identified. The difference between the percentage of persons with disabilities and those without disabilities in employment is large. No significant change has been observed since the 2019 evaluation in Switzerland; the same can be assumed for Liechtenstein.

1.2 National targets for the employment of persons with disabilities, including monitoring of the targets

In comparison with the EU, EEA law does not, in general, provide the same level of legislative provision against discrimination. Accordingly, the Equal Treatment Framework Directive 2000/78/EC was not incorporated into the EEA Agreement, while Directive 2004/113/EC and Directive 2006/54/EC apply to Liechtenstein. The UN Convention on the Rights of Persons with Disabilities (CRPD) came into force for Liechtenstein on 17 January 2024.[2] At a national level, Article 10 of the Act on Equality of Persons with Disabilities (AEPD)[3] expressly prohibits discrimination in employment on the basis of disability. In order to achieve equality for persons with disabilities, the law grants legal claims against employers and private individuals.

In November 2012, the Liechtenstein Parliament requested that the Government review how the professional integration of persons with disabilities into Liechtenstein's labour market could be improved. Nine years later, on 23 March 2021, the Government

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1 Swiss Federal Statistical Office, *'Gleichstellung von Menschen mit Behinderungen'* (Equality of persons with disabilities), https://www.bfs.admin.ch/bfs/de/home/statistiken/wirtschaftliche-soziale-situation-bevoelkerung/gleichstellung-menschen-behinderungen.html.

2 The Liechtenstein Parliament had previously approved the ratification of the UN Convention on the Rights of Persons with Disabilities at its session of 10 November 2023.

3 Act on Equality of Persons with Disabilities (*Gesetz über die Gleichstellung von Menschen mit Behinderungen, Behindertengleichstellungsgesetz* (AEPD), BGlG), 25 October 2006, LGBl. 2006, No. 243, https://gesetze.li/konso/pdf/2006243000?version=7.

of Liechtenstein submitted its response.[4] In summary, the Government stated that there were already a number of approaches in place and no further legal obligation had to be brought into force. In Liechtenstein, no national target figure for the employment of persons with disabilities, in the form of legal employment quotas or any other measurable figure, exists.

1.3 Identification and evaluation of employment measures over the last decade

In 2007, the 'case management' programme was implemented by the Liechtenstein Disability Insurance Office (Liechtensteinische Invalidenversicherung – IV).[5] The aim is to keep people in, or reintegrate them into, the labour market in order to avoid dependency on an IV pension. Customised integration measures are available for this purpose. These include financial contributions for integration measures and wage subsidies, but also retraining, job placement and job coaching. Further, the 'early detection' instrument was implemented. The aim of this service is to promptly identify individuals who are at risk of being unable to work, and take action to prevent or mitigate the onset of invalidity. Quick bureaucratic initial measures can be put in place to allow the affected person to remain either fully or partly in their current job, or to take up new employment.

In 2016, the Association for Assisted Living launched the Job Integration in Liechtenstein (JIL) programme. [6] JIL is aimed at supporting mentally ill persons and young persons with multiple problems in their job search, in the application process and in getting and keeping a job. Further, JIL provides job coaching for the affected persons and for the potential employer, with needs-based support and guidance in preparing for theoretical and practical career choices and/or in finding and keeping a job.

1.4 Future plans and overall assessment

In the absence of national reform plans, no statement or assessment can be made.

1.5 Recommendations on effective target setting and monitoring

Based on the UN Human Rights Committee recommendation from 2017, the Government should ensure that employers are fulfilling their obligations to ensure access to the labour market for persons with disabilities by providing reasonable accommodation, and make the denial of reasonable accommodation for persons with disabilities a form of discrimination within its existing indirect discrimination provisions.[7]

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4 Government of Liechtenstein, *'Postulatsbeantwortung der Regierung an den Landtag des Fürstentums Liechtenstein zur verbesserten Eingliederung von Menschen mit Behinderung in den Arbeitsprozess'* (Response of the Government to the Parliament of the Principality of Liechtenstein on the improved integration of people with disabilities into the labour market, 23 March 2021, BuA-no. 2021/17, https://bua.regierung.li/bua/default.aspx?nr=17&year=2021&filter1=Behinderung&backurl=modus%3dsearch%26filter1%3dvt%26filter2%3dBehinderung&sh=-580241069.

5 Liechtenstein Disability Insurance Office (*Liechtensteinische Invalidenversicherung – IV*), AHV - IV - FAK Liechtenstein: Allgemeines.

6 For information on the Job Integration in Liechtenstein project, see: https://www.vbw.li/jil-job-integration-in-liechtenstein/.

7 UN Human Rights Committee, Concluding observations on the second periodic report of Liechtenstein (CCPR/C/LIE/CO/2), 21 August 2017, available at:

2 Analysis of the employment situation of persons with disabilities, including the disability employment gap

2.1 Overall employment rate and trends

Liechtenstein has not provided data to the European Labour Force Survey. The following chapters will therefore rely on national statistics where available. For a better understanding, a short definition of the statistical method used in Liechtenstein to calculate the unemployment rate will be given. Liechtenstein's unemployment rate is comparable with that of other countries only to a limited extent, as the officially published rate is not calculated according to the standard definition from the International Labour Organization (ILO). The Liechtenstein unemployment rate shows the ratio of the 'unemployed' to the 'labour force'. The economically active population is defined as those employed persons residing in Liechtenstein (including outbound commuters, but excluding inbound commuters) and the unemployed. The unemployed are counted as economically active persons because they are available for employment.[8]

