

United Nations Human Rights Council
4th UPR cycle

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Our Submission to UPR documentation

Dear Ladies and Gentlemen,

the German government plans to introduce a self-ID law, the "Selbstbestimmungs-gesetz," this year.

Many aspects of this proposal are highly problematic and will negatively impact the lives of lesbians, gays and bisexuals (LGB). Below are several examples of this proposal:

- The law would allow minors as young as 14 to legally change their sex designation on documents without their parents' or guardians' consent. Examples from other countries show that children and young adults tend to claim to be transgender under the pressure from their peers. It would be unwise to presume that children in Germany would not be affected by peer pressure. A social transition, like a legal name, is shown to increase the likelihood of taking body-altering measures later on.
- There exist now numerous testimonials from LGBs who believed to be "of the wrong sex" because they are attracted to people of their own sex and/or do not act according to gender stereotypes³. Many of them were strongly affirmed in their discomfort by peers, teachers, and/or doctors and led on a path to transition. This is facilitated by a law that was adopted in Germany in 2020, that forbids so-called conversion therapies based on "gender identity". The self ID law would forbid the disclosure of the biological sex of a person who had their sex designation changed. This will result in LGB committing a crime whenever they reject advances from self-identified "trans lesbians" or "trans gays" and state the obvious (that they are not attracted to biological males/females).
- Same sex attracted people will be unable to have organizations, groups, events, and so forth, only for themselves. What makes matters worse is that biological men will be able to change their legal sex to female, claim to be lesbians and claim access to lesbian events, organizations, etc. and then change back to male after a year without any consequences for them. At the same time lesbians would have to accept without protest actual males in their safe spaces. Any protest would be punished. The same applies also to gays.

We find it very disturbing that in recent years, words such as "lesbian", "gay", and "bisexual" have been erased from the public discourse and have been replaced by the term "queer." This makes it even easier to ignore the needs and gradually curb the rights of LGB to speak for themselves.

There is also a recent proposal to introduce the notion of "sexual identity" in the German Basic Law (Grundgesetz)⁵. Any "sexual identity" (whatever that might mean) would be protected by law, but not sexual orientation. Whether it is on purpose or not, such a statement would render it impossible to protect the rights of LGB people. Not only that, the limitlessness of this term and the many ways in which it could be applied are unsettling. We fear that as soon as this is codified in law, even fewer people will support our concerns. Especially as one of the currently ruling party (Bündnis90/DieGrünen) was notorious in the past for supporting the rights of pedofiles.

Proponents of the self-ID law claim to act in the name of and for the "LGBTQ+" community; they don't. We fear that in the years to come, when even more detransitioners will openly talk about their experiences, when stories of children on cross-sex hormones and puberty blockers, and testimonials of girls in their early teenage years who underwent mastectomies or boys who underwent orcheotomies and penile inversion surgeries will see the light, as well as when information about sex offences committed by those who used the self-ID for their nefarious purposes will finally be reported by the media, then society's anger will turn against the "LGBTQ+" community and the blame will be put on homo- and bisexuals. We fear that this might start a new era of "seemingly justified" discrimination against same-sex attracted people.

We have also been observing that gender ideology is becoming more and more present at German universities. To name just two examples: universities already organise "Girls' days" for "anyone who identifies as a girl" or scientist who want/have to attend scientific conferences must state their pronouns in order to be able to sign up and attend. These seemingly "benign" measures, presented as "inclusivity and LGBTQI+ supporting means", are being accepted unquestioningly in good faith by scientists and university staff, unaware that they are supporting ideology harmful to LGB.

Attacks on women, especially feminists and lesbians, in the name of "trans rights" are becoming increasingly frequent in Germany. We fear that this trend will be exacerbated by the introduction of self-ID. Here are some examples from the last years:

- On July 2, 2022, a group of lesbians was attacked at a "Dyke March" (public lesbian demonstration) in Cologne by a mixed-sex group. One lesbian, a member of LGB Alliance e.V., was put in a headlock by a male trans activist. After the attacks, the group of same-sex attracted women was blamed by the organizers for what had happened.

