

GERMANY

ASYLUM

Civil society firmly [criticised](#) the government's support for the new EU asylum policy and its failure to advocate for the rights of LGBTIQ* asylum seekers. Civil society [demanded](#) that Germany excludes countries from its safe country list that persecute or criminalise LGBTIQ* people.

In October, the Federal government [approved](#) a bill to speed up the deportation of rejected asylum seekers.

As a positive step, the Ministry of Interior [approved](#) funding for special legal advice services for queer asylum seekers and others deemed vulnerable. Civil society can now apply for funding to provide the service. Also in April 2023 the [new policy on SOGI asylum seekers](#) by the asylum agency BAMF became public - that includes changes that go beyond the [repeal](#) of the so-called discretion requirement that became public in September 2022.

In September 2023 the [first](#) queer persons under the Federal Admission Program Afghanistan arrived in Germany.

BIAS-MOTIVATED SPEECH

An anti-trans actor who sued Bundesverband Trans* and other organisations over the use of a hashtag on social media eventually [dropped](#) the case. Bundesverband Trans* [removed](#) its profile from the social media platform X (previously Twitter) due to the dramatic increase of transphobic and transmisogynistic comments and messages.

The far-right AfD made countless hateful statements this year, for instance saying "there are no transgender people" (see [here](#)), that sexual and gender minorities were sexually abusing children (see [here](#)), and making fun of gender diversity (see [here](#)). AfD MPs also continued to harass and [deadname](#) trans MP Tessa Ganserer (Buendnis 90/Die Gruenen).

An anti-gender activist [launched](#) a petition to end 'the gender language' in February against the use of gender-neutral language in schools and on official forms in Hamburg, calling it 'coercion'. The CDU [distanced](#) itself from the activist after she [made](#) anti-LGBT statements, but continues to support the petition, along with the far-right AfD. The campaign has [appeared](#) in other regions too.

A brochure for parents of trans children was [classified](#) as harmful for its anti-LGBT content.

BIAS-MOTIVATED VIOLENCE

The Ministry of Interior [shared](#) in May that over 1,000 homophobic hate crimes were recorded in 2022, marking a 15% increase compared to 2021. Sven Lehmann, the Federal Government Commissioner for the Acceptance of Sexual and Gender Diversity, highlighted that three to four queer people per day are assaulted in Germany.

Hate crimes continued to be a serious issue in 2023, with the vast majority going unreported. Several LGBTIQ people (see [here](#), [here](#), and [here](#)) were assaulted this year, many of them in Berlin. In August, hundreds [gathered](#) for a demonstration in Berlin to call for action against anti-LGBTI hate crimes. Berlin's LGBTQ Museum (Schwules Museum) was [attacked](#) with bullets in February.

A lesbian space in Berlin was [targeted](#) by an arson attack in the summer. A monument remembering 'homosexual' victims of the Nazi era was [vandalised](#) in August. A banner inciting hatred against queer people was [put up](#) in downtown Berlin. A rainbow flag was torn down and [burnt](#) outside a school in Frankfurt-Sachsenhausen.

In June, the federal working group on anti-LGBTIQ+ hate crimes, established in 2022, [developed](#) a series of recommendations including training at law enforcement agencies, research and setting up contact points and counselling for survivors

EDUCATION

(See also under Bias-motivated Violence)

In April, two teachers in Brandenburg [published](#) a letter of concern about right-wing extremism, sexism and homophobia on school grounds. The police started an investigation. The Brandenburg Minister of Education [called](#) for moral courage and asked schools to promptly report similar incidents. The two teachers received the Prize for Civil Courage Against Anti-Semitism, Right-Wing Radicalism and Racism, but due to hate and harassment, they both [quit](#) their teaching jobs.

Activists at the Technische Universität in Berlin posted gender-neutral signs on toilets, a move [endorsed](#) by the university's Queer Referat.

In January, Humboldt University [allowed](#) trans, inter and non-binary students who have not gone through legal gender recognition or name change yet to use their chosen names on university ID cards, following a class action lawsuit [filed](#) in 2022. The HU took this step before the court decision.