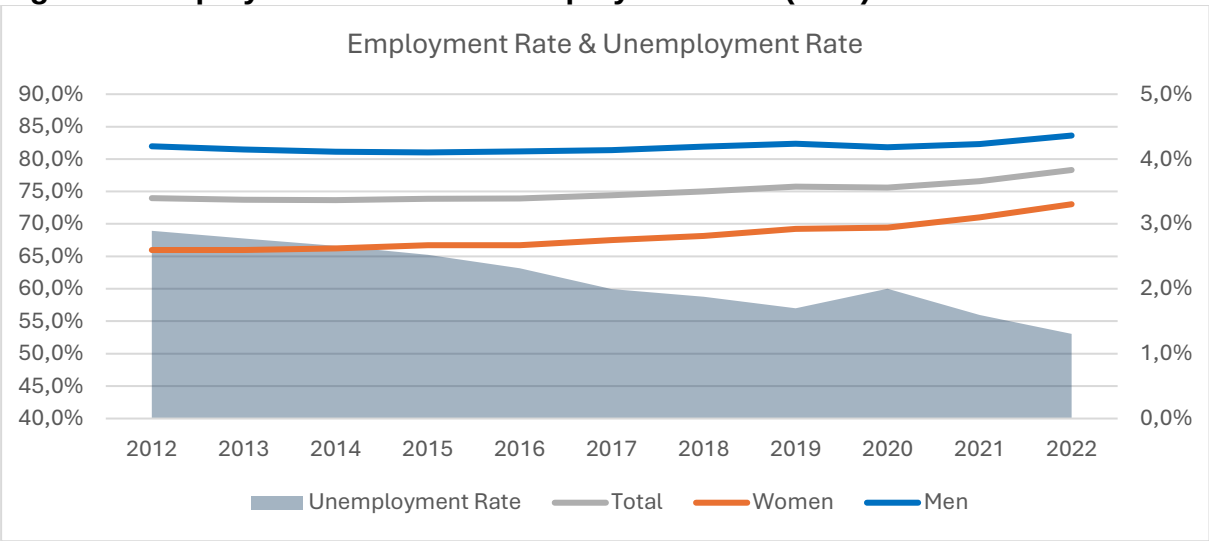
In 2022, the average unemployment rate was 1.3 %, and reached its lowest level since 2006. In comparison with the previous year, the average unemployment rate fell by 0.3 percentage points. The long-term trend of a decline in the unemployment rate thus continued. The number of unemployed also reached an all-time low in absolute terms. In 2022, only 267 persons were registered as unemployed on average; this compares with 334 in the previous year. The average unemployment rate for both men and women was 1.3 %. The average unemployment rate for persons with Liechtenstein citizenship in 2022 was 1.0 %, and 1.9 % for persons of other nationalities. When the figures are broken down by age group, those aged 25 to 49 had the highest average unemployment rate in 2022, at 1.5 %, in comparison with 1.1 % for those aged 15 to 24 and 1.1 % for those aged 50 and over.

Inbound Employment
In 2022, a total of 20 705 persons among Liechtenstein's permanent population had been in employment, which gives an employment rate of 78.3 %. The employment rate for women in 2022 was 73 %, while the rate for men was 83.6 %. According to the definition from the Liechtenstein Office of Statistics, persons are deemed to be employed (on the residence principle) if they reside in Liechtenstein and are gainfully employed in Liechtenstein or abroad with a degree of employment of at least 2 %. In addition to paid work, gainful employment also includes unpaid work in a business (e.g. family business). The employment rate has increased gradually from 74 % to 78.3 % in the past 10 years. A greater proportion of the increase can be attributed to a larger female labour force. With a rising employment rate, the unemployment rate in Liechtenstein has consequently been decreasing over the past decade, from 2.4 % to 1.4 %. While a small gap has existed between the unemployment rates for men and women (2012: 0.9 %), the rates have almost equalised in recent years.

https://www.llv.li/serviceportal2/amtsstellen/amt-fuer-auswaertige-angelegenheiten/concluding-observations-pakt-ii-2017.pdf.

[8] Liechtenstein Office of Statistics (2023), 'Unemployment in Liechtenstein - Methodology & Quality', see file *'Arbeitslosigkeit 2023 Methodik und Qualität'*, https://www.statistikportal.li/de/themen/arbeit-und-erwerb/arbeitslosigkeit.

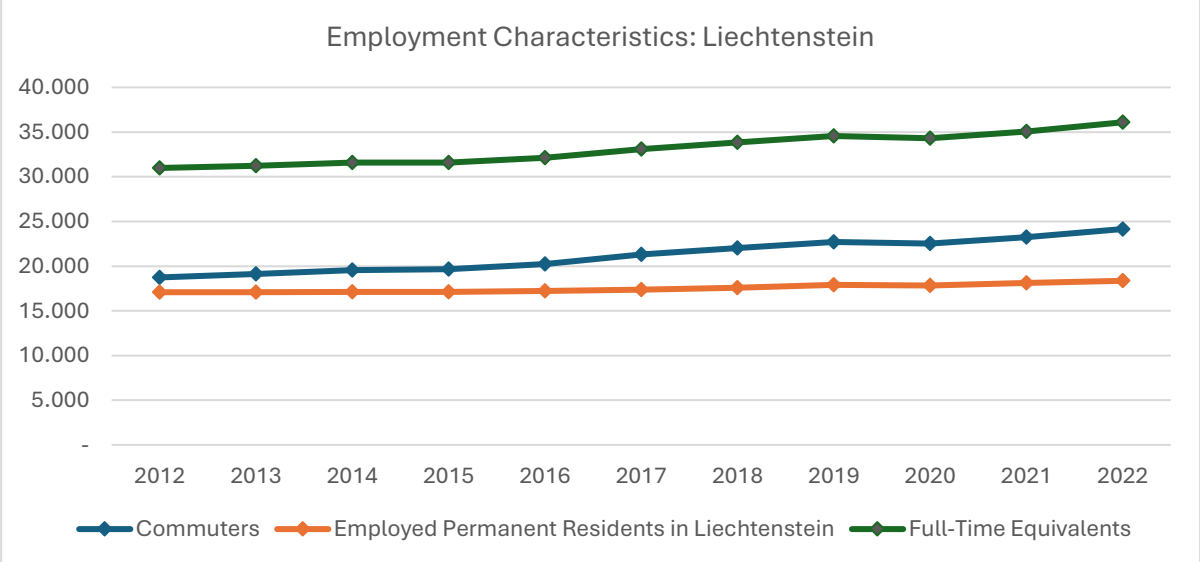
Figure 1: Employment rate and unemployment rate (in %)



