

ANED Country report on Social Protection and Article 28

Liechtenstein

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The Academic Network of European Disability experts (ANED) was established by the European Commission in 2008 to provide scientific support and advice for its disability policy Unit. In particular, the activities of the Network support the development of the European Disability Strategy 2010-2020 and practical implementation of the United Nations Convention on the Rights of Disabled People in the EU.

This country report has been prepared as input for the synthesis report on Social Protection and Article 28 UNCRPD.





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PART A: FACTUAL DATA

1 Standard of living

Liechtenstein is a country with a very high standard of living. The state budget was confronted with some restrictions in the past few years, though. Meanwhile, the government and the parliament have implemented several cost cutting programs. It seems that the austerity regime comes to an end now in Liechtenstein.

The austerity measures have been and are implemented in a way that it should not hurt the most vulnerable parts of the society too hard, including persons with disabilities. This was pronounced by the politicians and parties throughout the whole austerity process. Indeed, some bottom lines could be preserved.

The social security net is very well developed in Liechtenstein, not the least due to a still comparably well financial situation, despite the mentioned restrictions. This means, among others, that no person with residence in Liechtenstein should fall below a certain poverty threshold, defined as the minimum income to live in Liechtenstein. The minimum income is dependent on the income situation of a household, influenced also by the number and the age of persons in that specific household. People and households falling below this threshold are supported in any case. This income support program (Law on Social Assistance; *Sozialhilfegesetz*, LGBl. 1987 no. 18)¹ only enters into action if other social security measures are not sufficient. The social welfare benefit is the last anchor in the social security system of Liechtenstein.

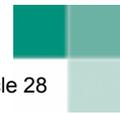
Other social security benefits are e.g. financial assistance to housing costs, child benefits, additional payments to insufficient pensions, unemployment assistance etc.

Every person with residence in Liechtenstein has the right to assistance in case of a disability, no matter whether it is by birth or whether it occurs later during one's lifetime. It is also independent of age, employment status or income situation. Benefits for disabled people supplement the social security system: wage subsidies, daily allowances, disability pensions, financial aid for devices, accommodation etc., additional benefits for people with specific disabilities, such as e.g. assistance for visually impaired people.

Thus, the benefits for disabled people are separate from benefits and assistance in the area of work and employment. It is, on the one hand, relevant for people with a disability by birth or with a disability that occurs before they are 18 years old. The main goal is again their integration into normal life, into regular schools and the normal work environment. If necessary, special medical treatment, special education,

¹ Link:

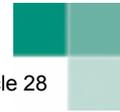
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special schools etc. and all kinds of devices are provided or financed by the Disability Insurance.

Social assistance according to the Act on Social Assistance is the last resort to prevent people from falling into poverty. People at risk of poverty can count on social assistance, if all other social services are not sufficient. For this reason, material poverty does not exist in official terms.

On the other hand, there are in fact people and households at risk of poverty which is severe enough in a very rich country. They are supported by the above mentioned and other social security programs if they claim for them. Unfortunately no statistical data on the overall situation in Liechtenstein exists, differentiating between people with and without disabilities. As a Non-Member to the EU, Liechtenstein is not included in the SILC-data. There is also no sufficient statistical evidence at the national level. Academic research is also very rare in that field, due to the smallness of Liechtenstein and the typical lack of academic resources in a very small state.



2 Overview of disability protection systems

2.1 Services, devices and assistance

2.1.1 Devices (including assistive technologies)

The main legal basis for assistive device is the Act on Disability Insurance (*Gesetz vom 23. Dezember 1959 über die Invalidenversicherung (IVG)*, LGBl. 1960, no. 5).² There is a wide range of assistance, including, among others, assistive device (Articles 47 and 48). Assistive device, according to Article 47 paragraph 2 of the Act on Disability Insurance, is foreseen for the following measures or areas: at the workplace; in schools, education and training; to adapt to the status of disability; for mobility; for contacts with the environment; for self-help. This does not include devices for medical treatment (Article 48 Section 3). Persons with disabilities are entitled to assistive devices, regardless of whether they are able to work or not. The regulation (By-Law) to the Act on Disability Insurance provides in its appendix a list of all devices. It is a long list with quite a lot of different devices available. Therefore, it is too complicated to discuss each one separately.

Persons with disabilities can chose between registered doctors, practitioners, or recognized domestic or foreign institutions, to receive support and assistive devices (Article 47 paragraph 3). Measures of non-registered institutions outside Liechtenstein are only covered by the Insurance if the Insurance has accepted this beforehand (Article 47 paragraph 3).

According to Art. 82 of the Act on Disability Insurance the Insurance can **support public and private, non-profit residential care homes, integration centres, and sheltered workshops** for people with disabilities. All of them are specialised to assist people with disabilities. Thus, the goal of the provisions on assistive device is to help people with disabilities in their everyday life, at home, at the workplace, in school, in social life etc.

Name of benefit Devices for people with disabilities

Prosthesis (foot, leg, arm, etc.);

Orthotics (leg, arm, etc.);

Shoes (orthopaedic shoes, etc.);

Head devices (for eyes and face, hearing devices, speaking devices, etc.);

Wheel chairs (with and without electric motors);

Cars (cars, special cars for people with disabilities and other motor vehicles);

Reading and writing tools (special computer applications, software reading tools for people with visual disabilities, etc.);

² Link:

https://www.gesetze.li/lilexprod/lgsystpage2.jsp?formname=showlaw&lgbid=1960005000&version=5&search_text=Behinderten&search_loc=text&sel_lawtype=conso&compl_list=1&rechts_gebiet=0&menu=0&tablesel=0&observe_date=04.02.2016.



Devices for blind and visually impaired people (including sticks, dogs for blind people etc.);

Devices to stand or walk;

Devices and assistance at workplaces, schools and in education, including structural adaptation to improve accessibility;

Devices for self-help (in showers and bathrooms, electronic bed, elevators and ramps, structural adaptation of apartments to improve accessibility etc.);

Devices for communication (typewriters, electronic and other communication tools, page-turners to read books, made-to-measure cloths, crash helmets etc.

Purpose of the benefit:

The main goal of the provisions on assistive devices is to help people with disabilities in their everyday life, at home, at the workplace, in school and education, vocational training, in social life, and to assist them in their self-help.

