#### Sexual orientation

At the international level, Liechtenstein advocates in particular for the protection[[1]](#footnote-1) of LGBTIAQ+ persons from violence and discrimination, given that LGBTIAQ+ persons are still frequently subjected to serious human rights violations.

In its judgment of 10 May 2021 (StGH 2020/097), the Constitutional Court annulled Article 25 of the Registered Partnership Act, finding it to be contrary to both the ECHR and the Liechtenstein Constitution. Article 25 provided that persons living in a registered partnership were not eligible to adopt children or to use reproductive medical procedures. The Constitutional Court ruled that the impermissibility of stepchild adoption for same-sex couples in Liechtenstein violated Article 8 in conjunction with Article 14 ECHR, given that stepchild adoption in Liechtenstein was possible only for heterosexual couples, not for same-sex couples. The legal effect of the annulment of this provision – promulgated in LGBl. 2021 No. 237 on 13 July 2021 – was postponed by one year. The Government subsequently proposed amendments to the Partnership Act and the General Civil Code (Report and Motion No. 19/2022 and Statement No. 41/2022) to legally enshrine stepchild adoption for registered partners and cohabiting partners, so as to eliminate the inequality found by the Constitutional Court.

In May 2022, the Liechtenstein Parliament adopted the newly created provision in the Partnership Act on stepchild adoption by registered partners (Article 24a) and at the same time rejected the proposed amendment to Article 25 of the Partnership Act, according to which joint adoption and the use of reproductive medical procedures would continue to be excluded for registered partners. As a result, and given the lack of a replacement provision, Article 25 of the Partnership Act expired on 13 July 2022, so that the prohibition of joint adoption and the use of reproductive medical procedures in the Partnership Act was repealed without replacement in light of the Constitutional Court ruling. However, this means the Partnership Act now contradicts the ABGB, which allows joint adoption only for married spouses. Because the equality of heterosexual and homosexual couples under adoption law as intended by the Liechtenstein Parliament is accordingly not enshrined in law, a (new) need for legislative action has arisen. This is being addressed by amending the General Civil Code and the Partnership Act to achieve full equality between same-sex and opposite-sex couples in adoption law (Report and Motion No. 125/2022). The first reading already took place in the December 2022 session of Parliament; the second and final reading is currently scheduled for spring 2023. Also of note is the motion submitted in the November 2022 session of Parliament on "Marriage for all" under civil law. The Government now has a window of two years to fulfil the terms of the motion.

There have been no developments with regard to legal changes to gender status since 2018. From 2018 to 2022, there were a total of 10 legal changes to gender status in Liechtenstein (6 persons from female to male and 4 persons from male to female).

*Source: National report of the Government of the Principality of Liechtenstein submitted for its review during the 4th cycle of the universal periodic review at the 43rd session of the UPR Working Group from 1 to 12 May 2023.*

1. see Recommendation 108.43., contributing to the implementation of SDG 10.3. [↑](#footnote-ref-1)