Incoming Employment

The number of persons employed in Liechtenstein has increased continuously since world war two. A large proportion of the jobs created during the period of economic growth could only be filled through the immigration of foreigners and the increasing employment of cross-border commuters. The ratio between employees in Liechtenstein with a permanent residency in the country and employees with residencies outside Liechtenstein has remained constant since 2010. In 2022, 42 514 persons were registered as employed in Liechtenstein, of whom 56.8 % were commuting from neighbouring countries. A total of 59.8 % of commuters to Liechtenstein come from Switzerland; 36.2 % from Austria; 2.8 % from Germany and 1.2 % from other countries. Both the amount of employed commuters, as well as the rate of employed commuters to Liechtenstein compared with the working population, have risen continuously.

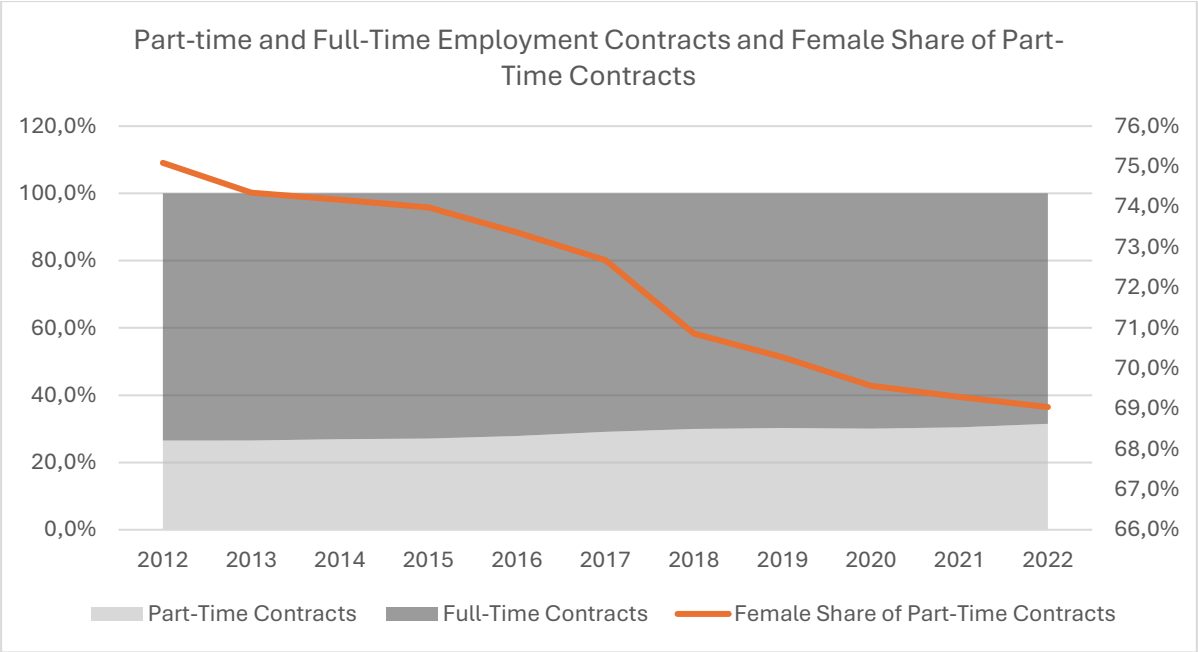
Figure 2: Employment characteristics of Liechtenstein



Part time Employment

Not only female employment but also part-time employment has been rising. Ten years ago, 26.5 % of all employment contracts have been part-time (aggregated part time employment of <50 % and 50-89 %), while in 2022 the figure was 31.5 %. Coinciding with this trend, the female proportion of part-time employees fell from 75.1 % to 69 % in the same timeframe. To some extent, the decline can be attributed to the commuting female population from Switzerland, Austria and Germany pursuing part-time work in Liechtenstein.

Figure 3: Part-time and full-time employment contracts and female share of part-time contracts



2.2 Description of the employment rate of persons with disabilities and trends

In Liechtenstein, no statistical data regarding the employment/unemployment of persons with disabilities is collected; thus, no legal provisions or administrative guidelines to define an employment rate for persons with disabilities exist. Further, in Liechtenstein, no specific factors or statistical indicators exist to explain the employment situation of persons with disabilities in general, nor to provide differentiated information by gender or age for this population group.