- Lesbians who attended a Dyke March in Berlin and held a banner with the definition of "lesbian" on it had to be escorted by police and were later removed from the march premises as police were no longer able to guarantee their safety.

- A talk about sex, gender identity, and self-ID that explicitly invited both sides to speak on the issue had trans activists protesting it, calling for violence against "terfs."

- Women, among them a pregnant woman, were assaulted on their way to a talk about the hypocrisy of the German left ("Die neue Pseudolinke"). Trans activists rallied against it after it became known that Marie-Luise Vollbrecht would attend. Marie-Luise Vollbrecht is a German neurobiologist who became a major target for trans activist aggression after she tried holding a lecture about biological sex at the Humboldt University of Berlin. She was assaulted as well. Afterwards, the women were ridiculed in a sexualized manner by one of the perpetrating groups, Linksjugend Leipzig Ost (left wing party youth), and several German trans activists even said the women deserved it.

- Trans activists made attempts at cancelling the Lesbenfrühlingstreffen (lesbian spring meetup) in 2021. Popular news outlets copied exaggerated statements from Twitter, where the full names and job titles of organizers and speakers had been posted. A flowchart was shared online to prove guilt by association of anyone involved. Soon after major financial donors (e.g.: the government-funded Federal Magnus Hirschfeld Foundation (BMH)) begun to withdraw funds. Even the patron of that year's festival, the senator of women's affairs in Bremen, retracted her support. All that because lesbians organised a meeting only for lesbians.

-The Linksjugend Dresden (left wing party youth) held up a banner saying "terfs can suck my huge trans cock" (sic!) while the lesbian protests at Dyke Marches and Pride events were happening. The party DIE LINKE (The Left) never officially distanced itself from this implicit sexualized threat. In fact, stickers saying "terfs can suck my huge trans cock" with the logo of the LINKE.queer Baden-Württemberg were circulating at Pride in Stuttgart in August 2022.

- The Lesbenarchiv (lesbian archive) Frankfurt was recently overtaken by a group of queer activists who put up signs saying "lesbian visibility only trans-inclusive" (no lesbian visibility without men). Likewise, the lesbian archive "Spinnboden" in Berlin was overtaken by queer activists, who put a man claiming to be a lesbian, Jenny Wilken, in charge of a lesbian coming-out group for young (sic!) lesbians. The few remaining spaces are relentlessly under attack, are at risk of losing public funding, or are forced to go underground entirely. The lesbians in charge of these spaces are worried about their physical safety. With self-ID, they would additionally have to worry about being sued for excluding men.

- Several male German politicians are already claiming to be lesbians, even if there is no change of the personal status law. The same politicians also stand out because of their consistent anti-lesbian, anti-woman language, behavior, and lobbying.

Observing the events in other countries with already implemented self-ID laws, we fear that the introduction of self-ID law in Germany would give some of these forms of organized harassment described above legal backing and make trans activists feel justified in violent behaviour.

Fear will prevent many from recognizing and accurately describing sex-based male violence against women and lesbians. LGB would be robbed of the language to describe their sexual orientation and will at the same time be thrown in together with people who are either not homosexual/bisexual (such as heterosexual men claiming to be lesbians) or are fetishists (queer) or even criminals (pedofiles). This would especially devastating for young LGB who are still finding themselves yet are increasingly pressured to call themselves anything but lesbian, gay, or bisexual. As stated above, this would also enable a new wave of hostility towards LGB, especially from the own "community" as well as uninformed "allies and supporters". With no right to call

ourselves lesbians, gays, bisexuals, we will have no means of fighting for and protecting our rights and spaces. We find it particularly alarming that much of the recent hostility towards us as well as our attempts at stating our concerns comes from politicians, who either ignore us or even openly call us "hateful" or worse.

This is stately legitimised homophobia and biphobia.

Yours faithfully

Martina Haardt

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