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Relevant Documents for the Report of the Federal Council of 2022 on the question of the introduction of a third gender and Swiss practice

Copy of relevant laws and other documents

Federal Constitution of the Swiss Confederation (among others: art. 59 and 61)

Swiss Civil Code (among others : art. 30, 30b, 42, 43, 43a, 53)

Art. 37- 40a of the Federal Act on Private International Law

Ordinance on civil status (the document is available in German, French and Italian)

Directives of the Federal office of civil status (among others the “Directive 10-22-01-01 on the Change of sex at the civil registry office”; the documents are available in German, French and Italian)

Swiss Parliament

Postulate 17.4121 of December 13, 2017 “Inscription d'un troisième sexe à l'état civil “ (“Registration of a third gender in the civil status”; the document is available in German, French and Italian)

Postulate 17.4185 of December 14, 2017 "Introduction d'un troisième genre. Conséquences pour l'ordre juridique et pour Infostar" ("Introduction of a third gender. Consequences for the legal order and for Infostar"); the document is available in German, French and Italian).

Postulate 23.3501 of April 28, 2023 “Améliorer la situation des personnes non binaires” (“Improving the situation of non-binary people”; the document is available in German, French and Italian)

Swiss Government (Federal Council)

Message of December 6, 2019 on the revision of the Swiss Civil Code (Change of sex in civil status) (« Message du Conseil fédéral concernant la révision du code civil suisse (Changement de sexe à l'état civil) du 6 décembre 2019 »)

(the document is available in German, French and Italian)

Report of December 21, 2022 "Introduction of a third sex or abandonment of the mention of sex in the civil conditions and consequences for the legal system" (“Rapport du Conseil fédéral concernant l'Introduction d'un troisième sexe ou abandon de la mention du sexe dans le registre de l'état civil – Conditions et conséquences pour l'ordre juridique du 21 décembre 2021 (the document is available in German and French)

Speech “100 days in office” of Federal Councillor Elisabeth Baume-Schneider of March 27, 2023 (the document is available in German and French)

National Advisory Commission on Biomedical Ethics

Opinion no. 36/2020 of October 5, 2020 "Officially recorded gender Ethical considerations on the management of the recording of gender in the civil register" (available in German, French and English).

Court decisions:

European Court of Human Rights

Judgment of the European Court of Human Rights in the case of Y v. France (application no. 76888/17) (the document is available in French; press release in English and French)

Cantonal court of Aargau

Decision of the cantonal court of Aargau of March 29, 2021: (ZBE.2020.8 / cs / gs Z154/20.1686 published on the website of TGNS (the document is available in English)