With the parliamentary postulate of 27 November 2012, the Liechtenstein Government was invited to review how the professional integration of persons with disabilities in Liechtenstein can be improved.[9] According to the postulate, the review should not only take into account legislation, but also consider accompanying measures that enable

[9] Government of Liechtenstein, *'Postulatsbeantwortung der Regierung an den Landtag des Fürstentums Liechtenstein zur verbesserten Eingliederung von Menschen mit Behinderung in den Arbeitsprozess'* (Response of the Government to the Parliament of the Principality of Liechtenstein on the improved integration of people with disabilities into the labour market, 23 March 2021, BuA-no. 2021/17, https://bua.regierung.li/BuA/default.aspx?nr=17&year=2021&backurl=modus%3Dnr%26filter1%3D2021.

the (re-) integration of persons with disabilities into the world of work.[10] The Government was asked to examine various models that have been successfully implemented in Central Europe and submit a proposal to Parliament that would enable persons with disabilities to be better integrated into working life in Liechtenstein.
In 2021, the Liechtenstein Government responded to the postulate and confirmed that precise statistics on persons with disabilities in Liechtenstein are lacking, especially for persons of working age.[11] Due to Liechtenstein's geographical, economic, cultural and social proximity to Switzerland, there are similarities in the labour market situation, social structure and population. Therefore, the Liechtenstein Government made reference to the situation in Switzerland in its response, relying on Swiss statistical data, which will be used in this report.

The number of persons with disabilities in Switzerland can be estimated at 1.7 million, of whom 27 % are considered persons with severe disabilities. The statistics on equality for persons with disabilities compare the quality of life of persons with disabilities with that of persons without disabilities, taking into consideration the progress already made and the work that still needs to be done to fully achieve equality between persons with disabilities and those without. The current percentage of persons with disabilities in employment in Switzerland is about 67.9 %, which means that almost three quarters of persons with disabilities in Switzerland are in employment.

- If Switzerland is taken as a comparison value for Liechtenstein, it can be assumed that there are about 8 000 persons with disabilities in Liechtenstein, according to the broad definition in the Act on Equality of Persons with Disabilities, albeit spread across all age groups.

- However, persons of retirement age are not relevant for employment rates. In Switzerland, 17 % of persons with disabilities are of working age, which, if applied to Liechtenstein, would mean that this group comprised approximately 1 400 persons.

Available figures in Liechtenstein show, that in December 2023, 1 783 disability pensions were paid out by the Liechtenstein Disability Insurance Office (Liechtensteinische Invalidenversicherung – IV).[12] If those two approximate values are compared, it emerges that between 1 400 and 1 800 persons with disabilities who are of working age live in Liechtenstein. If the employment rate for persons with disabilities

[10] The background to the postulate is the fact that persons with a physical, mental or psychological impairment are often unable to find permanent work themselves and are therefore dependent on support. For those affected, exclusion from the labour market means being excluded from large parts of social life and being dependent on state benefits. The integration of these people into the labour market is therefore not only a social and socio-political concern, but is also desirable from an economic point of view.

[11] Government of Liechtenstein, *'Postulatsbeantwortung der Regierung an den Landtag des Fürstentums Liechtenstein zur verbesserten Eingliederung von Menschen mit Behinderung in den Arbeitsprozess'* (Response of the Government to the Parliament of the Principality of Liechtenstein on the improved integration of people with disabilities into the labour market, 23 March 2021, BuA-no. 2021/17, https://archiv.llv.li/files/srk/bua_017_2021_postulatsbeantwortung_menschen-mit-behinderung-in-den-arbeitsprozess.pdf.

[12] For the purpose of implementing old age and survivors' insurance, disability insurance and family compensation, the Liechtenstein Government founded three separate independent institutions under public law, which are linked by law in a personal union and have identical organs. The Liechtenstein Disability Insurance Office (*Liechtensteinische Invalidenversicherung – IV*) is one of these three institutions; see: AHV - IV - FAK Liechtenstein: Allgemeines.

in Switzerland is applied to Liechtenstein's figures, between 950 and 1 200 persons would have been in employment in 2022-2023.

Another source from which to estimate the employment figures for persons with disabilities can be found in the results of the Liechtenstein national health survey. At five-yearly intervals, the Liechtenstein Office of Statistics conducts a national health survey. Part of the survey (section 2.6) is dedicated to (1) functional restrictions (difficulty seeing, hearing, speaking and walking); (2) limitations in activities of daily living (everyday activities such as undressing, getting out of bed or getting up from an armchair, eating, going to the toilet, bathing or showering); and (3) limitations in instrumental activities of daily living (preparing food, making phone calls, shopping, doing laundry, doing light housework, doing heavy housework, taking care of finances, using public transportation). In each category, respondents are asked to assess their limitations (or lack thereof), choosing between 'no difficulties', 'light difficulties' and 'major difficulties or inability'.

In a special evaluation provided on request for this report, the Liechtenstein Office of Statistics gave an estimate of the number of employed persons with disabilities, based on the national health survey. By aggregating individual data on the working-age population (aged 17 to 65) an employment rate for persons with disabilities of 49.46 % in 2017 was identified.[13] This figure comes with the caveat that the standard error is at 0.087 and the 95 % confidence interval is between 32 % and 66 % due to the limited number of cases (n= 55). Further, the small number of cases does not allow for a further breakdown by gender or age.

The estimates based on the Swiss figures result in approximately 67.9 % of persons with disabilities in employment. This is a significant higher rate than the value derived from the Liechtenstein health survey. This makes it all the more clear that relying on approximate or comparative values is not a reliable basis for making statements about the level of employment of persons with disabilities in Liechtenstein.