Means-testing:

The above mentioned assistive devices are provided in a **non means-tested** manner. It is merely dependent on a specific impairment and on the level of the respective disability or disabilities. The Act on Disability Insurance and the Regulation to the Disability Insurance state that concerned people must be supported.

Some devices and measures, on the other hand, are only provided in the context of **work and employment** and, in addition, dependent on specific conditions or circumstances.

The **costs** of devices are in general borne by the Insurance. In some cases, maximum costs for specific devices are defined. If somebody chooses a device which is more expensive than the defined maximum, only the defined maximum is reimbursed.

Social insurance:

National law in Liechtenstein does guarantee the right to access healthcare for all persons on an equal basis. Art. 4 of the Health Act states that the promotion of health as well as the prevention of illness and accidents is the main obligations of the public health care. Employees receive (through the employer) special accident insurance for occupational accidents, occupational diseases, and also accidents occurring during leisure time. The accident insurance pays the costs of medical care and devices (including assistive technologies) necessitated by an accident and also pay accident benefits or accident pensions and indemnities for severe disablement as a result of an accident. In the case of persons who are not insured for accident through their job, the medical insurance also pays the costs of medical care and devices required as a result of an accident.



The list of devices and assistive technologies is long and covers all kinds of disabilities.

Eligibility:

Devices and benefits (see list of devices above) that are not restricted to the work and employment area are in general available for all concerned residents. It is independent of membership in the Disability Insurance (which is only mandatory for employed people), of age or nationality. A number of reservations exist as follows:

Orthotics (leg, arm etc.): Torso orthotics are only financed by the Disability Insurance if medical evidence and functional insufficiency of spinal column, permanent back pain etc. is given and if these cannot be influenced sufficiently with medical treatment.

Wheel chairs (with and without electric motors): such devices are only paid if the physical condition of the concerned person makes it really necessary to have them. **Thus, an electric wheelchairs is** only funded if the disabled person cannot use a non-electric wheelchair, and if that person can only move without help from others with an electric wheelchair.

Cars (cars, special cars for people with disabilities and other motor vehicles): motor vehicles and special cars for disabled people are only financed for insured people who need it undoubtedly, who have no other possibility to move to their workplace and if that job is existential for them.

Devices for blind and visually impaired people: guide dogs are only financed by the Disability Insurance if the insured person is familiar with guide dogs, and it must be sure that the person can only move individually outside the own home with a guide dog.

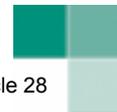
Reading and writing devices: they are only funded if the disabled person can only communicate easier with these devices with the environment. The concerned person, in addition, must be able to handle these devices.

Benefits and work related devices: they are restricted to persons in work age, i.e. persons from 18 years to the official retirement age (64 years at present for men and women).

2.1.2 Personal assistance

Name of benefit: Care Allowance

Purpose of the benefit:



The aim of the regulation is to give financial support to institutions or to persons who assist persons in need of care. The allowance goes from 10 Swiss francs to 180 Swiss francs per day (approx. 9 to 160 Euros). It is dependent on the level of neediness which is defined with 6 different levels, beginning with “more than 1 hour per day” (level 1) to “more than 7,5 hours per day” (level 6). This help has been introduced on 1 January 2010 and replaces the home care benefit. The care allowance can only be used for paying the expenses for carers. To this end, a payment on account is made by the AHV institute, which administers the care allowance. Subsequently, after receiving the invoices, a settlement of accounts is made. The amount of the care allowance depends on the degree of care dependency. At maximum, it equals CHF 180 (approx. €150) per day. This amount will be regularly indexed to prices. The maximum level of the benefit is set at this amount, as it comes close to the costs of institutionalised care. It is envisaged that at that point the limits of possible home care are reached.

Means-testing:

The benefit is not means-tested, as this would put the dependent person in a worse position at home than in a care home, which should be avoided.

It is exclusively given in order to pay caring persons, e.g. a family member, other individuals, or institutions like the Family Help service. Some preconditions must be fulfilled:

- Need of care for health reasons, presumably for more than 3 months;
- Need of help by others at ones everyday life;
- Costs that arise from that assistance.

Social insurance:

The care allowance is financed from general taxation, so no specific contributions are levied. Half of it is financed by the State and half by the communes.

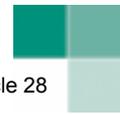
Eligibility:

Eligibility to care allowance depends on residence in Liechtenstein, as well as on physical or mental disorder of at least one month and the associated need for support to perform daily tasks. The benefits are independent of the age of the concerned persons.

Name of benefit: Personal Assistance

Purpose of the benefit:

Personal assistance can also be financed in addition to other benefits from the disability insurance. The Act on Disability Insurance (*Gesetz über die Invalidenversicherung* (IVG), 23.12.1959, LGBl. 1960 no. 5) provides additional



regulations and assistance for people with disabilities. The personal assistance help seeks to assist people in employment by specific career counselling, job services, vocational training, and capital assistance in cases of self-employment (Arts. 39-44).

Means-testing:

The personal assistance help is not means-tested.

Social insurance:

Recipients of the personal assistance help have to be insured by the disability insurance.

Eligibility:

Personal assistance help is available for people in employment or with the possibility of being reintegrated into the labour market.

Name of benefit: Helplessness Allowance

Purpose of the benefit:

The Act on the Supplementary Benefits to the Old Age and Widow's/Widower's Pension (*Gesetz über Ergänzungsleistungen zur Alters-, Hinterlassenen- und Invalidenversicherung* (ELG), 10.12.1965, LGBl. 1965 no. 46) provides for benefits in case of **helplessness**. The helplessness allowance aims at helping people who need personal assistance, or supervision, in their everyday life. The Act on Supplementary Assistance further provides for assistance for special medical treatment, including medical treatment due to impairment by birth. Section D of the Act provides for assistance for home caring.

Means-testing:

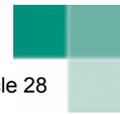
The helplessness allowance is not means-tested.

Social insurance:

The helplessness allowance is financed by the general State budget and therefore not depending on having paid into the social insurance in Liechtenstein.

Eligibility:

Helplessness allowance is granted irrespectively of the applicant's economic circumstances for claimants who require the help of a third person to perform day-to-day tasks.



