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
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 – Lesbengenossenschaft Deutschland
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
Antidiskriminierungstelle des Bundes