2.3 Description of the disability employment gap and trends

Due to a lack of statistical data and surveys, a description of the disability employment gap can only be based on the comparative values from Switzerland, as stated in section 2.2. Under these assumptions, it should be noted that persons with disabilities are significantly less likely than persons without disabilities to have a job in the primary labour market. Just under a third of persons with disabilities (approx. 32 %) are not in employment. This is significantly higher in comparison with persons without disabilities (18 %). In Switzerland, the proportion of unemployed persons with disabilities increased between 2014 and 2018 (from 25 % to 32 %). The unemployment rate has stagnated at this level since 2019.

Based on the estimate calculated from the 2017 results of the Liechtenstein national health survey (see section 2.2 of this report), the general picture is slightly worse. In 2017, the employment rate for persons with disabilities was approximately 49 %, including persons with disabilities in an employment contract in the first and second employment market (including persons working in sheltered workshops). A differentiation between the first and second employment market is not possible, as no

[13] The latest available evaluation results, which were collected and statistically processed, date from 2017. These are used as a basis below.

data for any further analysis is available. As statistical data for the time period between 2012 and 2017 is missing, no (trend) analysis can be made.

2.4 Employment of persons with disabilities in "sheltered workshops"

The Special Education Centre in Liechtenstein (Heilpädagogisches Zentrum Liechtenstein – HPZ)[14] maintains sheltered working spaces, supported by the Government by means of a mandate to provide workers with disabilities with a paid occupational activity tailored to their abilities. The HPZ provides the workers with disabilities with a paid occupational activity in an economic production unit. The HPZ organises occupational integration, care and assistance measures with the aim of enabling workers with disabilities – where possible – to access jobs in the primary labour market. There is no legally binding aim set for this process, which means that there is no set timetable or process for integrating a person with disabilities working in a sheltered workplace through the Special Education Centre in the regular labour market. At the end of 2023, the Special Education Centre in Liechtenstein employed around 200 supervised employees with disabilities. They performed a total of 273 329 billable service units (working hours), according to the annual report of the Foundation for Special Education Assistance in Liechtenstein.[15]

Since the Special Education Centre service is run by a private organisation, there is no statistical data available about the success of this measure. Thus, no publicly available statistical data on the employment of persons with disabilities in 'sheltered workshops' in Liechtenstein can be retrieved, including any disaggregated data (e.g. by age, gender or type of disability).

2.5 Additional national indicators / data regarding employment of persons with disabilities

In Liechtenstein there is no information available on any additional national indicator or data regarding the employment of persons with disabilities.

[14] The Foundation for Special Education Assistance in Liechtenstein is a non-profit foundation organised under private law, with its registered office in Schaan. Its purpose is supporting persons with special needs, which it achieves through the operation of the Special Education Centre (*Heilpädagogisches Zentrum Liechtenstein – HPZ)*; see: HPZ Startseite - hpz.li.

[15] Foundation for Special Education Assistance in Liechtenstein (2023), *Jahresbericht 2023* (Annual report for 2023), https://www.hpz.li/wp-content/uploads/2024/05/Jahresbericht_Stiftung_2023_Web.pdf.

3 National targets for the employment of persons with disabilities, including monitoring of the targets

3.1 National targets for employment of persons with disabilities

In Liechtenstein, no national targets for the employment of persons with disabilities have been defined. Thus, no percentage total for the number of persons with disability aged 20 to 64 who should be in employment exists.

3.2 Indicators to monitor the targets

In the absence of national targets for the employment of persons with disabilities, no monitoring of targets takes place.

3.3 Timeline of monitoring

In the absence of national targets for the employment of persons with disabilities, no target-monitoring specifications, obligation or timeline exists.

3.4 Evaluation of targets

In the absence of national targets for the employment of persons with disabilities, no evaluation of any target has been done so far.

4 Identification and evaluation of employment measures over the last decade

4.1 Evaluation of national measures

In 2005-2006, during the consultation process on the Act on Equality of Persons with Disabilities (AEPD), it was suggested by various sides that a binding employment quota should be established in the form of a voluntary commitment for larger companies. The proposal included a legal basis for requiring larger companies to offer a certain percentage of jobs to persons with disabilities. This proposal was rejected without any alternative being offered. Therefore, only Article 20 of the AEPD remained in the corresponding law, which states that pilot projects on the integration of persons with disabilities into the work environment may be supported by society.

The latest relevant evaluation and statement from the Liechtenstein Government regarding the employment situation of persons with disabilities for the time period 2012 to 2022 dates from 2021. This was preceded by a postulate from the Liechtenstein Parliament in November 2012, requesting that the Government review how the professional integration of persons with disabilities into Liechtenstein's labour market could be improved. Nine years later, on 23 March 2021, the Government of Liechtenstein submitted its response to the Parliament.[16] In summary, the Government of Liechtenstein stated that there were already a number of approaches in place and no further legal obligation had to be put into force. The Government is convinced that greater success can be achieved through increased coordination among the various providers and a corresponding sensitisation of employers than through legally prescribed employment quotas or even protection against dismissal. The Government proposed, therefore, that the Liechtenstein Parliament should refrain from creating an additional administrative structure.

No specific national employment projects regarding persons with disabilities have been put in place since 2012. Therefore, some relevant measures for the time period 2012-2021 are summarised below.