2.1.3 Other forms of service/Assistance

The Association for People with Disabilities (Liechtensteiner Behindertenverband)³ is the main private association for people with disabilities. It offers several services, including counselling and mobility services. Several other associations and initiatives exist, either for special disability concerns (e.g. blind people, intellectually impaired persons, etc.) or for special activities (sports groups, holiday initiatives, etc.).

A major part of Liechtenstein's care concept is based on voluntary participation of care providers, in particular within the families, and on services provided by the family support associations (Familienhilfevereine and spitalexterne Dienste (Spitex)).⁴ The latter are organised on regional level, being supported by its federal association, which depend to a large part on honorary participation and donations. State and communes support the budget with 30% each. The remaining 40% self-financing part is accomplished via billable services towards insurance carriers, membership fees or donations. In practice, through the merger of the six locally organized family support associations in 2013, the offer regarding home care was enlarged and more specialised services for people cared for in their own homes have been set up since then.

2.2 Income protection

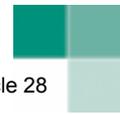
Mainly all forms of income protection, as wage subsidies, disability pensions and Minimum income benefits are provided for those who are registered at the Disability Insurance.⁵ This is automatically the case for everybody who is employed or self-employed. The most relevant are:

- Wage subsidies and measures to keep disabled persons employed, or to help them to re-integrate, to have vocational training, to adapt workplaces, to give mobility assistance, to improve accessibility etc.;
- Pensions for people with disabilities, taking into account different levels of invalidity (from 40% onward);
- Minimum income protection - as for everybody else.

³ Liechtensteiner Behindertenverband: <http://www.lbv.li/>

⁴ Familienhilfe Liechtenstein, <http://www.familienhilfe.li/Spenden.aspx>.

⁵ Disability Insurance: <http://www.ahv.li/leistungen/iv/allgemeines/>.

**Name of benefit: Wage Subsidy****Purpose of the benefit:**

The provisions on **wage subsidy** are laid down in the Regulations to the Act on Disability Insurance (*Verordnung zum Gesetz über die Invalidenversicherung*, LGBl. 1982 no. 36, Art. 17 to Art. 24ter).

Wage subsidies are paid to the employer. They allow the employer to continuously pay the former salary to the disabled person, even if that person is not able to be as productive as before or as useful as a non-disabled person.

Wage subsidies are given in order to keep persons with disabilities employed, or to integrate or re-integrate disabled persons who are or presumably will be – partially or totally – still able to work. The Disability Insurance gives priority to integration and reintegration.

Means-testing:

The wage subsidy is not means tested.

Social insurance:

The wage subsidy is financed by the disability insurance and therefore depends on the contribution to the national disability insurance.

Eligibility:

Wage subsidies can be given from a 40% level of invalidity onward.⁶

Name of benefit: Daily allowances**Purpose of the benefit:**

Daily allowances are designed to support the living of the insured person and his/her family during the time of re-integration. It can be said that the basic compensation may attain up to 80% of the latest salary. Expenses based on the impairment and occurred during the daily allowance period can be refunded for the following reasons: travel costs, costs for accommodation outside the normal habitation, costs for material (school material, tools etc.).

⁶ Disability Insurance: <http://www.ahv.li/leistungen/iv/lohnzuschuss/>.

**Means-testing:**

The daily allowance depends upon the income generated before the impairment of health has occurred.

Social insurance:

The daily allowance is financed by the disability insurance and therefore depends on having paid into the national disability insurance.

Eligibility:

People with disabilities are eligible during the time of re-integration, medical examination, waiting and/or training times. It is only given to persons older than 18 years.

Name of benefit: Invalidity Pension⁷**Purpose of the benefit:**

Invalidity insurance aims to restore or improve the earning capacity of individuals who are disabled as the result of a congenital or other illness, or as the result of an accident. Individuals will receive an IV pension only when it is determined that their professional (re)integration is impossible.

Means-testing:

The degree of disability determines the type of pension a claimant will receive: claimants with a degree of disability of at least 40 percent are eligible for a quarter pension. If their degree of disability is at least 50 percent, they will be eligible for a half pension. Finally, only claimants with over 67 percent disability are entitled to a full pension.

Social insurance:

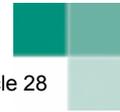
An invalidity pension is only paid until the official retirement age has been reached (64 years at present for men and women).

Eligibility:

A person is only entitled to an **invalidity pension⁸** if the rehabilitation option has been exhausted.

⁷ Invalidity Pension: <http://www.ahv.li/leistungen/iv/rentenhoehel/>.

⁸ Invalidity Pension: <http://www.ahv.li/leistungen/iv/rentenhoehel/>.



Eligibility for an IV pension applies if the person's incapacity to earn due to at least 40% disability persists, in other words he/she has become permanently disabled. A person will also be eligible for an IV pension if his/her earning capacity has fallen by at least 40% on average over one year without significant interruption, and this earning incapacity persists.

This pension is awarded to anyone aged 18 or over.

If one of these conditions is not given or not given any more, the disabled person is not entitled to an invalidity pension.

Name of benefit: Minimum Income Benefits

Purpose of the benefit:

If the income of a concerned person lies below a **minimum income** (annual disposable income), defined in Article 1 paragraph 1, the Act on Social Assistance (Sozialhilfegesetz, LGBl. 1987 no. 18, Art. 12a) provides minimum income benefits (MI benefits).

According to Liechtenstein's legal regulations for the definition of an annual disposable income (social assistance norm), the subsistence level for MI benefits is laid down in Art. 12a of the Regulation to the Law on Social Assistance (Verordnung vom 7. April 1987 zum Sozialhilfegesetz)⁹ as follows:

- 1-person-household CHF 1,110 (approx. €1 018)
- 2-person-household CHF 1,700 (approx. €1 560)
- 3-person-household CHF 2,070 Swiss francs (approx. €1 900)
- 4-person-household CHF 2,375 Swiss francs¹⁰ (approx. €2 180)

The current method for setting levels within the social welfare benefit system is basically guided by the average wages in the economy on one side and by the Consumer Price Index on the other. This approach ensures that each generation can obtain MI benefits that reflect the current living standards. Thus, if cost of living, as measured by the Consumer Price Index, increases, social welfare benefits are adjusted to keep pace. Nevertheless the law is silent regarding any clear mechanism for the periodic review of the social assistance norm which is the basis for MI payment levels.

