

GERMANY

Population: 82,0 Mio

Area: 357.022 km²

Part 1: Laws concerning Homosexuality

Forbidden by law: No

Registered partnership: Yes, introduced in August 2001 and confirmed in 2002.

Differences to heterosexual marriages: Adoption rights. Some of the social, tax and inheritance laws have yet to be adapted to EU legislation. Employees of the churches do not have the right to adopt the state's principle of equality. The Catholic Church makes use of this fact with respect to homosexuals.

Anti-discrimination law, protecting lesbians/gays (L/G) against discrimination: No

Comments:

So far there does not exist a federal law. Legislation pertaining to labour, state employees and soldiers prohibits discrimination, but homosexuals are not mentioned. Half of the federal states in Germany have anti-discriminatory laws. Berlin, Brandenburg and Thuringia have anchored these in their state constitutions. In Brandenburg, Bremen, Hamburg and Lower Saxony, prohibition of discrimination in the public service was extended to apply to sexual identity or orientation. Two states went further: Saarland passed a 'law for the prevention of discrimination against homosexuals', Saxony-Anhalt passed a 'law towards the reduction of disadvantages for lesbian and gays'.

Other groups in the society protected through such a law: No, but is in the process of being drafted.

Incidents that briefly describe the situation of L/G in society:

Positive: The situation has changed visibly over the past few decades. Berlin and Hamburg both have elected gay mayors at the time of writing. LGBT subjects are present on TV, in talk shows, etc. There is a strong LGBT infra-structure in bigger cities, but mostly based on unpaid volunteer work. LGBT networks are involved in legal, political, social and other issues. Partnership registration has been legal since 2002. More than 500.000 people take part in Christopher Street Day parades both in Cologne and Berlin, hundreds of thousands in other big German cities.

Negative: An anti-discrimination law does still not exist. The partnership registration does not provide equal rights for lesbian and gay couples. The government is reluctant to deal with it, since the opposition is strong. Lesbians and gays can still be openly insulted, attacked, mobbed or disadvantaged in their careers.

Part 2: Situation in the Church(es)

Open L/G welcome to

Eucharist: No general answer

Catholic Church: No

Lutheran/United/Reformed (Calvinist) Churches: Mostly, but not everywhere: Yes

Free Churches almost everywhere: No

Old Catholic Church: Yes

Do volunteer work: No general answer

Catholic Church: No
 Lutheran/United/Reformed Church: Yes, but there are differences between the different Provincial Churches ("Landeskirchen") and regions.
 Free Churches and other small churches: No.
 Old Catholic Church: Yes
Work as ordained ministers: No general answer
 Catholics: No
 Lutheran/United/Reformed Churches: Yes, but in many regions it is difficult to live with the partner in the same apartment (especially in the minister's house)
 Free Churches: No
Other employment in church(es): No general answer
 In general, Catholic lesbians and gays who live openly at work risk losing their job immediately according to the policies of the Vatican.
Partnership blessing possible: No general answer
 Catholic: No
 Lutheran/Reformed Churches: No general answer
 Exactly half of the 22 Lutheran/United Churches: Yes, or mostly yes (trend is positive).
 The other half: No, or only without the public (private blessing ceremony in private places)
 Free Churches: No.
 Old Catholic Church: Yes

Incidents attitudes that briefly describe the situation of L/G in the churches:

The situation for lesbians and gays cannot be generalised in German Churches. It very much depends on the denomination and the regional profile of the respective Church.

Catholic lesbians and gays can only come out if they are not employed by the church, otherwise they have to hide their sexual orientation or risk losing their job. They are confronted – as are all members of Protestant Free Churches - with the accusation of living in sin. However, the positions of the Church authorities and of parish members and even clergy can differ considerably. Frequently, the attitudes at the grassroots level are much more liberal and open.

The situation of Protestant lesbians and gays is dependent on the position of the Provincial Churches ("Landeskirchen") in which they live. Some are being attacked, marginalized and/or not entitled to positions in the Church, others are welcomed, their partnerships can be blessed, and they can even take senior offices in their churches as for instance in the Provincial Church of "Hessen und Nassau". As in the Catholic Church, the attitudes of church authorities, local parishes, clergy and church members can differ considerably. In general, one can state that homosexuality is one of *the* controversial subjects in all parts of the church. Fortunately, the subject mostly is no taboo any more, but vividly discussed – at least in the Protestant Churches.

Part 3: Christian Lesbian/Gay Networks

Specifically Christian networks only; addresses and number of members as of January 2004

Network name: Internet work of Christian Lesbians „Linet-c“ (women only; men are guests)

Number of members: 230

Year of foundation: 2002

Web page/contact address: <http://www.linet-c.de>

Network name: Lesben und Kirche "LuK" (women only)

Number of members: approx. 100

Year of foundation: 1987

Web page/contact address: <http://www.stadt-gay-web.de/Luk/>

Network name: Netzwerk katholischer Lesben "NKaL" (women only)

Number of members: approx. 100

Year of foundation: 1996

Web page/contact address: <http://www.netzwerk-katholischer-lesben.de>

Network name: "Labrystheia" (lesbian theologians, and lesbians who are interested in lesbian/feminist/queer theology) (women only)

Number of members: approx. 80

Year of foundation: 1989

Web page/contact address: <http://www.labrystheia.de>

Network name: Lesbische Kirchenmitarbeiterinnen und Freundinnen „MuM“ (women only)

Number of members: approx. 100

Year of foundation: 1986

Web page/contact address: Maria-Martha-Netzwerk@web.de

Network name: Lesben in der ostdeutschen Kirche "LiK" (women only)

Number of members: Approx. 30

Year of foundation: 1991

Web page/contact address:

Network name: Homosexuelle und Kirche "HuK" (women and men)

Number of members: 491 (incl. 4 organizations)

Year of foundation: 1977

Web page/contact address: <http://www.huk.org>

Network name: Projekt Schwule und Kirche in der Gemeinde Maria Hilf
Rebstöckerstr. 70, D-60323 Frankfurt/Main

Network name: Arbeitsgemeinschaft Schwule Theologie

Isareckstr. 48, D 81673 München

westh@mnet-online.de

Network name: Homosexuelle Neupostolische Christen „PinkNAK“ (women and men)

Number of members: 135

Year of foundation: 1999

Web page/contact address: <http://www.geocities.com/pinknak>

Network name: Freikirchliche Homosexuelle „Zwischenraum“ (women and men)

Number of members: approx. 70

Year of foundation: 2001

Web page/contact address: <http://www.zwischenraum.net/>

Network name: Homosexuelle Adventisten "HAD" (woman and men)

Number of members:

approx. 40

Year of foundation:

1997

Web page/contact address: <http://www.had-ev.de>

Network name: „MCC“ (Metropolitan Community Church),
with parishes in Hamburg, Cologne, Stuttgart, Munich, Frankfurt

Network name: Network of gay priests

<http://www.kspd.de/>

Network name: The gay, lesbian convent

<http://www.lsgg.de> and various regional convents

Network name: The association of queer communities (Münster, Stuttgart, Nuremberg, Munich, Frankfurt, Basel, Berlin): <http://queergottesdienst.de/>

Questionnaire filled in by Hannah with some additional information by Kerstin

