

ver.di

2023 UPR Info Pre-session 4th Cycle Germany

ver.di Trade Union RainbowGroup



*Frank
Krüger, ver.di
AK Kiel-Plön*



*ver.di Public
Services Union,
Germany*

**Vereinte
Dienstleistungs-
gewerkschaft**

Geneva - Thursday, August 31st, 2023

ver.di Union's RainbowGroup

- Gender equality and minority rights
- Sexual orientation, gender identity and expression and sex characteristics (SOGIESC)
- lgbtiq (lesbian, gay, bisexual, trans, intersex, queer)





**Bundesarbeitskreis Regenbogen (BAK
LSBTTIQ) in ver.di**

Paula-Thiede-Ufer 10
10179 Berlin

Tel: 030 – 69 56 0

bak@verdi-queer.de
www.regenbogen.verdi.de

Bundesverband Trans* e.V.

Prinzregentenstr. 84
10717 Berlin

Tel: 030 - 23 94 98 96

info@bv-trans.de
www.bv-trans.de

Joint UPR submission

UPR - Federal Republic of Germany

44th Session - 9 November 2023

Bundesarbeitskreis Regenbogen (LSBTTIQ) in ver.di and Federal Trans* Association (BVT*) submit this shadow report in anticipation of upcoming review of the Federal Republic of Germany's ("Germany") compliance with international human rights standards in November 2023. The following submission does not claim to comprehensively address all human rights issues of relevance in Germany. It focuses on those areas and recommendations brought forward in the 3rd cycle, on UPR areas that are particularly important to LGBTI+ people living in Germany.

Progress since UPR 3rd cycle

- Recommendations on lgbtiq+ issues by e.g. Australia, Greece, Israel, the Netherlands, Sweden and Uruguay
- 3rd positive gender marker introduced, Dec. 2018
- 2021 Introduction of a Federal Commissioner for the acceptance of Sexual and Gender Diversity
- 2022 Hearings on National Action Plan



Issues UPR 4th cycle

- Legal gender recognition (LGR) for trans, non-binary und/or intersex persons
- Trans parenthood
- Compensation fund for IGM (Intersex Genital Mutilation) survivors, forced divorce (§ 8,2 TSG, 1981-2008) and sterilization (§ 8,3 & 4 TSG, 1981 - 2011)

Legal Gender Recognition (LGR)

- Currently §45b PStG with medical certificate on certain intersex diagnosis
- Currently TSG (Transsexual Law): lengthy and expensive court case based on two „expert reports“ to confirm „transsexual“ disposition
- —> introduction of LGR based on self-determination
- Draft of „Self-determination law“ (SBGG) lacks self-determination

Trans Parenthood

- Current law (§ 1391, 1392 BGB):
 - mother is the woman who gave birth to the child
 - 3 ways to become a father: married to the woman who gave birth; declare to be father; court decision
- but e.g. a trans man who gives birth is registered as „mother“ under his former „dead name“ —> violation of Article 8 (right to respect private and family life) of European Convention of Human Rights
- —> need to reform law of descent to allow trans and non-binary parents to be registered on the birth certificates of their children under their legal names and genders

Compensation Fund

- For IGM (Intersex Genital Mutilation) survivors
- For people (and their families) who were forced to divorce for LGR according to § 8,2 TSG between 1981-2008 and/or had to undergo
- sex-reassignment operations and proof of sterilization for LGR according to § 8,3 & 4 TSG between 1981 - 2011

Questions?

Meet members of our Rainbow Group here today.

E-Mail: bak@verdi-queer.de

Thank you!