⁹ Sozialhilfegesetz vom 15. November 1984, LGBl 1985 no. 17; source: <https://www.gesetze.li/konso/pdf/1985017000>.

¹⁰ 5-person-houshold 2,660 Swiss francs, 6-person-houshold 2,940 Swiss francs, 7-person-houshold 3,225 Swiss francs and for each additional person 461 Swiss francs.

**Means-testing:**

The income of the concerned person must lie below the above given minimum income.

Social insurance:

The contribution to the social insurance is not a criterion for receiving MI benefits.

Eligibility:

As stated in Art. 3 of the Act on Social Assistance a person is eligible for MI benefits if:

- He/she is a Liechtenstein citizen and receives an income from employment and/or social transfers (including pensions) which is below the minimum income defined by the law;
- He/she is a Liechtenstein resident but not a citizen and cannot support him/herself and the eligibility of MI benefits is laid down in accordance with state treaty (state treaty between Liechtenstein and the citizenship country of the resident) as follows:
- the home country of the resident grants minimum income benefits reciprocally (i.e. treats Liechtenstein citizen resident in that country equally to its own citizens); or
- Where it is necessary, in the common interest or in the interest of the person in need, to prevent that person from becoming homeless.

Name of benefit: Helplessness allowance**Purpose of the benefit:**

To avoid that people with a degree of more than 60% of disability and of official retirement age are at risk of poverty due to their reduced income and the high costs for medical treatment and special devices they might need.

Means-testing:

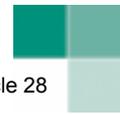
The degree of disability must be confirmed medically.

Social insurance:

The person in need must receive old age pension or invalidity pension and therefore has contributed to the pension schemes;

Eligibility:

People with a degree of disability of more than 60 % and of the official retirement age are given a **helplessness allowance** in addition to the state pension (see Article



3bis of the Act of Supplementary Aid to the National Old Age and Widow's/Widower's Pension (ASANP)¹¹ in combination with Article 67bis of the Act on the National Old Age and Widow's /Widower's Pension).¹² The degree of disability, on the other hand, is defined and stated by the disability insurance.

2.3 Disability-related expenses

People with disabilities are supported by the national **Disability Insurance** scheme.

Name of benefit: Supplementary Assistance

Purpose of the benefit:

Supplementary Assistance is given to guarantee an income level to meet expenses for stays in care homes, for illness, for caring at home, or technical assistance (income can be augmented by up to two-thirds as stated in article 1 § 2 of the Act on Supplementary Assistance.

Means-testing:

Supplementary Assistance depends on receiving old age pension or invalidity pension.

Social insurance:

The person in need must have paid into the national pension schemes, which means into the Old Age and Widow's/Widower's Pension insurance.

Eligibility:

A person with disability who's income from the old age pension or the invalidity pension together with other income and assets is not sufficient to guarantee the defined minimum income.

Name of benefit: transport service by the Association for People with Disabilities¹³

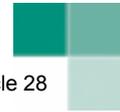
Purpose of the benefit:

Enable people with disabilities a certain degree of mobility to low cost, e. g. people with mobility impairments who have no access to public transport or who cannot use

¹¹ Gesetz vom 10. Dezember 1965 über Ergänzungsleistungen zur Alters-, Hinterlassenen- und Invalidenversicherung (ELG), LGBl. 1956 no 46.

¹² Gesetz vom 14. Dezember 1952 über die Alters- und Hinterlassenenversicherung (AHVG), LGBl. 1952, no. 29.

¹³ Link: <http://www.lbv.li/Transportdienst.php>.



public transport. The fees are quite low: e.g. 5 Swiss Francs for a distance of 0-4 km (approx. 4.50 Euros), 12 Swiss Francs for a distance of 22-25 km (approx. 11 Euros).

Means-testing:

No.

Social insurance:

No specific contribution to the national insurance schemes has to be given.

Eligibility:

Only to person with mobility impairments.

Name of benefit: Assistance for Blind People¹⁴

Purpose of the benefit:

Article 1 of this act states, that the support is implemented for extraordinary expenses due to blindness. The maximum monthly special benefit for blind persons is 648 Swiss francs (approx. 590 Euros).

Means-testing:

The person requesting Assistance for Blind People has to be blind.

Social insurance:

No specific contribution to the national insurance schemes has to be given.

Eligibility:

Articles 2 and 3 of the Act on Assistance for Blind People define two categories of persons who are entitled to profit from these benefits: people who are due to their blindness not able to manage daily live task in an unfamiliar environment on their own, or people who cannot use economically their remaining part of eyesight.

2.4 Housing costs

The Regulation to the Act on Disability Insurance provides in its appendix several devices which are related to the habitation of disabled persons. These provisions are listed under the subtitle "Devices for self-help". The Disability Insurance can finance the installation or renovation of bathrooms (toilet, shower etc.), the installation of lifts

¹⁴ Link:

<https://www.gesetze.li/lilexprod/lgpage2.jsp?formname=showlaw&lgblid=1971007000&version=0>.



for physically handicapped persons, electric beds, the widening of doors, the installation of handles, etc. (see also section 2.1).

Name of benefit: Housing benefits¹⁵

Purpose of the benefit:

For people with disabilities who are in need of wheelchairs, additional financial support is given to enable the person to rent a specific department which is suitable. The additional financial support may amount up to 4'000 Swiss Francs (approx. 3'600 Euros) as a maximum of financial help.

Means-testing:

None.

Social insurance:

No specific contribution to the national insurance schemes has to be given.

Eligibility:

The person requesting must be dependent on devices for self-help.

2.5 Retirement benefits

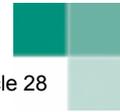
The invalidity pension is only paid until the official retirement age is reached (64 years at present for men and women). After that, the Old Age Insurance steps into action. In addition to the **national retirement pension**, the **occupational retirement schemes** as well as private savings are supposed to guarantee a certain level of lifestyle to old people.

Persons with disabilities are basically treated like anybody else by the social security system if they have been employed and have been paying into the pension insurance fund during their active professional career.