4.1.1 Measure 1: Vocational rehabilitation and (re)integration

The Association for Assisted Living carries out tasks in the field of vocational rehabilitation and (re)integration on behalf of the Office for Social Services (ASD) and the Public Employment Service (AMS). In 2016, the Association for Assisted Living launched the JIL programme to support mentally ill persons and young persons with multiple problems in their job search, in the application process and in getting and keeping a job. JIL gives persons with mental illnesses a chance of vocational integration. Further, JIL provides job coaching for the affected persons and provides the potential employer with needs-based support and guidance in preparing for theoretical and practical career choices and/or in finding and keeping a job. Job coaches work in accordance with the concept of supported employment. Supported

[16] Government of Liechtenstein, *'Postulatsbeantwortung der Regierung an den Landtag des Fürstentums Liechtenstein zur verbesserten Eingliederung von Menschen mit Behinderung in den Arbeitsprozess'* (Response of the Government to the Parliament of the Principality of Liechtenstein on the improved integration of people with disabilities into the labour market, 23 March 2021, BuA-no. 2021/17, https://bua.regierung.li/bua/default.aspx?nr=17&year=2021&filter1=Behinderung&backurl=modus%3dsearch%26filter1%3dvt%26filter2%3dBehinderung&sh=-580241069.

employment is internationally recognised as a proven method of vocational integration for persons with disabilities, the effectiveness of which has been confirmed by scientific studies. In recent years, the approach has also been adopted for other target groups.

From 2016 to 2019, the project was financed exclusively through donations. In 2020, JIL was able to conclude a service agreement with the Liechtenstein Government. Nevertheless, there is no official data available on how this measure has influenced the employment rate of persons with disabilities in Liechtenstein. No official data or statistic source exists in order to evaluate the degree of efficiency of the JIL measures.

There is no official data available on how this measure has influenced the employment rate of persons with disabilities in Liechtenstein.

4.1.2 Measure 2: Case management

The 'case management' programme was implemented by the Liechtenstein Disability Insurance Office (Liechtensteinische Invalidenversicherung – IV)[17] authorities in 2007. The aim is to keep people in the labour market or reintegrate them into the labour market in order to avoid dependency on an IV pension.

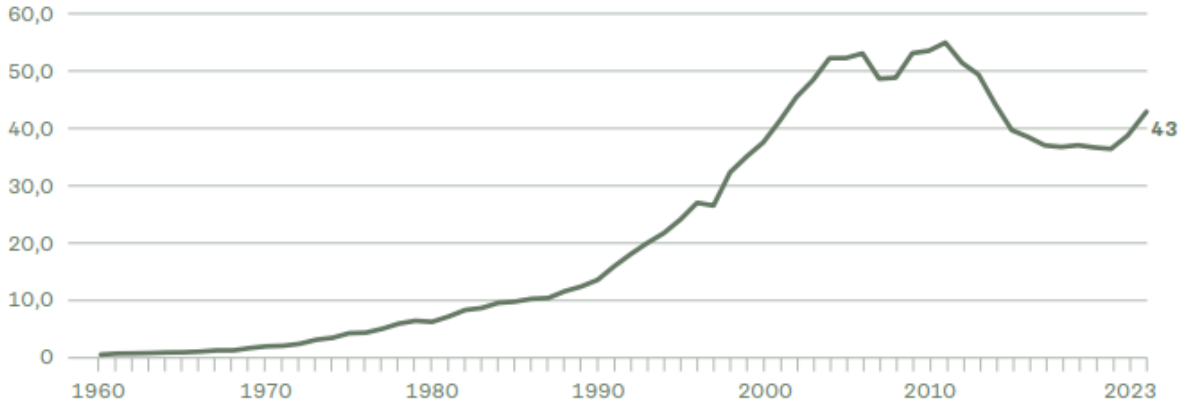
The principle applies that integration into the labour market clearly takes precedence over pension payments. Customised integration measures are available for this purpose. These include financial contributions for integration measures and wage subsidies, as well as retraining, job placement and job coaching. The wage subsidy is possible with an IV degree of at least 40 %. The wage subsidy is paid to the employer and enables the relevant companies to pay the usual salary for a specific position, even if the person with disabilities cannot perform the same work as a person without disabilities.

Active cooperation with the companies is also sought, i.e. the specialists and case managers support both the individuals concerned and the companies in their specific issues when integrating employees with disabilities. The case managers are not employees of the authority, but work on a mandate basis.

The graph below shows the amount paid by the Liechtenstein Disability Insurance Office during the time period 1960-2023 in Mio. CHF).

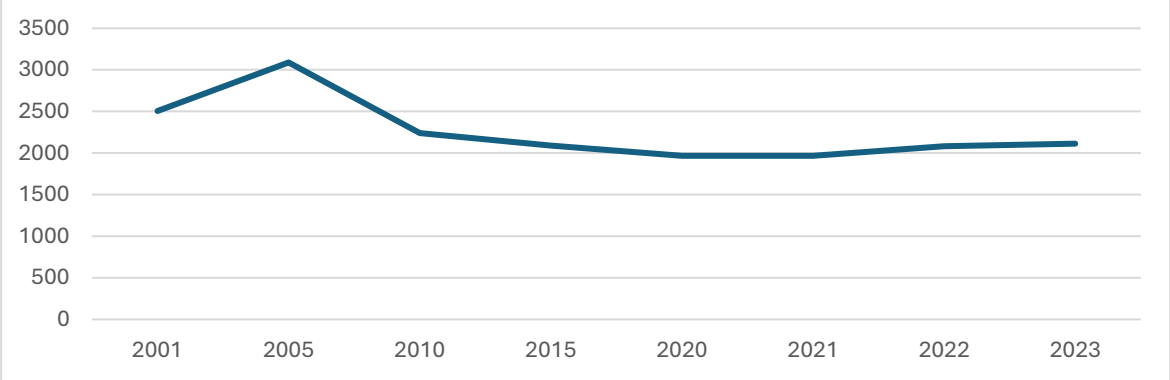
[17] For the purpose of implementing old age and survivors' insurance, disability insurance and family compensation, the Liechtenstein Government founded three separate independent institutions under public law, which are linked by law in a personal union and have identical organs. The Liechtenstein Disability Insurance Office (Liechtensteinische Invalidenversicherung – IV) is one of these three institutions; see: AHV - IV - FAK Liechtenstein: Allgemeines.

