

To

Stadtbad Neukölln
- Badleitung -
Ganghoferstraße 3
12043 Berlin
- Germany -



and

Berliner Bäder-Betriebe
- Vorstand -
Anstalt des öffentlichen Rechts
Sachsendamm 2-4
10829 Berlin
- Germany -

Berlin, 11.11.2015

Open letter to the management of the Municipal Bath Neukölln and the Berlin Public bathing sector – Appalled about the interaction with a Black Trans*Person in the Municipal Bath Neukölln on the 3rd of November 2015

On Tuesday November 3rd 2015 at 11 am a Black Trans*Person visited the public pool in Berlin-Neukölln in company of a friend. Due to their positioning and because there were no other options they decided to use the women's changing room. In the changing room several attacks by the people present took place.

A kindergarten teacher, who used the pool as well, told the Black Trans*Person that they are in the "wrong" changing room and told them to leave. After the Black Trans*Person positioned themselves several times and explained their right to be there, they were physically prevented from closing the door to the single changing room. The kindergarten teacher began to insult and assault the Black Trans*Person. Moreover, the Black Trans*Person was referred to as "young man" and called a danger to the children, which was not an issue at any time, since the Black Trans*Person only wanted to use the pool service.

After consulting the pool management, the Black Trans*Person and their company were let out of the women's space. During a discussion with staff and management the Trans*Person mentioned the discrimination and the current law, especially the General Equal Treatment Act several times. The staff ignored this by saying that these laws were absurd and that "other laws" would apply at the public pool. The presence of the Black Trans*Person was called a "disturbance of the public order" and in consequence the Black Trans*Person was generally prohibited the use of the women's changing rooms. Only after several negotiations the Black Trans*Person was allowed to take back their belongings from the changing room but only under the watch of the pool staff. Since the Black Trans*Person was still in swimming gear, they were offered to change in the men's room or in the bathroom for differently abled people. The management violently identified the person during the discussion as male by pointing out "obvious" physical traits. The management also only gave away their names after repeatedly being asked. In the end the Black Trans*Person was permitted to use the public pool since there was no opportunity to change whatsoever.

On Tuesday October 27th, a similar incident occurred with the Black Trans*Person and another kindergarten teacher from the same group. During this incident the person was massively discriminated and insulted whilst the children were present. They were able to escape that situation and continue their visit at the public pool.

During both incidences the teachers neither gave their names nor the name of their place of work.

The Initiative of Black People in Germany (ISD) is appalled by the discrimination of a Black Trans*Person by the public pool management, a representative of a public service institution. We

see this course of action as a violation of the UN Convention on Human Rights, the German Constitution (Grundgesetz) and the General Equal Treatment Act. The violation of established law for the protection of marginalized people is not bearable and should not be left without consequences. The unlawful removal of a person from the changing room, who only wanted to use a public service, can have consequences by civil and criminal law.

We deeply condemn that the Black Trans*Person, who became a victim of an attack, was not treated as such but as the offender simply because of their presence. The person was violently removed from the changing room and was massively discriminated during the discussion with the management.

The ISD expects a statement from the management and the board of the Berlin Public bathing sector with a clear apology to the person. Moreover, we expect the pool staff to participate in trainings on anti-discrimination law and gender identity. We expect that you offer several opportunities to people of different gender identities to part take in Berlin's public bathing sector. We also expect you to take action against the assault of people of different gender identities.

We are appalled about the disregard of human rights and expect you to take measures to ensure they will be observed in your institution in the future.

Sincerely,
Board of the ISD Bund e.V.

This open letter was co-signed by 75 organisations and 518 individuals.

This correspondence will be carried out publicly. The cover letter as well as your response can be published for documentation and educational purposes.