If a person is supported by the disability insurance at the time when pension age is reached, the disability insurance will be converted into a retirement pension (Article 67bis paragraph 1).

Individual **assistance for persons with disabilities** outside employment may continue, e.g. assistance for specific devices, for mobility, housing etc.

¹⁵ Art. 2 § 4 of the Act on Supplementary Assistance to the Old Age, Widowers' and Disability Insurance (*Gesetz über Ergänzungsleistungen zur Alters-, Hinterlassenen- und Invalidenversicherung*, ELG, LGBl. 1965 no. 46).



Supplementary assistance, as described above, is still provided in case that the income by the pension, by other income and own assets is not sufficient.

The same holds true for **social assistance** as the last resort against poverty.

2.6 Other social protection measures

One should mention, at this point, that various **private associations** for people with disabilities, as well as care homes, care workshops etc. exist. These institutions and organisations help and assist people with disabilities. Some of them are financially supported by the state or by the Disability Insurance, others are completely private initiatives.

These associations and initiatives are also actively lobbying for people with disabilities, they are raising public awareness for problems of people with disabilities, and they are providing practical assistance.

Overall there exists a network group in Liechtenstein, called “*Verein Sichtwechsel*” (Association Change of View) who’s objective is to coordinate and integrate these different private initiatives with the governmental organisation.¹⁶

2.7 Disability discrimination in social protection measures (including, in particular, social protection measures which are not disability specific)

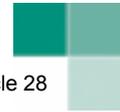
People with disabilities are not generally discriminated against in social protection measures compared to people without disabilities. The same social protection systems are in force for both groups if we consider e.g. child benefits, supplementary assistance in cases that income is below a defined bottom line, concerning retirement pension and many others.

Article 52 of the Act on National Old Age and Widows and Widowers Pension (*Gesetz über die Alters- und Hinterlassenenversicherung* (AHVG), 14.12.1952, LGBl. 1952 no. 29) states that every person who has paid contributions to the retirement insurance is entitled to a pension. The pension age is 64 years for both, men and women. If contributions have not been paid for the whole of the professionally active period – from the age of 20 to 64 years –, only a partial pension will be disbursed.

On the other hand, people with disabilities can be, and often are, handicapped in their professional career or they even fall completely out of employment. Therefore the danger to end at risk of poverty is probably significantly higher than for non-disabled people. Invalidity pensions, supplementary assistance and social assistance prevent that poverty really occurs if we believe in the official statements. As mentioned above, social assistance defends the bottom line.

¹⁶ Link:

<http://www.sichtwechsel.li/Vernetzungsgruppe/tabid/1043/Default.aspx>.



Nevertheless, since invalidity pensions are quite low compared to the income of an employed person, people with disabilities rather tend to live at risk of poverty. This situation continues when they reach retirement age, as they are – some more, some less – lacking the occupational pension scheme or this is not at the level of people who have been in employment during their whole work lives, i.e. from 18 to 64 years. Again, supplementary assistance should prevent old people from falling into poverty; finally social assistance serves as the last resort against poverty. But one can assume that people with disabilities usually are living on a lower material level than people without disabilities, and that more of them are at risk of poverty.

We have to take note of the fact, though, that there are no recent research findings on that issue. Official statistical data on the material situation of people with disabilities does not exist either.

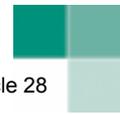
The Act on Equality of People with Disabilities (Gesetz über die Gleichstellung von Menschen mit Behinderungen (Behindertengleichstellungsgesetz; BGIG), 25.10.2006, LGBl. 2006, no. 243)¹⁷ established an Office for Equality of People with Disabilities by law (Article 22). Art. 22 of the Act on Equality of People with Disabilities defines the tasks of the Office for Equality of People with Disabilities as follows: a) Advising the authorities and private individuals on how to pursue gender equality issues and support victims of discrimination; b) conducting public relations; c) carrying out investigations and recommending appropriate action to authorities and private individuals; d) being involved in drafting rules and regulations; e) working with others on the funding of programs and projects and carrying out or participating in them; f) reviewing applications for funding assistance under articles 16 and 17, as well as monitoring the implementation of programs; g) informing stakeholders about measures taken to achieve equality; h) and exchanging information with relevant European institutions.

By the end of 2015 Liechtenstein's government decided under the pressure of the public request of an independent institution to strengthen the credibility of Liechtenstein's human rights policies to implement an independent national association for human rights. The new initiative seems to comply with the Paris Principles adopted by the UN General Assembly in 1993. It will have a legal basis, a comprehensive mandate, sufficient infrastructure and financing.

The new association will co-operate with communities and private associations for disabled people on projects and improvements in the area of social services.

¹⁷ Link:

<https://www.gesetze.li/lilexprod/lgpage2.jsp?formname=showlaw&lgblid=2006243000&version=0>.



3 Case studies

3.1 Case study 1 - childhood

Eva is 10 years old. She lives at home with her parents and younger sister. One of her parents is working full-time on the median wage and the other is not in paid employment. They live in a rented house in the private sector. Eva has intellectual, physical and sensory impairments. She needs support and assistance to eat, dress and walk.

3.1.1 Services, devices and assistance (including personal assistance and specialist technical devices)

(a) Devices (including assistive technologies)

According to Art. 82 of the Act on Disability Insurance, Eva would be supported in attending special school centres and receiving special devices Eva might have to use to perform daily task (e. g. devices concerning the physical and sensory impairments of Eva).

(b) Personal assistance

Care allowance for so-called third persons or institutions, e.g. parents, can be paid by the Disability Insurance. It was introduced in 2010. The allowance goes from 10 to 180 Swiss Francs per day (approx. 9 to 160 Euros), depending on the daily time which is necessary for the care. In Eva's case, e.g. allowances for the personal assistance by Eva's parents could be claimed.

(c) Other forms of service/Assistance

Depending on the level of intellectual impairment, Eva can join a special school (free of charge),¹⁸ or she will be integrated into regular school where additional special courses and training is offered.¹⁹

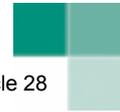
3.1.2 Income protection

This is not applicable in Eva's case as she is a child.

In case that the median wage of one of her parents, together with other income, would not be above the poverty threshold, supplementary assistance or, as a last resort, social assistance can be given.

