

## National Laws

Legislation of Interpol member states on sexual offences against children

# Liechtenstein

Vaduz

## I. Ages for legal purposes

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### Age of simple majority

A Liechtenstein male, a Liechtenstein female, is of age at 18 years.

### Age of consent for sexual activity

At 14 years; sexual intercourse is permissible if the disparity in age in relation to the partner is not more than three years.

### Age of consent for marriage

Marriageable age is attained with the age of majority. For younger persons, marriage is possible in exceptional cases with the agreement of the legal representative through the court.

## II. Rape

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### What constitutes the offence of rape under national Legislation?

According to Paragraph 200 (Penal Code of the Principality of Liechtenstein), the following constituent facts must be involved: The offence consists in the compulsion of the victim to carry out or suffer sexual intercourse or a sexual act equivalent to sexual intercourse.

Compulsion is understood as forcing the victim, under the physical or mental pressure of force, to behave in the manner determined by the perpetrator, namely to carry out or to suffer sexual intercourse or the sexual act to be equated with such.

The carrying out of such requires a volitional act on the part of the victim, even if this is forced by the perpetrator, whereas sufferance does not demand such a volitional act by the victim; the sufferance of absolute force suffices.

Sexual intercourse is to be understood as the penetration, even if incomplete, of the male member in the female sexual organ in the manner suitable for procreation.

A sexual act to be equated with sexual intercourse covers all such acts which, also as generally understood, are comparable in the sum of their effects and concomitant manifestations to sexual intercourse. These include all forms of oral, vaginal or anal penetration for the satisfaction of the sexual urge. For example, the insertion of a finger or an object in the vagina or the anus is a constituent fact.

#### **What legislation governs these offences?**

Paragraph 200 of the Liechtenstein Penal Code.

This is specifically regulated in Paragraph 202 Penal Code 'Perpetration in marriage or in a partnership'.

### **III. Other forms of child sex abuse**

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**What are the different categories of sexual offences provided for in your country's laws? (Sexual intercourse with a girl under 13, incest, buggery, indecency etc)**

- 205 Penal Code - Serious sexual abuse of under-age person.
- 206 Penal Code - Sexual abuse of under-age persons
- 207 Penal Code - Moral endangerment of under-age persons or adolescents
- 208 Penal Code - Sexual abuse of persons under sixteen years
- 211 Penal Code - Incest
- 212 Penal Code - Abuse of an authority relationship
- 218a Penal Code - Pornography

#### **What legislation covers these categories?**

- Penal Code of the Principality of Liechtenstein

### **IV. Child prostitution**

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**What are the different offences/categories of child Prostitution provided for by Liechtenstein's laws?**

- § 215 Penal Code Promotion of prostitution. Anyone procuring a person for prostitution is to be punished by imprisonment of up to two years.
- § 208, Section 2 Penal Code Sexual abuse of persons under sixteen years

#### **What legislation covers these categories?**

Penal Code of the Principality of Liechtenstein

## **V. Child pornography**

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**What are the different offences/categories of child pornography provided for by Liechtenstein's laws?**

- 207 Penal Code Moral endangerment of under-age persons or adolescents
- § 218 a Penal Code Pornography
- Article 14, Paragraphs. 2 and 4 of the Juvenile Court Act

**Is mere possession of child pornography an offence in Liechtenstein?**

§ 218 of Penal Code - Pornography. An offence is to be punished by imprisonment of up to one year.

## **VI. Internet**

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**Does Liechtenstein's legislation cover 'crimes against children using the internet'?**

Pursuant to § 218a, Section 4, the downloading and possession of child pornography is punishable. The provider is likewise responsible for this if he has his residence in the Principality of Liechtenstein. There is, however, no special legislation with reference to the Internet.