



Countries that Allow Military Service by Openly Gay People
 Current as of June 2009

Below is a list from the International Gay Lesbian Association (ILGA) next to a revised list based on fact-checking of cases from ILGA's list about which we were unsure [Bahamas, Czech Republic, Estonia, Ireland, Italy, Lithuania, Slovenia, Switzerland, and Germany]. We have not been able to confirm the policy in the Bahamas, hence, it was removed them from the list. We have added Germany, Luxembourg and Uruguay based on the sources provided below. Taiwan's recent policy change seems to apply more to the military police than the military, hence, it is not included on our updated list. For countries where there is some debate our documentation is provided below.

ILGA List	Palm Center List
Australia	Australia
Austria	Austria
Bahamas	Belgium
Belgium	Canada
Canada	Czech Republic
Czech Republic	Denmark
Denmark	Estonia
Estonia	Finland
Finland	France
France	Germany
Ireland	Ireland
Israel	Israel
Italy	Italy
Lithuania	Lithuania
Netherlands	Luxembourg
New Zealand	Netherlands
Norway	New Zealand
Slovenia	Norway
South Africa	Slovenia
Spain	South Africa
Sweden	Spain
Switzerland	Sweden
UK	Switzerland
	UK
	Uruguay

You can also go to:



http://www.palmcenter.org/system/files/200412_Dalvi-study.pdf

and take a look at the appendices. Two discrepancies between Sameera's list and ours are that she lists Italy among countries that do not allow gays, while we continue to list it as one that does after having re-confirmed with their Ministry of Defense.

Documentation on questionable cases: Czech Republic, Estonia, Ireland, Italy, Lithuania, Slovenia, Switzerland, and Germany

Czech Republic: Homosexuality is not considered a liability for enlistment. All citizens are required to serve, regardless of sexual orientation. Act No. 1218/1999 Coll. (Military Act) stipulates military service "for all citizens of the Czech Republic, regardless of sexual orientation." In an email from PhDr. J. Vereov of the Public Relations Department of the Ministry of Defense, he writes, "In general these issues fall in the competence of psychological personnel appointed at individual units. There is a special facility available - the ACR Open Line, where people can make phone calls to have their problems dealt with."

Estonia: There are no and have never been bans on sexual minorities in the Estonian military. The Public Relations Department writes, "according to the Estonian legislation all sexual minorities have the same rights and duties compared with the others. In respect to the army it means that all males have the duty to serve in the army and all females have the right to do so."

Ireland: According to Denise Croke of OUTHouse, a support service for glbtq people in Ireland, there is no ban on LGBTs in the Irish military. Cathal Kelly, International Secretary of the National Lesbian and Gay Foundation, which implements recent equality legislation in Ireland, says that the Employment Equality Act of 1998 applies to the Irish military. This act is available online at <http://www.gov.ie/bills28/acts/1998/default.htm> and is item #21 on the list.

Italy: Arcigay, the gay and lesbian rights organization in Italy, responded by saying the legally there is no precedent of barring gays and lesbians from the military, but in reality this is not necessarily the case. If the presence of a gay service member disrupts military discipline, it appears they can be dismissed. Also, a law exists in Italy that allows gay people to avoid military service based on their homosexuality. Web resources: www.gay.it/noi, which offers a link to the home page of NOI, Notizie Omosessuali Italiane.

Lithuania: Gays and lesbians are not legally regulated in Lithuania's Armed Forces. The Ministry of Defense writes, "Theoretically they can serve openly but there is no practical case like this in Lithuania so far. Officially, no bans exist or have ever existed on service of sexual minorities in Lithuanian military."



Slovenia: There is no ban in the Slovenian military, but homosexuality is still listed among psychiatric diseases. Yet the "Rules for establishing medical capability for serving in the military" stipulate that "recruits are capable of serving in the military unless it is predicted that they will be disturbing to military unit." The Slovenian Queer Resources Directory writes, "In practice it means that gay men can avoid being drafted if they state on the draft they they are gay and that they do not want to serve." There is no known case of a professional military personnel being fired for his homosexuality.

Switzerland: Gays and lesbians are allowed to serve and there is no ban. Their ability to serve is only questioned if their sexual orientation somehow interferes with their service. (Both the Swiss Military and its gay and lesbian organization agree on this matter.)

Germany: Germany no longer has a ban on gays and lesbians from serving, nor does it allow any form of discrimination against gays and lesbians in the military. In January of 2001, the General Inspector of the Federal Army, Harald Kujat, published a kind of code of conduct titled "Dealing with sexuality" that "established (within the army) an equal treatment for gay lesbian members of the army. This has to be considered as a binding antidiscrimination measure" (from Klaus Jetz of the Lesbian and Gay Federation in Germany).

Uruguay: It's common knowledge that there have been and there are gay and lesbian military men and women in Uruguay. Undoubtedly, this decision was caused by the increasing non-discrimination awareness generated by the LGBT movement in Uruguay. In addition to this, the Minister of Defense has shown an open anti-discrimination attitude which now translates into this change in the regulations for entering the army. Our country already has a law that penalizes the commission of acts of violence, humiliation or disrespect against people because of their sexual orientation or gender identity. Additionally, a second law declares that the fight against all kind of discrimination is of national interest. Thus, the modification of this regulation is a "duty" of the government. After this modification, there are no restrictions whatsoever for the participation of gay, lesbian and transgender people in our army. Mauricio Coitiño -- Institutional Relations Secretary, Black Sheep Collective" (Colectivo Ovejas Negras - LGBT NGO in Uruguay)