¹⁸ Link: <http://www.hpz.li/schule/>.

¹⁹ Link: <http://www.llv.li/#/12429/sonderschulung>.



3.1.3 Disability-related expenses

In case that public transport cannot be used, the Association for People with Disabilities offers individual transport at quite low prices.²⁰

3.1.4 Housing

Assistance can be given in order to adapt Eva's home to the respective impairment, or even to rent an apartment which is suitable for Eva.

There are special housing services in order to facilitate the everyday life of people with disabilities in their habitual surrounding. Moreover, if this would not fit enough to Eva's situation, the municipalities run care homes for older people, which are also potentially at the disposal of disabled people – probably not applicable to Eva. The Special Education Centre and the Association for Sheltered Housing also provide for sheltered residential homes.

3.1.5 Poverty line

Social assistance is the last resort to prevent anybody from falling into poverty. The calculation of the income and the risk of poverty would include the whole household. In Eva's case, all family income would be taken into account. Since one of her parents earns the median wage, which is approx. between 50 – 100% above the poverty line, social assistance would not be applicable.

3.1.6 Additional comments about the social protection of disabled children

3.2 Case study 2 - adulthood (in work)

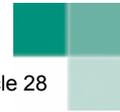
Sam is 35 years old. He is married and lives with his spouse. They are both working and each of them earns half the median wage. They are buying their own home with a loan from the bank. Sam uses a wheelchair for mobility.

3.2.1 Services, devices and assistance (including personal assistance and specialist technical devices)

(a) Devices (including assistive technologies)

The wheelchair will be paid by the Disability Insurance. If it is absolutely necessary, it can also be an electric wheelchair. If there is the need for a specific car to enable Sam to fulfil his daily life task, special cars or other motor vehicles can also be financed. Additionally there is support in financing devices and assistance at Sam's workplace including structural adaptation to improve his accessibility. Same is valid for any structural adaptation of his apartment to improve accessibility and perform

²⁰ Link: <http://www.lbv.li/Transportdienst.php>.



daily task on his own (e.g. devices for self-help in showers and bathrooms, electronic bed, elevators and ramps etc.).

(b) Personal assistance

Care allowance for so-called third persons or institutions, e.g. Sam's spouse, can be paid by the Disability Insurance. It was introduced in 2010. The allowance goes from 10 to 180 Swiss Francs per day (approx. 9 to 160 Euros), depending on the time which is necessary for the care.

(c) Other forms of service/Assistance

If Sam's is not able to do his usual job any more, various measures can be financed by the Disability Insurance: adaptation of the workplace, vocational training in order to learn a new job etc. There is a high priority that Sam should stay employed, or to be re-employed in the future if for some reason he has to change the job. Assistance is given in order to reach that goal instead of paying out an invalidity pension.

Since Sam uses a wheelchair he can also claim for mobility assistance to get to his workplace if it is necessary. In case it would be necessary to change his profession, financial assistance would be provided for vocational training etc.

In case that Sam would not be able to function at his workplace any more, wage subsidies or daily allowances should help to keep him in employment or to help him to learn a new job which fits better to his disability. Also Sam's workplace and any mobility obstacles to get there could be adapted or eliminated with assistance of the Disability Insurance.

Sam can also claim assistance to adapt his own home to the wheel-chair situation, e.g. widening of doors, adaptation of the bathroom/shower etc. Alternatively, it can be co-financed if Sam moves to another apartment which fits better to his disability.

3.2.2 Income protection

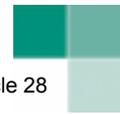
The household, i.e. Sam and his spouse, earn together the median wage. Income protection, therefore, seems not to be necessary and applicable.

3.2.3 Disability-related expenses

In case that public transport cannot be used, the Association for People with Disabilities offers individual transport at quite low prices.

3.2.4 Housing

Adaptions in Sam's apartment can be financed, e.g. adaptions in the bathroom,



widening of doors, elimination of ramps, installation of a stairs elevator etc. Assistance can also be given in order to rent an apartment which is suitable for Sam.

3.2.5 Poverty line

Social assistance is the last resort to prevent anybody from falling into poverty. The calculation of the income and the risk of poverty would include the whole household, i.e. Sam and his spouse. As each of them are earning half the median wage, they have together – as a household income – one median wage, which is approx. 50 – 100% above the poverty line and therefore they are not eligible to social assistance.

3.2.6 Additional comments (working age adults)

No additional comments.

3.3 Working age adulthood (not in work)

Betti is 45 years old and lives alone. She has severe depression and chronic fatigue syndrome. She left her job three months ago because of the time off she needed because of her health. She does not feel well enough to look for other work.

3.3.1 Services, devices and assistance (including personal assistance and specialist technical devices)

(a) Devices (including assistive technologies)

Probably no devices are necessary and helpful in Betti's case. If devices would be necessary, Betti would have to be assessed as disabled and then she would be able to claim for help at the disability insurance.

(b) Personal assistance

In case that Betti is not able to manage her household and to take care of herself appropriately, personal assistance can be financed by care allowance. This can be assistance by institutions, such as the Family Help Service, or private assistance, e.g. by relatives etc. The care allowance was introduced in 2010. The allowance goes from 10 to 180 Swiss Francs per day (approx. 9 to 160 Euros), depending on the time which is necessary for the care.

(c) Other forms of service/Assistance

Medical treatment after illness or accident is covered by the Health Insurance or the Accident Insurance.

If it is a question of reintegration into employment – as might be possible in Betti's case –, the Disability Insurance finances reintegration measures, vocational training,



adaptation of workplaces etc. There is a high priority that Betti should stay employed or get re-employed in the near future. Assistance is given in order to reach that goal instead of paying out a lifelong invalidity pension.

3.3.2 Income protection

Betti's employer will be supported with wage subsidies in case Betti should stay at work without being able to do the job perfectly as before. The goal is to keep Betti on the job, to adapt workplaces if necessary, to allow Betti to learn something new by vocational training etc. Betti would become the same salary as before her disability occurred. If there is medical prove that Betti is disabled above a disability level of 40%, this would apply if she would try to go on with her job eventually in the future.

Actually, in our example, Betti left her job. She is entitled to daily allowances as long as there is a perspective of her reintegration into working life. If reintegration into employment is not possible, an invalidity pension would be the next step.

