

Universal Periodic Review (43rd session)

Contribution of UNESCO

Liechtenstein

I. Background and framework

Liechtenstein is not a UNESCO Member State, in consequence the information directly available to UNESCO is limited.

II. Promotion and protection of human rights on the ground

A. Education

1. The Constitution of the Principality of Liechtenstein of 1921, as of 2019¹, provides that the State “supports and promotes” education but does not expressly enshrine the right to education in the Constitution. Article 13 of the Constitution stipulates that “All nationals are equal before the law. The public offices are equally accessible to them in compliance with the statutory provisions.” However, this provision does not expressly apply to education. According to available information there is no national legislation expressly enshrines the right to education without discrimination.²
2. The School Act 1971, as amended in 2018³, provides that “compulsory schooling lasts nine school years,” (Article 76), and that primary and lower secondary education are free for 9 years. Legislation is unclear on whether or not upper secondary education is free of charge. What is clear is that vocational high school students must pay school fees.

B. Freedom of opinion and expression

Constitutional and Legislative Framework:

¹https://www.gesetze.li/konso/1921.015?search_text=&search_loc=&lmr=&lgblid_von=&lgblid_bis=&observe_date=&sort_col=&sort_dir=&version=42

² <https://en.unesco.org/education/girls-women-rights>

³https://www.gesetze.li/konso/1972.7?search_text=&search_loc=&lmr=&lgblid_von=&lgblid_bis=&observe_date=&sort_col=&sort_dir=&version=28

3. The Constitution of Liechtenstein provides for freedom of expression under Article 40 which states that “every person shall be entitled to freely express his opinion and to communicate his ideas by word of mouth or in writing, print or pictures within the limits of the law morality; no censorship may be exercised except in respect of public performances and exhibitions”.⁴
4. Under Section 4 “Offences against honour”, paragraph 111 of Liechtenstein’s Criminal Code, defamation is punishable with a monetary penalty from 360 to 720 daily rates (depending on the circumstances and economic ability of the offender) and with imprisonment from six months to one year. Paragraph 112 under the same Section indicates that “false accusation” is punishable with imprisonment of up to three years, and a monetary penalty of up to 360 daily rates.⁵ Under Section 3 “Penalties, forfeiture, and preventive measures”, paragraph 19 of the Criminal Code, the daily rate shall, be assessed at least 10 francs and at most 1,000 francs, depending on the personal circumstances and economic ability of the offender at the time of the judgement.
5. Liechtenstein adopted an access to information law in 1999 called “Gesetz vom 19 Mai 1999 über die Information der Bevölkerung (Informationsgesetz)”⁶ which was updated last in 2019. Under Article 29 of this law, which considers information requests, any person may obtain files from state and municipal bodies and independent institutions and foundations under public law who are performing public tasks.

Implementation of the law:

6. The Media Commission (Medienkommission) is responsible for overseeing broadcasting matters and works in cooperation with the Government (cf. Media Act of 2005, Article 84)⁷. As per Article 83 of the Media Act⁸, the Media Commission is constituted of a president, a vice-president, three other members and two substitute members, who are appointed by the Landtag (Parliament) for a four-year term.
7. The Constitution guarantees freedoms of expression and the media. However, limitations to the freedom of expression and opinion remain where there is a need to

⁴ https://www.gesetze.li/konso/1921015000?search_text=verfassung&search_loc=text&lm=&lgblid_von=&observe_date=02.09.2021 (only available in German)

⁵ https://legislationline.org/sites/default/files/documents/64/LICH_CC_eng.pdf

⁶ <https://www.gesetze.li/konso/1999.159> (only available in German)

⁷ <https://www.gesetze.li/konso/pdf/2005250000?version=13> (only available in German)

⁸ Ibid.

protect the rights or reputations of others, or of public health or morals.⁹

Safety of journalists:

8. As of 5 August 2022, UNESCO has not reported any killing of journalists in Liechtenstein since systematic reporting by the Organization began in 2006.¹⁰

III. Review and specific recommendations

A. Education

Legislative, regulatory and policy framework

9. Despite Recommendation 108.82 from the last UPR cycle, according to available information, key provisions for inclusion and non-discrimination are not included in national legislation.
10. Overall, government-provided information made readily available to the public on Education Sector legislation and policy is difficult to access. The government could consider creating a website dedicated to the Education Sector with all legislative and policy documents available to the public and consolidated in one place, including regular updates on education policy initiatives and programmes.

Enrollment rates

11. Liechtenstein had only 40 out-of-school adolescents as of 2019, in comparison to 61 in 2018.¹¹ Overall, the net enrollment ratio is very high, with a rate of 75.9% for pre-primary education, 92.5% for primary education, and 93.6% for secondary education as of 2019.

⁹ <https://www.ohchr.org/en/press-releases/2009/10/human-rights-committee-considers-report-liechtenstein>

¹⁰ <https://en.unesco.org/themes/safety-journalists/observatory/country/339855>

¹¹ <https://uis.unesco.org/en/country/li>

Girls' and women's right to education

12. Recommendations 108.41, 108.80, and 108.100 from the last UPR cycle in Liechtenstein recommend pursuing measures to foster equality and non-discrimination, promoting gender equality in education, and combatting gender-based violence. Nevertheless, no information is accessible to UNESCO that indicates legislative, or policy measures taken since 2018 to address such recommendations.

