

# Joint Appeal to the German Federal Government

## Towards a Consistent Level of Protection Against Discrimination in Europe

### Overcoming Germany's Blocking of the Proposed Equal Treatment Directive



homophobia  
Aktionsbündnis gegen Homophobie e.V.



Bundesverband e.V.



Bundesverband  
Selbsthilfe  
Körperbehinderter e.V.



Lebenshilfe

Büro zur  
Umsetzung von  
Gleichbehandlung e.V.



Deutscher  
Behindertenrat



Eurochild  
Putting children at  
the heart of Europe



NETZWERK ZUR UMSETZUNG DER  
UN-KINDERRECHTSKONVENTION  
NATIONAL COALITION DEUTSCHLAND



ZENTRALRAT DEUTSCHER SINTI UND ROMA



Protection against discrimination is a fundamental right that is derived from the principle of equality under both the Universal Declaration of Human Rights as well as German Basic Law. In the 1997 Amsterdam Treaty, Germany and the other member states have committed themselves and the European Union as a whole to the principle of protecting people from discrimination based on sex, ethnic origin, religion and belief, disability, age, and sexual orientation. The General Equal Treatment Act (AGG) ensures these protections in labour law and civil law in Germany. But such comprehensive protections do not exist everywhere in Europe.

For example, it is still legal in many European countries to:

- Deny people with disabilities access to premises,
- Deny gays and lesbians a hotel room,
- Refuse to rent a car to individuals due only to their age, or
- Refuse to rent an apartment to individuals due to their Muslim or Jewish faith.

Such inconsistencies in the levels of protection against discrimination should not exist in Europe. This is important not only for people in the countries concerned, but also for inhabitants of Germany, should they move to another EU country. It was therefore right and necessary that the European Commission presented a draft for a new, comprehensive Equal Treatment Directive in 2008, which would extend the level of protection against discrimination beyond employment, while also taking into account the requirements of the UN Disability Convention, which is already binding for Germany.

As the Member State with the largest population in the European Union, Germany has a particular responsibility. It is therefore unfortunate that the German federal government has blocked negotiations within the Council of the EU regarding the draft directive, and has so far refused to hold a substantive debate on this topic, which 27 out of 28 EU member states are willing to have. Germany is taking a position that is, in light of its existing domestic laws, rationally untenable.

### The signatories appeal to the German federal government:

- To remove its fundamental opposition to the draft directive,
- To re-enter into negotiations,
- To work together with its EU partners, the European Commission, and the European Parliament on strong protection against discrimination in all fields of life that applies to all people across Europe, and
- To enter into a dialogue with the signatories as soon as possible.

### Berlin, 23 July 2015

*AGE Platform Europe*

*Aktionsbündnis gegen Homophobie*

*ABiD – Allgemeiner Behindertenverband in Deutschland*

*Amnesty International*

*advd – Antidiskriminierungsverband Deutschland*

*Arbeiterwohlfahrt Deutschland*

*BAG Selbsthilfe*

*BAGSO – Bundesarbeitsgemeinschaft der Senioren-Organisationen*

*Bundesinitiative Daheim statt Heim*

*Bundesverband für körper- und mehrfachbehinderte Menschen*

*Bundesverband Selbsthilfe Körperbehinderter*

*Bundesvereinigung Lebenshilfe*

*BUG – Büro zur Umsetzung von Gleichbehandlung*

*DaMigra – Dachverband der Migrantinnenorganisationen*

*Der Paritätische Gesamtverband*

*Deutscher Behindertenrat*

*Deutscher Blinden- und Sehbehindertenverband*

*Deutscher Bundesjugendring*

*Deutscher Frauenrat*

*Eurochild*

*European Disability Forum*

*ENAR – European Network Against Racism*

*ENORB – European Network on Religion & Belief*

*European Women's Lobby*

*European Youth Forum*

*IBIS – Interkulturelle Arbeitsstelle*

*IGLYO – The International Lesbian, Gay, Bisexual, Transgender & Queer Youth Organisation*

*ILGA Europe*

*Interessenvertretung Selbstbestimmt Leben*

*Lesbenberatung Berlin*

*LesMigraS*

*LSVD – Lesben- und Schwulenverband*

*National Coalition Deutschland – Netzwerk zur Umsetzung der UN-Kinderrechtskonvention*

*Social Platform*

*SoVD – Sozialverband Deutschland*

*Sozialverband VdK*

*TGEU – Transgender Europe*

*TriQ – TransInterQueer*

*Türkische Gemeinde in Deutschland*

*Weibernetz – Bundesnetzwerk von FrauenLesben und Mädchen mit Beeinträchtigung*

*Zentralrat deutscher Sinti und Roma*

*Manfred Bruns*

*Dr. Ilja Seifert*

*Equinet – European network of equality bodies*

*Antidiskriminierungsstelle des Bundes*