3.3.3 Disability-related expenses

In case that public transport cannot be used, the Association for People with Disabilities offers individual transport at quite low prices. In Betti's case: Severe depression and chronic fatigue could probably entitle to use this service.

3.3.4 Housing

It does not seem that in Betti's case, an adaptation of her apartment or to move to another apartment would be necessary.

3.3.5 Poverty line

In any case, social assistance is the last resort to assist individuals and households to fall under the poverty threshold – not matter whether persons are disabled or not. In Betti's case, the invalidity pension or her daily allowances together with other income, e.g. supplementary assistance, would be taken into account. If the monthly income still stays below the poverty threshold, she would be entitled to social assistance. Based on the five facts, no assessment of whether the household income would be above the poverty line or not, can be made.

3.3.6 Additional comments (adults not in work for disability-related reasons)

The disability insurance would cover the costs related to a disability. In the case Betti is ill but not facing a disability, the national social insurance would cover the cost for surgery and medical care, based on their regulations.



3.4 Case study 4 – older age

Jon is 75 years old. He lives alone. He is retired after working his whole career as a teacher. He owns his own apartment. Recently he became totally blind.

3.4.1 Services, devices and assistance (including personal assistance and specialist technical devices)

(a) Devices (including assistive technologies)

Jon is entitled to any devices that help him as a blind person. In some cases, special knowledge is demanded, e.g. if he needs help of a guide dog. In that case Jon has to prove that he is familiar with guide dogs.

(b) Personal assistance

Care allowance for so-called third persons or institutions, e.g. Jon's children or other persons, can be paid by the Disability Insurance. The allowance goes from 10 to 180 Swiss Francs per day (approx. 9 to 160 Euros), depending on the daily time which is necessary for the care.

(c) Other forms of service/Assistance

There exists a specific assistance for blind people. As a totally blind person, Jon is entitled to an additional pension for blind people, which amounts to 648 Swiss Francs per month (approx. 590 Euros).

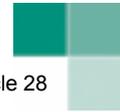
Since Jon became blind recently, he probably needs medical treatment and assistance to adapt to the new situation. This is covered by the Health Insurance or the Accidence Insurance, depending on the reason of the blindness.

3.4.2 Income protection

Since Jon has already reached retirement age (64 years in Liechtenstein), no employment or work related assistance for disabled persons enters into action. Also, the invalidity pension is replaced by the retirement pension.

Jon has, as his income, the national pension, the occupational pension (since he had been working his whole career), and eventually private assets. In addition, he is entitled to the above mentioned pension for blind people.

Jon's income will presumably be above the level where additional income protection is necessary and applicable. If this would not be the case he could claim for supplementary assistance, or in case of being at risk of poverty, even social assistance as a last resort.



3.4.3 Disability-related expenses

In case that public transport cannot be used, the Association for People with Disabilities offers individual transport at quite low prices.

3.4.4 Housing

Financial assistance can be given in order to adapt Jon's home to his blindness.

Assistance can also be given in order to rent an apartment which is suitable for Jon. The necessity of moving to another apartment must be a result of his blindness, though. It cannot just be argued that he is 75 years old.

3.4.5 Poverty line

Social assistance is the last resort to prevent anybody from falling into poverty. Jon's income from the national pension, the occupational pension and private savings can be assumed as above the poverty line. Based on the median income of such a person in Liechtenstein, the household income of Jon is probably more than double the poverty threshold.

3.4.6 Retirement

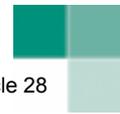
The retirement age in Liechtenstein is 64 years for men and women. Jon who had been working his whole career as a teacher, is entitled to a full national pension. In addition he has an occupational pension.

After reaching the retirement age, no further assistance for disabled persons regarding work and job is given, e.g. vocational training, adaptation of the workplace, mobility assistance to the workplace etc.

Besides the retirement pension and occupational pension, Jon is still entitled to the special pension for blind people. In case that devices related to his disability are necessary, it will be paid by the Disability Insurance. This goes on after reaching retirement age. The Disability Insurance also pays for personal assistance or assistance by institutions such as the Family Help if this stands in the context of Jon's blindness. If it is only due to his age, other social services may be applicable.

3.4.7 Additional comments (older people)

No additional comments.



PART B: CRITIQUE AND EVALUATION

4 Critique and evaluation of specific benefits/schemes

Unfortunately there is no evaluation of the benefits for people with disabilities in Liechtenstein available. Thus, academic research in this field is very rare in Liechtenstein, also statistical data. It would be very welcome to have more scientific research done in that field.

4.1 Services, devices and assistance

(a) Devices (including assistive technologies)

The list of devices that are financed by the Disability Insurance is stated in the Act on Disability Insurance. The aim of the Insurance is to finance not more than what is really necessary in the individual case.

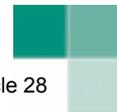
In Liechtenstein there is no report known to the authors of how well these benefits are working from the point of view of disabled people.

(b) Personal assistance

Since 2010, benefits for personal assistance (**care allowance**) either by institutions such as the Family Help or by so-called Third Persons, i.e. relatives, private assistance etc., is regulated by law. For persons in a home-care situation, the care allowance is granted to cover the additional care costs by being supported at home. This implies that the care supportive measures are based on a rewarded contract. In this case the benefit for carers is implicit granted through the care allowance, even if no direct payments are made or any guidelines exist regarding the amount or the terms of payment. Thus, the care allowance is by law tied up to the compensation of any costs by third persons or institutions arriving out of rendering care services to the patient.

The care-taker, including relatives of the person in need, who receive financial payments for their services, have to be treated similar as any other employee in Liechtenstein. Thus the person in need has to act as a private employer and must ensure that the care-taker, as a natural person, falls under the social- and accident insurance. Furthermore the received salary by the carers is taxable under Liechtenstein's law.

Helplessness allowances are awarded to claimants who require the help of a third person to perform day-to-day tasks such as dressing, eating and bathing, or who need permanent care or one-to-one supervision. Within the helplessness allowance three levels of helplessness can be distinguished: slight, moderate and severe. The severity of helplessness differs according to whether the claimant lives in a



residential home or in his/her own house. Claimants who live in their own home are entitled to double the compensation given to those in residential homes.

