

Reference to the German Federal Constitutional Court (*Bundesverfassungsgericht*) is made just as frequently. This may happen in particularly exposed questions concerning fundamental rights¹¹⁵ or where the legal situation is comparable in Germany in cases with special constellations.¹¹⁶

Occasionally, the State Court's dogmas in terms of fundamental rights show the influence of several constitutional courts: its practice on the principle of equality contains elements of the jurisprudence of the Austrian Constitutional Court ("treat equal things equally and unequal things unequally"), of the Swiss Federal Court (among other things: "requirement of serious objective grounds"), and of the German Federal Constitutional Court ("the principle of equality has been violated among other things where a group of legal subjects is treated differently as compared with other legal subjects, although there are no differences of such weight and manner that they would justify the unequal treatment").¹¹⁷

However, where reference is made to the practice of these supreme or constitutional courts, it sometimes happens that an opinion differing from that practice is accentuated.¹¹⁸ For example, it is pointed out in StGH 2011/197, cons. 4¹¹⁹, that the fundamental right of personal freedom in terms of Art. 32 (1) LV protects both the physical and the mental integrity of the human personality as well as their elementary options for development "in accordance with the practice of the Swiss Federal Court, but contrary to that of the German Federal

¹¹⁵ Such as in StGH 2012/163, www.gerichtsentscheide.li, cons. 3.5 in connection with a review of rules concerning questions of custody, in which the State Court refers to the order of the Federal Constitutional Court of 21 Jul 2010, 1 BvR = NJW 2010/41, p. 3008 et sqq., concerning the transfer of parental custody for illegitimate children to fathers, in which the latter court had in turn referred to the judgment of the ECtHR concerning "Zaunegger v. Germany" (Application no. 22028/04).

¹¹⁶ Cf. for example the note in StGH 2011/144, www.gerichtsentscheide.li, cons. 3.4, to BVerfGE 99, 100 (120 et seq.) concerning the guarantee of ecclesiastical property in Art. 138 (2) of the Weimar Constitution.

¹¹⁷ Cf. Bussjäger, *Beschwerde*, p. 861; Hugo Vogt, *Das Willkürverbot und der Gleichheitsgrundsatz in der Rechtsprechung des liechtensteinischen Staatsgerichtshofes*, LPS 44 (2008), p. 82 et sqq.

¹¹⁸ In StGH 2010/63 the state court referred to the ruling of the Austrian Constitutional Court to consider the exclusion of legal entities from receiving legal aid to be unconstitutional (VfSlg 19.522/2011) but did not apply this practice to the case pending at the State Court, which was about the question whether a security deposit for legal costs could be imposed on a legal entity. It noted that selective equal treatment of individuals and legal entities in Liechtenstein could also be achieved by interpretation in accordance with the Constitution (cons. 4.4).

¹¹⁹ Equally: StGH 2011/20, www.gerichtsentscheide.li, cons. 2.1; StGH 2011/21, www.gerichtsentscheide.li, cons. 2.1.