Figure 4: Amount paid by Liechtenstein Disability Insurance Office, 1960 - 2023



The number of registered disability pensions with the Disability Insurance Office has shown a decline in the years 2005 to 2021, which an exception in 2010/2011. Reasons have not been evaluated in detail, so no analyses can be given on how this measure has influenced the employment rate of persons with disabilities in Liechtenstein. No official data or statistical source exists to evaluate the degree of efficiency.

Figure 5: Number of registered disability pensions, Disability Insurance Office



4.1.3 Measure 3: Early detection of persons at risk of any disability

By means of early detection, persons with the first signs of a possible disability are onboarded to a specific process at the Liechtenstein Disability Insurance Office with the aim of early detection and measures to avoid the risk of developing chronic health problems as early as possible.[18]

If the insured person participates in the early registration process with the Disability Insurance Office, the office will hand over the assessment to independent external specialists (case managers). In discussion and cooperation with the insured person, the employer and attending doctors, these specialists try to steer the individual case in the right direction with as little bureaucracy as possible, making full use of the entire range of disability insurance benefits and, if necessary, coordinating with other agencies. In addition to the existing integration measures undertaken by the Disability Insurance Office (retraining with daily allowance, job trials with daily allowance, etc.),

[18] See information sheet from the IV office regarding early registration, available at: https://www.ahv.li/fileadmin/user_upload/Dokumente/Online-Schalter/MB/AHV-IV-FAK-MB-3-04--Frueherfassung_IV.pdf.

numerous additional early intervention measures are available within the framework of early assessment (financing of short-term employment measures, training courses, familiarisation grants for job trials, support through job coaching, etc.). A contact person in the Disability Insurance Office is assigned to the employer to keep the employer informed on an on-going basis and to actively involve them in the integration process. Early intervention measures are generally available for a maximum of one year. Within this period, it must be clarified whether integration or reintegration is possible or whether a disability insurance registration is definitely indicated.

The legal obligation to register an employee with the Disability Insurance Office exists after at least six weeks of absence from work due to health reasons (incapacity for work of at least 50 %). The obligation to report does not apply if it becomes apparent that full fitness for work will be restored in the near future (e.g. where a longer recovery period is required after an accident).

There is no official data available on how this measure has influenced the employment rate for persons with disabilities in Liechtenstein.

4.2 Factors influencing the employment rate of persons with disabilities

In Liechtenstein, national law does not contain any specific measures or guidelines regarding the employment rate for persons with disabilities. The relevant provisions in the Constitution, the Act on Equality of Persons with Disabilities (AEPD)[19] and the Act on Disability Insurance[20] are designed more to provide care and protection than to focus on inclusion in society. As a result of this lack of national specifications and data regarding the employment rate of person with disabilities, no analyses regarding the influence of the measures or of various factors can be produced for Liechtenstein.

[19] Act on Equality of Persons with Disabilities (*Gesetz über die Gleichstellung von Menschen mit Behinderungen, Behindertengleichstellungsgesetz* (AEPD), BGlG), 25 October 2006, LGBl. 2006, No. 243, https://gesetze.li/konso/pdf/2006243000?version=7.

[20] Act on Disability Insurance (*Gesetz über die Invalidenversicherung*), 23 December 1959, LGBl. 1960, No. 5, 1960005000 (gesetze.li).

5 Future plans and overall assessment

5.1 Planned reforms

In 2021, the Government of Liechtenstein rejected as not sensible a proposal regarding measures to enforce the inclusion of persons with disabilities in the labour market. This included a proposal for a recruitment law including a bonus-*malus* system, in which companies that employ persons with disabilities are supported by a bonus and companies that employ no, or too few, persons with disabilities have to pay a *malus*.[21] Furthermore, the Government has decided not to promote the integration of persons with disabilities in Liechtenstein through any alternative incentive system. It also rejects special protection against dismissal for persons with disabilities.

New challenges have arisen over the past few years as a result of the uncertain economic situation and the pressure on companies and governments to make savings, leading to cuts in the welfare state. In addition, new dynamics resulting from new technologies are intensifying competition in the world of work, and new and higher performance requirements are emerging for employees. Demographic and social changes also raise new questions about the future for persons with disabilities.[22]

Against this background, no noteworthy regulatory examples of the integration of persons with disabilities into the regular labour market in Liechtenstein can be pointed out. Further, the Liechtenstein Government has not provided any plan or strategy on how to deal with these developments up to now.

5.2 Potential impact of planned reforms

In the absence of any published plan for national reforms to improve the integration of persons with disabilities into the labour market and to increase their employment rate, no statement can be made about potential effects.

5.3 Key lessons from national measures

Various organisations and their networks, including the Office for the Equality of Persons with Disabilities, help to improve the chances for persons with disabilities to take up work, stay in employment and return to work through counselling and support services. However, there are no explicit good-practice guidelines regarding reasonable accommodation directed at employers in Liechtenstein, whether they are large, small or medium-sized enterprises, in the private or public sector, regarding how to pursue a positive strategy to deal with disability issues in the workplace.