Higher education and Migrants

13. As governed by the law of 25th November 2004 on Higher Education¹², three academic higher education institutions are present in Liechtenstein. However, the majority of the students follow their higher education studies abroad, notably in Switzerland, given that these three institutions do not cover all subjects. There are also no advanced vocational training institutes residing within the principality of Liechtenstein.¹³
14. With regard to higher education for migrant children, as recommended in the previous UPR cycle (Recommendation N°108.79), Liechtenstein is encouraged to facilitate access to higher levels of education for migrant children. Launched in 2021, the Education Strategy 2025plus¹⁴ contains a strategic objective “Education for All,” in which “Enabling lifelong learning for all by ensuring access to education, especially for people with ... a migrant background” is listed as an activity. However, no specific measures on how Liechtenstein plans to ensure access for migrants, nor whether this activity extends to higher levels of education, is available.

Early Childhood Care and Education

15. The Education 2030 Framework for Action calls on states should make at least one year of pre-primary education free and compulsory. According to Article 23 of the

¹² <https://www.gesetze.li/konso/pdf/2005002000?version=3>

¹³ <https://eurydice.eacea.ec.europa.eu/national-education-systems/liechtenstein/liechtenstein>

¹⁴ [Education Strategy 2025plus Principality of Liechtenstein - Strategic Goals & Fields of Action \(bildungsstrategie.li\)](https://www.bildungsstrategie.li/education-strategy-2025plus-principality-of-liechtenstein-strategic-goals-fields-of-action)

School Act, “1) Attending kindergarten is voluntary. 2) The government may make kindergarten compulsory for the last year before compulsory schooling.” According to Article 7, kindergarten is provided free of charge and comprises the two years before compulsory schooling begins.¹⁵

Distance Learning

16. Digital inclusion was particularly important in the context of the COVID-19 pandemic. The Initiative on the Evolving Right to Education highlights the need to ensure inclusive education under all circumstances given the digital transformation.¹⁶ Nevertheless, the UNESCO Institute for Statistics indicates that Liechtenstein has in place no provisions for TV, radio, or online learning modalities despite schools being at least partially closed for eight weeks during the COVID pandemic. No information is readily available that indicates if or how distance learning was utilized during school closures – both total and partial. Liechtenstein could consider implementing digital/distance learning modalities to avoid disruptions.

The Evolving Right to Education

17. As the world evolves in response to circumstances not present when many educational frameworks were developed, so must the right to education. This evolving right to education is reflected in recent education policy reforms in Liechtenstein, notably the Education Strategy 2025plus, which came into effect in March 2021.¹⁷ The Strategy has eight key objectives, among them subjects such as lifelong learning, TVET, high-quality education, 21st century competences, and early childhood education. The strategy particularly highlights the importance of linguistic education in early childhood care and education, supervised by the Office of Social Services, as well as adult learning under the umbrella organization the Adult Education Foundation.¹⁸

18. In line with Recommendations 108.108, 108.109, and 108.10 on ensuring access and the right to education for persons of disabilities, one of the Strategic Objectives –

¹⁵ <https://en.unesco.org/education/girls-women-rights/632>

¹⁶ <https://www.unesco.org/en/education/right-education/evolving>

¹⁷ <https://www.bildungsstrategie.li/de/default.asp>

¹⁸ <https://eurydice.eacea.ec.europa.eu/national-education-systems/liechtenstein/ongoing-reforms-and-policy-developments>

“Education for all” – aims at “Enabling lifelong learning for all by ensuring access to education, especially for people with special educational and support needs...”¹⁹

19. Recognizing equally the importance of technical and vocational education, and higher education more generally, Liechtenstein has established cooperation networks with neighboring countries given the limitations due to Liechtenstein’s small size and physical limitations.²⁰

Specific recommendations:

20. Liechtenstein should be encouraged to:

- Expressly enshrine the right to education for all in the Constitution and legislation of the Principality
- Ensure more transparency and further access to information by creating a dedicated website which would contain relevant education legislation and policy initiatives
- Develop a system for students to report gender-based violence in schools at all levels
- Elaborate specific measures to include migrant children in higher levels of education in Liechtenstein.
- Take measures to ensure that one year of kindergarten is compulsory in Liechtenstein.

B. Freedom of opinion and expression

21. Liechtenstein is encouraged to decriminalize defamation and place it within a civil code that is in accordance with international standards.

¹⁹ [Education Strategy 2025plus Principality of Liechtenstein - Strategic Goals & Fields of Action \(bildungstrategie.li\)](https://bildungstrategie.li)

²⁰ <https://eurydice.eacea.ec.europa.eu/national-education-systems/liechtenstein/ongoing-reforms-and-policy-developments>

C. Freedom of scientific research and the right to benefit from scientific progress and its applications

22. Liechtenstein did not submit its National Report on the implementation of the *Recommendation on Science and Scientific Researchers* (2017) for the consultation period from 2017 to 2020. Liechtenstein is encouraged to share data on national policy and practice and expand input on issues covered by the 2017 Recommendation in its national report to the UPR, particularly in relation to the right to share in scientific advancement and its benefits (article 27, Universal Declaration of Human Rights). This will allow further discussions thereon at the Human Rights Council and the formulation of specific recommendations. Within this framework, Liechtenstein is urged to consider addressing issues of equality and non-discrimination in access to education, as well as to scientific benefits and their applications, and to include reference to the relevant dimensions of the right to share in scientific advancement and its benefits in its reporting on the impact of the COVID-19 pandemic and the assessment of responses thereto. Finally, Liechtenstein is invited to expand the scope of application of freedom of expression to include scientists and scientific researchers.