



## FREEDOM IN THE WORLD 2020

# Liechtenstein

FREE

# 90

/100

<u>Political Rights</u>	33/40
<u>Civil Liberties</u>	57/60

## LAST YEAR'S SCORE &amp; STATUS

90 /100    **Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



# Overview

The Principality of Liechtenstein combines a powerful monarchy with a parliamentary system of government. The prince has an influential political role, which was enhanced by a constitutional referendum in 2003. Human rights and civil liberties are generally respected in the country.

## Key Developments in 2019

- In February, the parliament passed a modification of the law on party financing to increase transparency, stipulating that parties cannot accept anonymous donations exceeding 300 Swiss francs (\$310), though parties would not have to publicly disclose the identity of their donors.
- Also that month, the new party Democrats for Liechtenstein won legal recognition after splitting off from the right-wing populist Independents (DU) in 2018. The administrative court ruling entitled the party to public funding.

## Political Rights

### A. Electoral Process

**A1** 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?	2/4
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Liechtenstein has one of the most politically powerful hereditary monarchies in Europe. In a 2003 constitutional referendum, voters granted significantly more power to the prince. As head of state, the prince appoints the prime minister and cabinet on the recommendation of the parliament and has the authority to dismiss the government and dissolve the parliament.

Prince Hans-Adam II is the current head of state, but he delegated his governmental authority to his son, Hereditary Prince Alois, in 2004. Adrian Hasler has been prime minister since 2013, when his Progressive Citizens' Party (FBP) won legislative elections.

**A2** 0-4 pts

<b>Were the current national legislative representatives elected through free and fair elections?</b>	<b>4/4</b>
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The Landtag, the unicameral parliament, consists of 25 deputies chosen by proportional representation every four years. International observers considered the 2017 parliamentary elections to be credible. The ruling conservative FBP led the voting with nine seats, followed by its coalition partner, the center-right Patriotic Union (VU), with eight. The right-wing populist DU and the center-left Free List (FL) won five and three seats, respectively.

**A3** 0-4 pts

<b>Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?</b>	<b>4/4</b>
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The electoral framework provides a sound basis for democratic balloting. There are no formal provisions for election observation, but domestic and international observers are free to monitor the process. While voting is compulsory under the law, the rule is not enforced.

## B. Political Pluralism and Participation

**B1** 0-4 pts

<b>Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free</b>	<b>4/4</b>
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<b>of undue obstacles to the rise and fall of these competing parties or groupings?</b>	
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There are no onerous limits on the establishment or participation of political parties. The 8 percent vote threshold for representation in the parliament is comparatively high, though the 2013 elections marked the first time that four parties had won seats. In February 2019, an administrative court ruled that a new political group, Democrats for Liechtenstein, should be recognized by the government as a political party, which entitled it to public financing. The party was founded in 2018 by three members of parliament who left DU.

**B2** 0-4 pts

<b>Is there a realistic opportunity for the opposition to increase its support or gain power through elections?</b>	<b>3/4</b>
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The unelected prince wields significant governmental authority, meaning the extent to which power can change hands through elections is limited. The FBP and VU have traditionally dominated the parliament, competing with each other and usually forming coalition governments. The FL has long served as a smaller opposition party, and DU gained ground after entering the legislature with four seats in 2013, winning an additional seat in 2017. However, the 2018 splintering of DU cast doubt on its future prospects.

**B3** 0-4 pts

<b>Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?</b>	<b>3/4</b>
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Although citizens' political choices are largely free from undue interference, the prince has the power to veto the outcome of national referendums and popular initiatives. He has occasionally threatened to use this power, thereby influencing the

results. In a 2012 constitutional referendum, however, 76 percent of voters rejected a proposal to limit the prince's veto power.

Transparency of political financing remains a concern. In response to calls for reform by the Council of Europe's Group of States against Corruption (GRECO), the parliament in February 2019 passed a modification of the law on party financing, stipulating that parties may no longer accept anonymous donations exceeding 300 Swiss francs (\$310). However, the law did not require parties to publicly disclose their known donors.

**B4** 0-4 pts

<b>Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?</b>	<b>3/4</b>
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Approximately one-third of the population consists of foreign nationals—mostly from neighboring countries—who do not have political rights. Under Liechtenstein's restrictive naturalization criteria, one must live in the country for 30 years, or marry a resident Liechtenstein citizen and live in the country for more than 10 years, to qualify for citizenship.

Women and ethnic minorities generally enjoy formal political equality, though some disparities persist in practice. The number of women in the parliament declined in 2017 from six to three, which led to calls for the introduction of a gender quota.

## C. Functioning of Government

**C1** 0-4 pts

<b>Do the freely elected head of government and national legislative representatives determine the policies of the government?</b>	<b>2/4</b>
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Although elected executive and legislative officials set the policy agenda, the prince has significant governmental authority with no electoral mandate. He can dismiss the government and the parliament and veto both legislation and the outcome of public plebiscites; he also plays a powerful role in the appointment of judges.

**C2** 0-4 pts

<b>Are safeguards against official corruption strong and effective?</b>	<b>4</b> / 4
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Anticorruption laws are effectively implemented, and levels of corruption are reportedly low. The 2018 GRECO compliance report applauded Liechtenstein for the recent implementation of reforms to the criminal code, including the addition of charges for bribery in the private sector and the expansion of the definition of “public officials” to include a wider range of personnel, including all assembly members and parliamentary employees.

**C3** 0-4 pts

<b>Does the government operate with openness and transparency?</b>	<b>4</b> / 4
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Although there is no constitutional guarantee of access to information, laws are in place to provide for government transparency, and these are largely respected in practice.