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[21] Government of Liechtenstein, *'Postulatsbeantwortung der Regierung an den Landtag des Fürstentums Liechtenstein zur verbesserten Eingliederung von Menschen mit Behinderung in den Arbeitsprozess'* (Response of the Government to the Parliament of the Principality of Liechtenstein on the improved integration of people with disabilities into the labour market, 23 March 2021, BuA-no. 2021/17, https://bua.regierung.li/bua/default.aspx?nr=17&year=2021&filter1=Behinderung&backurl=modus%3dsearch%26filter1%3dvt%26filter2%3dBehinderung&sh=-580241069.

[22] Hauser, M. and Tenger, D. (2015), *Menschen mit Behinderung in der Welt 2035: Wie technologische und gesellschaftiche Trends den Alltag verändern* (People with disabilities in the world in 2035: How technological and social trends are changing everyday life), Gottlieb Duttweiler Institute.

It appears that where persons with disabilities are successful in the primary labour market of Liechtenstein, it is usually through personal and individual efforts.

In the absence of a published plan for national reforms to improve the integration of persons with disabilities into the labour market and to increase their employment rate, no statement can be made about lessons learned.

5.4 Key lessons from evaluation and monitoring of measures

In the absence of a published plan for reform to improve the integration of persons with disabilities into the labour market and to increase their employment rate, no analyses can be drawn out with regard to the monitoring of measures.

6 Recommendations

6.1 Recommendations for Liechtenstein

With reference to the Government's decision, on 26 May 2020, to sign the UN Convention on the Rights of Persons with Disabilities of 13 December 2006, some action in the field of non-discriminatory regulation of access to the labour market would seem to be necessary. A general and clear order regarding reasonable accommodation in the field of work and employment in accordance with Article 27 §1 sentence 2 lit i of the CRPD is currently lacking in Liechtenstein. The Liechtenstein legal situation should therefore be clarified by adapting Article 10 of the Act on Equality of Persons with Disabilities accordingly.[23] According to Article 31 of the CRPD, Liechtenstein is obliged to undertake the collection of appropriate information, including statistical and research data. The data collection should make it possible to develop and implement political concepts for the implementation of the Convention. An inquiry to the Liechtenstein Office of Statistics reveals that neither topical general data concerning persons with disabilities nor specific labour market related data on persons with disabilities has been published at the time of writing.

From 19 to 26 June 2023, the UN Human Rights Council's independent expert Prof. Attiya Wari visited Liechtenstein. In her report[24] on the situation in Liechtenstein, the independent expert recommended, among other things, the following measures:

- In the light of ratification of the CRPD, the independent expert encouraged the Liechtenstein authorities to develop a clear national disability strategy, including funding and stakeholder oversight, for its implementation.

- Improvement of the weak state of labour law in Liechtenstein: adoption of legislative changes that will allow a shift from the vision of economic, social and cultural rights as simple social benefits towards the concept of human rights as defined under international law. Therefore, Liechtenstein should ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights as well as the Optional Protocol to the Convention on the Rights of Persons with Disabilities. In addition, the independent expert urged the Liechtenstein Government to amend Article 15.2 of the Law on the State Court of Justice to include the International Covenant on Economic, Social and Cultural Rights and the CRPD.

Back in 2017, the Concluding Observations on the second periodic report of Liechtenstein of the UN Human Rights Committee (following its session in July 2017 and hearings in June and July 2017 on economic, social and cultural rights. UN Covenant I), expressed some criticism, and issued recommendations, regarding the situation of persons with disabilities:[25]

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[23] Legal implications of ratifying the UN Convention on the Rights of Persons with Disabilities for Liechtenstein.

[24] UN Human Rights Council, Fifty-fifth session 26 February-5 April 2024, Visit to Liechtenstein – Report of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, Attiya Waris, https://www.llv.li/serviceportal2/amtsstellen/amt-fuer-auswaertige-angelegenheiten/bericht-laenderbesuch-expertin.pdf.

[25] UN Human Rights Committee, Concluding observations on the second periodic report of Liechtenstein (CCPR/C/LIE/CO/2), 21 August 2017, available at:

- Persons with disabilities are denied access to the labour market due to a lack of infrastructure (indirect discrimination).
- No requirements or obligations on the part of employers exists.
- The statistical bases necessary for the assessment of the situation of persons with disabilities (for example, data that provide information about integration in the labour market) are missing.
- Persons with disabilities still face challenges in gaining access to justice, education, employment and political participation, and as a result of permissible distinctions regarding wages under the current legislation.

The Committee's recommendations stated, among other things, that the Government should:

- ensure that employers are fulfilling their positive obligations to ensure access to the labour market for persons with disabilities by providing reasonable accommodation;
- make the denial of reasonable accommodation for persons with disabilities a form of discrimination within its existing indirect discrimination provisions; and
- ensure that the definition of 'disproportionate burden' in relation to employers' obligations is understood and implemented in a restrictive way.

Finally, the Committee encouraged the Government to continue its efforts on, for example, the reintegration of persons with disabilities into the workplace, remarking that this would ease the financial burden on the Disability Insurance Office.

6.2 Recommendations for the European Commission

Based on the current situation in Liechtenstein, no recommendations can be given for the European Commission.

https://www.llv.li/serviceportal2/amtsstellen/amt-fuer-auswaertige-angelegenheiten/concluding-observations-pakt-ii-2017.pdf.

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