Unfortunately, no statistical data on who provides personal assistance is available.

In practice, through the merger of the six locally organized family help service organisations in Liechtenstein in 2013 the offer regarding home care could be enlarged and more specialised services for people cared for in their own homes have been set up since then.²¹

(c) Other forms of service/Assistance

It seems to be quite reasonable that priority is given to integration or re-integration into employment instead of paying lifelong invalidity pensions. Therefore, financial assistance to adapt workplaces, to facilitate or enable mobility and accessibility to the workplace, benefits for vocational training in order to learn a new job etc. is well established and developed.

The Association for People with Disabilities is the main private association for people with disabilities. It offers several services, including counselling and mobility services. Several other associations and initiatives exist, either for special disability concerns (e.g. blind people, intellectually impaired etc.) or for special activities (sports groups, holiday initiatives etc.).

4.2 Income protection

People who receive care allowance and helplessness allowance and whose income falls below the social subsistence minimum are entitled to **supplementary benefits** "Ergänzungsleistungen (EL)".²² Thus, the supplementary benefits (EL) provide assistance in cases where the pensions and the income does not cover the minimum living costs. They are a legal entitlement and not a form of public or social welfare.

As a last resort, social assistance is designed to prevent that people fall below the poverty threshold. This applies in the same way to persons and households with or without disabilities.

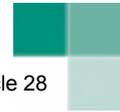
4.3 Disability-related expenses

Some of disability related expenses are covered by the Disability Insurance.

Private or public associations for people with disabilities also can help and assist in many ways.

²¹ Link: <http://www.familienhilfe.li/Spenden.aspx>.

²² Link: http://www.llv.li/files/srk/pdf-llv-rk_vernehmlassungsbericht_teilrevision_elg_2012.pdf.



Nonetheless are people with disabilities disadvantaged, depending very much on the kind and level of disability and also individual circumstances.

4.4 Housing costs

The Disability Insurance provides financial assistance for adaptations in the apartment or house. Also costs to move to an apartment that fits better to the individual situation of a disabled person can be financed.

Whether this is – from the point of view of the concerned persons – enough or not should be examined. Data and research findings on housing aspects are missing.

4.5 Retirement benefits

The national pension and the occupational pension are identical for people with and without disabilities. But since people with disabilities are lacking, in many cases, years of employment, they are confronted with lower pensions when they reach retirement age. Moreover, people with disabilities probably are working part-time to a higher degree than others. The consequence of this will be that the contributions to the occupational pension fund will be significantly lower. Unfortunately there is no statistical data available for Liechtenstein to proof these assumptions or make any evaluation out of it.

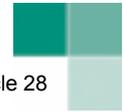
Whereas the national provides at least a defined minimum pension for everybody in retirement age (i.e. 1'160 Swiss francs, approx. 1'050 Euros), the occupational pension is dependent on the contributions that were paid into the pension fund.

On average, people with disabilities probably have lower pensions than others and they probably are rather at risk of poverty than non-disabled people. As mentioned, statistical data and research findings on this issue are missing.

The income situation is not only dependent on the disabled person, but on the household and the role of the disabled person in the household. The situation probably turns to be more severe if the disabled person was the main earner in a household before the disability occurred. In that case, the household lacks years of wage income and pension contributions.

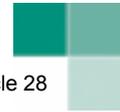
4.6 Disability discrimination and social protection measures (including, in particular, measures which are not disability specific)

On the one hand, the legal situation looks quite sufficient. The Act on Equality of People with Disabilities (*Behindertengleichstellungsgesetz*, LGBl. 2006 no. 243) provides for a high standard of protection and non-discrimination. In addition, the Disability Insurance and additional legal provisions to help and assist people with disabilities are well developed.



On the other hand, the real situation of people with disabilities is probably quite far away from being equal to the one of people without disabilities. As already mentioned earlier, statistical data and recent academic research on that issue are mostly missing.

Finally, it is hard to understand that Liechtenstein has not yet signed the UNCRPD. Of course it is always a big burden to a very small state to adapt the legal situation in conformity with an additional convention and to report and monitor. But one of the priorities of the Liechtenstein foreign policy is the protection of human rights. Therefore the ratification of the UN convention should be a matter of course.



5 Critique and evaluation of overall situation and cumulative effect - standard of living

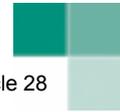
Since statistical data and academic research on the present situation of people with disabilities are missing, no evidence-based statement can be made.

Nevertheless, there is a high probability that persons with disabilities and households with disabled persons are disadvantaged.

This holds true even though several social services for people with disabilities exist:

- the disability insurance with salary subsidies, daily allowances, financing of devices and personal assistance etc.,
- supplementary assistance,
- special assistance for blind and visually impaired persons,
- minimum income schemes (not only for people with disabilities)
- etc.

There is a danger that people with disabilities and the respective households lose a lot of income as a result of a disability. If employment measures, re-integration measures etc. fail and a disabled person ends with an invalidity pension, the income will be far below the former income when a person was employed. The bottom line of poverty, though, should never be passed since social assistance works as a last resort to prevent all people from falling into poverty. But a person who is dependent on the invalidity pension reaches retirement age; there is a lack of contributions to the old age retirement fund, and even more to the occupational pension fund. Therefore, the situation of rather low income will be perpetuated.



PART C

6 Key points

6.1 Examples of good practice

- Care homes;
- Care workshops;
- Social services, disability insurance and others;
- Private associations to help and assist people with disabilities;
- Social assistance in order to prevent poverty;
- Public awareness through media presence etc.;
- Integration of people with disabilities into regular schools;
- Support for Paralympics.

6.2 Concerns

- Decline of income if the main earner of a household gets disabled;
- Difficulties to integrate people with disabilities into regular work (depending on the kind and level of a disability, job qualifications and individual circumstances);
- Lack of years/duration of membership and contributions to the national retirement fund, and – with even more negative effects – to the occupational pension fund;
- Eventual perpetuation of low household income after retirement;
- Lack of statistical data and research.

6.3 Recommendations

- Ratification of UNCRPD;
- Improving the national statistics on people with disabilities;
- Establishing a monitoring system on the situation of people with disabilities;
- Academic research on the situation of people with disabilities.