

## Public toilets that don't discriminate

### 'Gender-neutral toilets' help tackle discrimination

Factsheet 12e

The majority of public toilets are designated for use by either men or women. For anyone who does not identify with these 'traditional' gender categories, this can lead to a host of encounters marked by discrimination and marginalisation. For members of the transgender and intersex community, using a public toilet is one of the biggest challenges of everyday life. It is not unusual for these individuals to be forcibly removed, or to have offensive language or even threats of violence directed towards them.



Toilets that are not designated exclusively for men or women – also known as 'unisex toilets' – help tackle such forms of discrimination, give people a greater sense of power in determining their own gender identity and promote social acceptance of diversity.

### Data and facts

Gender is not binary: intersex people are individuals born with sexual characteristics that do not uniquely identify them as 'male' or 'female', whereas transgender people feel that their own gender identity does not correspond to the gender assigned to them at birth based on their biological attributes.

Although the exact number of transgender and intersex individuals is not known, they still deserve the right to have their gender identity recognised and to live a life free of discrimination.

### Frequently Asked Questions

#### What does a 'unisex toilet' look like?

A 'unisex toilet' is a single cubicle with a toilet pan, a sink and sometimes a urinal. The space is locked from the inside. This means that individuals can use the toilet one after the other regardless of their gender: everyone's privacy is respected.

## How can I spot a 'unisex toilet'?

These toilets may, for example, be signed as a 'gender-neutral toilet', an 'all-gender toilet' or simply 'WC'. A wide range of signs and symbols are now used internationally to designate 'unisex toilets'.



## Where can I find 'gender-neutral toilets'?

They can be found all over the world. They are very common in Scandinavian countries, as well as in Australia, New Zealand and some US states. Toilets on planes and trains, as well as toilets for disabled people, are effectively gender neutral and signed simply as 'WC'.

### What is the Berlin Senate doing?

On 19 February 2015, the Berlin House of Representatives unanimously voted to adopt a resolution titled '**Removing barriers in everyday life – providing unisex toilets in public buildings**'. As a first step, the Senate is looking at which existing toilet facilities in public buildings can be used as unisex toilets simply by changing the sign. It was in this way that the Senate Department for Labour, Integration and Women's Issues was able to designate the first four '**all-gender toilets**' in 2015.

## § Legislation

Article 3(3) of the Basic Law for the Federal Republic of Germany states that no person shall be favoured or disfavoured because of [their] sex. National and European judgements confirm that this also applies to transgender and intersex individuals. '**All-gender toilets**' can be seen as an effective measure to tackle discrimination on the grounds of gender in accordance with Section 5 of Germany's General Equal Treatment Act (AGG).

The Ordinance on Workplaces (ArbStättV), which is applicable throughout Germany, states in Section 6(2) that the "employer shall provide lavatories ... [which] must be fitted out separately for men and women **or separate use must be facilitated**".

## ! Aim

**for everyone to be able to use the toilet without discrimination**

Having access to a lavatory is a basic need and our aim is thus to provide toilet facilities in all public buildings throughout the region that are accessible to all regardless of gender or (dis)ability. Ensuring these facilities are available free of charge and include a seated toilet, a sink and, in some cases, a urinal and changing table, will make sure everyone can use this basic service without experiencing discrimination.

## 👤 Contact

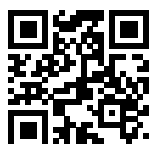
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Image credits: page 1: LADS, page 2: label on an accessible toilet in a regional train from Berlin to Nauen on 23rd of November 2016./LADS

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