



European network of legal experts in gender equality and non-discrimination

NEWS REPORT

Country: Luxembourg
Title: Law of 10 August 2018 opens the gender marker change process by a declaration of intimate and stable conviction
Date: 30 October 2018
Expert: Nicole Kerschen

Context

Issue at stake: Change of gender at the civil status
Ground of discrimination: Transgender
Source: Legislation
Field: Other
Applicable law: Law of 10 August 2018 regarding the change of gender and of one or several first names on the civil status and amending the Civil Code. Memorial N°797 of 12 September 2018

Content

Law: The law opens the process for changing one's gender marker to any adult citizen of Luxembourg without requiring any medical or surgical intervention. A declaration of "intimate and stable conviction" that his/her gender does not correlate with the sex indicated on his/her birth certificate suffices.

Key points of analysis: The new law confirms the reversal of the jurisprudence that happened in 2016 [Judgment N° 173/2016 of 1st June 2016 of the Administrative Tribunal of Luxembourg (civil affairs)].

Minors of five years and older, non-Luxembourg nationals, refugees and stateless persons can also apply under special conditions.

The law changes the competent authority. The Ministry for Justice replaces the administrative tribunal.

Internet link source: <http://legilux.public.lu/eli/etat/leg/loi/2018/08/10/a797/>,
<https://itgl.lu/legal/loi-relative-a-la-modification-de-la-mention-du-sexe-et-du-ou-des-prenoms-a-letat-civil/>.