The far-right AfD in Lower Saxony announced their plans to restrict sex education in schools, allegedly to tackle “child abuse”.

EQUALITY AND NON-DISCRIMINATION

The government continued to implement the National Action Plan for Sexual and Gender Diversity, which was part of the government’s 2021 coalition treaty, and was adopted in November 2022. In March this year, the process of setting up working groups started, with the involvement of almost 80 civil society organisations. The thematic working groups will monitor the implementation process and share their assessment with the Federal Parliament in the autumn of 2024. Civil society called for sufficient financing and speedy implementation.

In June, the Independent Federal Commissioner for Anti-Discrimination released its 2022 annual report, finding a 22% increase in reported cases. 4% of the cases concerned discrimination based on sexual orientation and 21% based on gender. Civil society continued to advocate for a comprehensive anti-discrimination law, which is included in the Action Plan (see here, here and here). Over 100 organisations joined the ‘AGG Reform Now’ campaign.

In line with the parliament’s decision in 2022, this year’s commemoration of the victims of nazi persecution remembered LGBT victims for the first time.

FAMILY

The synodal council of the Catholic Church in Germany voted in favour of blessing same-sex unions from 2026 onwards.

Civil society expressed disappointment over the European Court of Human Rights rulings OH and GH v Germany and AH and Others v Germany (see here and here) for failing to establish that the misgendering and misnaming of trans parents, i.e. trans mothers and gestational trans fathers, on their child’s birth certification is a violation of the Convention.

The draft legal gender recognition law (see under Legal Gender Recognition) foresees for trans parents to be featured as ‘parent’ on birth certificates but upholds the misgendering of trans parents in the birth registry.

FOREIGN POLICY

Germany joined the European Commission’s infringement proceedings against Hungary over its anti-LGBT legislation.

The Federal Foreign Office and the Federal Ministry for Economic Cooperation and Development presented their new feminist foreign and development policy guidelines.

The German government included sexual orientation and gender identity in the update to its international criminal law legislation in October.

A German citizen was fined and deported from Russia for engaging in so-called ‘LGBT propaganda’.

FREEDOM OF ASSEMBLY

Several participants of the Berlin CSD (Pride) march were attacked this year, including before and after the event. The police said the number of attacks was not unusual given the size of the march. A high number of Prides across the country were attacked this year.

HEALTH

In January, the Ministry of Health announced they would end the discriminatory restrictions on gay and bi men, and trans people who want to donate blood, and replace them with an assessment of risky behaviours. The change entered into force in April. In August the new rules by the German Medical Association based on this change became public - and were criticised for continuing to ban blood donations from men who have sex with men (MSM).

A new scientific study found high levels of loneliness and social isolation among trans and gender-diverse people.

INSTITUTIONAL SUPPORT

The Bundestag raised the rainbow flag again this year. The flag will be featured in the German Historical Museum.

LEGAL GENDER RECOGNITION

In late August, the cabinet presented the legal gender recognition bill, which will move forward to its readings in parliament. While the law introduces a model based on self-determination, it sets out a three-month waiting period and a separate procedure for minors over 14.

Civil society continued campaigning for a law that is fully compliant with human rights (see here, here, here, here, and here). In September, over 350 feminist authors, creators, lawyers, queer, trans*, inter and non-binary groups and professional associations, women’s shelters and leading representatives of women’s associations and equality work co-



launched a petition. By December, the petition was signed by over 16,300 people.

POLICE AND LAW ENFORCEMENT

The Ministry of Justice in Baden-Württemberg, as part of creating new guidelines to give greater consideration to gender identity in prison, shared that there were eight trans and intersex prisoners in the system; that some detainees have had access to trans-specific healthcare; and that there will be a consultation on further changes that should be made.

The Ministry of Defense launched a website where soldiers can file for financial compensation if they were discriminated against in the military due to their SOGI.

SOCIAL SECURITY AND SOCIAL PROTECTION

Berlin will put in place a housing project for older lesbians and queer women.



GERMANY WEB PAGE
MORE INFORMATION ON WWW.ILGA-EUROPE.ORG