



# Germany



Pressure on the German government to advance LGBTI equality increased exponentially in 2015. Calls to back the EU's horizontal anti-discrimination directive re-emerged, both within Germany and from external actors. The general population seemed to be ahead of the ruling coalition on the question of equal marriage; two-thirds of the population publicly supported equal marriage. Opposition parties and international commentators also demonstrated support, particularly in the wake of developments in Ireland. At the end of the year, an expert commission urged German authorities to introduce greater protection for trans and intersex people.

## Asylum

- A gay man and a lesbian woman, both from Uganda, had their asylum applications turned down by authorities in Munich. Both had suffered homophobic abuse but they were not granted asylum on the basis of their sexual orientation, as German authorities considered that the Ugandan government's protection of LGBTI citizens was adequate.

## Bias-motivated speech

- In March, the relatives of a gay man who abducted him, with the apparent intention of forcing him to marry a woman, were fined by a German court. The man's father and two uncles had also apparently threatened to slit his throat or set him on fire because of his sexuality. The court did not deal with the torture allegations but all three men were fined EUR 1,350 for detaining the young man.
- Annegret Kramp-Karrenbauer (Christian Democratic Union, CDU) compared equal marriage to incest and polygamy in an interview with the Saarbrücker Zeitung in June. If equal marriage was introduced, according to Kramp "...then other demands can't be ruled out, such as a marriage between close relatives or between more than two people." Her comments were criticised by politicians from the Social Democrats (SPD), the Free Democratic Party (FDP; centre-right), the Left Party (social-democratic) and the Greens.

## Bias-motivated violence

- In March, the Bundestag approved a hate crime law that refers to racist motivation but does not mention homophobic or transphobic violence. LGBT NGO LSVD criticised the law for overlooking violence against LGBTI people and urged the government to improve its provisions.

## Bodily integrity

- In December, an independent expert commission from the German equality body recommended that criminal sanctions be introduced for non-consensual medical interventions in young intersex persons.

## Equality and non-discrimination

- In spring, the regional parliament in Bremen adopted an LGBTI action plan. This means that by 2015, nearly all Germany's federal states had adopted or prepared LGBTI actions plans against homophobia and transphobia – except Bavaria, Hamburg, Brandenburg and Saarland. The different action plans contain measures for combating discrimination in areas like education, the public health system or in sports.
- In May, the Catholic Bishop's Conference introduced a new basic order for employees. Homosexual employees still are not guaranteed legal certainty and still may be dismissed from employment when living in a registered same-sex partnership.
- Over 40 civil society organisations and anti-discrimination bodies signed a joint appeal with the German equality body FADA in July, calling on the German government to end its opposition to the proposed Equal Treatment Directive.

## Family

- Following Ireland's marriage equality referendum (see **Ireland**), Chancellor Angela Merkel (CDU) ruled out introducing equal marriage, stating that it was "not a goal" for her government. In May, the ruling coalition announced that minor changes would be made to existing registered partnership legislation.
- Opposition parties continued to call for the introduction of marriage equality by the current grand coalition government, composed of the CDU/CSU and Social Democrats (SPD). Green Party leader Katrin Göring-Eckardt urged the Chancellor to reconsider her position in May, saying: "It's time Mrs Merkel. The Merkel faction cannot just sit out the debate on marriage for all."
- In June, a resolution calling for marriage equality and entitlement to joint adoption for same-sex couples was approved by the Bundesrat, the upper house of the federal parliament. In July, President Joachim Gauck (independent) spoke out in favour of marriage equality in an interview with the *Irish Times* newspaper. In September, the Bundesrat again voted in support of marriage equality but in October the Bundestag only voted to make minor

changes to the registered partnership law, involving administrative procedures and civil registry office processes.

*“Nothing is more powerful than an idea whose time has come.”*

**- Rhineland-Palatinate minister-president Malu Dreyer (SPD) following the Bundesrat vote in support of marriage equality, 12 June 2015**

## Legal gender recognition

- In December, an independent expert commission from the German equality body recommended that gender markers on documents be limited as much as possible, that legal gender recognition processes be simplified and that trans people be depathologised.

## Participation in public, cultural and political life

- In June, the ‘Homosexuality\_ies’ exhibition opened at the German Historical Museum. It catalogued 150 years of gay and lesbian culture and was the first exhibition dedicated to the LGBT civil rights movement in Germany to be displayed at the venue.

## Public opinion

- Polling company YouGov carried out a survey in Germany between 26 and 29 May. 65% of respondents were in favour of equal marriage. When asked about adoption, 57% agreed that registered same-sex couples should be able to adopt children like married couples can do. 61% believed that gay and lesbian parents could educate children equally well as their heterosexual peers.
- In July, members of the Christian Democratic Union party voted against the introduction of equal marriage. 45% of the CDU’s Berlin faction were against marriage equality, while 35% were in favour.
- 70% of German Catholics want the church to recognise marriages between same-sex couples, according to a survey of 7,900 Catholics in Germany carried out by the University of Münster. The questions focused on partnership, marriage and family in a

Roman-Catholic context and the results were published in August.

- According to Eurobarometer 2015, 50% of people surveyed in Germany believe that discrimination on the basis of sexual orientation is widespread (EU28 average was 58%). When asked about gender identity, 51% felt discrimination on this ground was widespread (EU 28 average was 56%). 70% totally agreed with the statement that LGB people should have the same rights as heterosexual people (EU 28 average was 71%). When asked to grade how comfortable they would be with certain scenarios on a scale of 1 (not comfortable at all) - 10 (totally comfortable), 57% said they would be comfortable or moderately comfortable with an LGB work colleague (EU28 average was 72%). When asked about a potential trans work colleague, 51% said they would be comfortable or moderately comfortable (EU28 average was 67%).