The government has made efforts in recent years to increase transparency in the banking sector. The country’s large financial industry has historically been criticized for enabling foreign clients to hide wealth from their respective governments and potentially aiding corruption or other criminal activity. A 2019 report by the Organization for Economic Co-operation and Development’s Global Forum on Transparency and Exchange of Information for Tax Purposes concluded that Liechtenstein is largely compliant with international standards regarding beneficiary ownership, accounting, and banking.

# Civil Liberties

## D. Freedom of Expression and Belief

**D1** 0-4 pts

Are there free and independent media?	4/4
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The constitution guarantees freedom of the press, which is respected in practice. Liechtenstein has one private television station, one public radio station, and two main newspapers that are owned by the two major political parties. The local media sector lacks pluralism, but residents have access to foreign news outlets, including broadcasts from Germany, Austria, and Switzerland.

**D2** 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?	4/4
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Although the constitution establishes Roman Catholicism as the state religion, religious freedom is constitutionally guaranteed and protected in practice. Catholic or Protestant education is mandatory in all primary schools, but exemptions are routinely granted. Islamic religious classes have been offered in some primary schools since 2008. All religious groups have tax-exempt status. Muslim groups have yet to obtain permission to establish a mosque or a dedicated Muslim cemetery; there is one Islamic prayer room, and churches open their facilities for use by other faiths upon request.

**D3** 0-4 pts

Is there academic freedom, and is the educational system free from	
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<b>extensive political indoctrination?</b>	<b>4/4</b>
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Academic freedom is largely respected, with no significant restrictions by state or nonstate actors.

**D4** 0-4 pts

<b>Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?</b>	<b>4/4</b>
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The law guarantees freedom of expression, but prohibits public insults directed against a race or ethnic group. The government is not known to improperly monitor private communications.

## E. Associational and Organizational Rights

**E1** 0-4 pts

<b>Is there freedom of assembly?</b>	<b>4/4</b>
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The constitution guarantees freedom of assembly, and this right is respected in practice.

**E2** 0-4 pts

<b>Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?</b>	<b>4/4</b>
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Domestic and international nongovernmental organizations are able to function freely.

**E3** 0-4 pts

<b>Is there freedom for trade unions and similar professional or labor organizations?</b>	<b>4/4</b>
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The law facilitates the formation of trade unions and collective bargaining, and workers enjoy freedom of association in practice. The principality has at least one trade union. While a 2008 legal change removed a ban on strikes for civil servants, the right to strike in general is not explicitly protected by law. Major labor disputes are rare in the country.

## F. Rule of Law

**F1** 0-4 pts

<b>Is there an independent judiciary?</b>	<b>3/4</b>
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The judiciary is generally independent and impartial, but the constitution gives the prince a powerful influence over the appointment of judges, meaning the process lacks a key element of democratic accountability. The appointments of ad hoc judges, who often serve for a short time, are not publicly announced.

**F2** 0-4 pts

<b>Does due process prevail in civil and criminal matters?</b>	<b>4/4</b>
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The constitution provides for the right to a fair trial, and the rights of defendants are usually respected. Most trials are public, and defendants are considered innocent until proven guilty. In a 2017 report, the Council of Europe's Committee for the Prevention of Torture expressed concerns about some aspects of police custody procedures, including the fact that police can deny the presence of a lawyer during initial questioning.

**F3** 0-4 pts

**Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?**

**4/4**

People in Liechtenstein are largely free from the illegitimate use of physical force. Violent crime is extremely rare. While the country's small prison facility can hold up to 16 men and four women in short-term detention, convicted offenders serve their sentences in neighboring Austria.

**F4** 0-4 pts

**Do laws, policies, and practices guarantee equal treatment of various segments of the population?**

**3/4**

The legal framework prohibits discrimination on various grounds, though some shortcomings remain. In 2018, the European Commission against Racism and Intolerance (ECRI) reiterated the need for Liechtenstein to ratify Protocol 12 to the European Convention on Human Rights, which provides a general prohibition against discrimination.

Despite the presence of antidiscrimination laws, women, particularly Muslim women, and LGBT+ people experience employment discrimination. LGBT individuals face social stigma, and according to a leading human rights group, often do not disclose their sexual orientation or gender identity out of fear of bias.

## **G. Personal Autonomy and Individual Rights**

**G1** 0-4 pts

**Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?**

**4/4**

There are no significant restrictions on freedom of movement in Liechtenstein.

**G2** 0-4 pts

<b>Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?</b>	<b>4/4</b>
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The legal framework generally protects property rights and supports private business activity without undue restrictions. Nonresidents are not allowed to establish a business in Liechtenstein, but prospective business owners exploit loopholes to work around the law.

**G3** 0-4 pts

<b>Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?</b>	<b>3/4</b>
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Personal social freedoms are largely protected. Same-sex registered partnerships are legal, but the prince has expressed opposition to adoption rights for same-sex couples. While single LGBT+ people can adopt children, same-sex couples cannot.

Domestic violence and spousal rape are illegal in Liechtenstein, and authorities effectively prosecute offenders and protect victims. Abortion is criminalized unless the woman is at risk of death or serious harm to her health, or was under age 14 at the time of conception. A 2011 referendum proposal to expand the conditions for legal abortion was defeated by voters.

**G4** 0-4 pts

<b>Do individuals enjoy equality of opportunity and freedom from economic exploitation?</b>	<b>4/4</b>
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Liechtenstein is largely free from economic exploitation and human trafficking. Despite the country's overall wealth and low unemployment rates, however, relative poverty persists among some communities. Immigrants in particular often struggle to achieve economic security and social mobility.

### On Liechtenstein

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### Country Facts

Global Freedom Score

**90/100** Free

### Other Years

2019

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