

SciencesPo

**GUIDELINES
ON DEALING
WITH
SEXUAL
HARASSMENT**

**Sexual
harassment
monitoring
unit**

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PREFACE

The field of higher education and research is not immune to sexual harassment. As a higher education and research establishment, Sciences Po must not only provide its community with information regarding sexual harassment, but also offer attention and support to victims and witnesses of misconduct, with a commitment to putting an end to such behaviour. Sciences Po has therefore established a sexual harassment monitoring unit.

We want this handbook to be as clear and practical as possible. It is intended not only for students (including those studying outside of France or performing internships), but also for Sciences Po faculty members, researchers and staff, men and women alike.

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1. RECOGNISE SEXUAL HARASSMENT

What is sexual harassment?

Article 222-33 of the French Criminal Code

Sexual harassment is the act of repeatedly subjecting a person to unwelcome verbal or physical conduct of a sexual nature when such conduct either compromises the victim's dignity through demeaning or humiliating words or actions, or creates an intimidating, hostile or offensive environment for the victim.

Any form of intense pressure, even if not repeated, with the actual or perceived goal of obtaining sexual favours, whether for the offender or for a third party, is also considered sexual harassment.

Sexual harassment is punishable by two years of imprisonment and a fine of € 30,000.

This penalty is increased to three years of imprisonment and a fine of € 45,000 if the offence:

- 1° involves abuse of the authority vested in the offender by virtue of his or her position;
- 2° targets a victim under fifteen years of age;
- 3° targets a particularly defenceless victim when such vulnerability, due to age, illness, physical or mental disability or pregnancy, is clearly visible or known to the offender;
- 4° targets a particularly defenceless or dependant victim when such vulnerability, due to social or economic insecurity, is clearly visible or known to the offender;
- 5° is committed by more than one person acting as perpetrators and/or accomplices.

Article 225-1-1 of the French Criminal Code

Any distinction made between individuals on the basis of having endured or refused acts of sexual harassment as described in article 222-33, or having reported such acts, including the cases of isolated acts with regard to the provisions set out in section I of said article, constitutes discrimination.

Other violations

- » **Insults of a sexual nature**
(article R624-4 of the French Criminal Code)
- » **Sexual exhibition in a public setting**
(article 222-32 of the French Criminal Code)
- » **Sexual aggression**
sexual abuse committed with the use of violence, coercion, threat or surprise (article 222-22 of the French Criminal Code); **sexual aggression may include touching, fondling or rape;**
- » **Rape**
rape differs from other forms of sexual aggression in that it involves sexual penetration, regardless of the exact nature of such penetration, as well as the use of violence, coercion, threat or surprise (article 222-23 of the French Criminal Code); **in the event of rape, you are strongly advised to contact a doctor for a forensic medical examination;**
- » **Invasion of privacy**
the act of capturing, recording or transmitting private or confidential discussions and/or images of a person in a private setting without his or her consent (article 226-1 of the French Criminal Code);
- » **Telephone harassment and cyberstalking**
repeated malicious telephone calls, electronic messages or oral assaults intended to disturb the peace and tranquillity of other people (article 222-16 of the French Criminal Code);
- » **Psychological harassment**
the act of harassing one or more individuals through repeated verbal or physical conduct, intentionally or unintentionally resulting in a deterioration of working conditions liable to undermine the individual's rights or dignity, impact his or her physical or mental health or compromise his or her professional future (article 222-33 of the French Criminal Code).

2. REACT WHEN FACED WITH SEXUAL HARASSMENT

Say no

It is important to express clear and firm refusal as of the first signs of sexual harassment, if possible, and to underscore the reprehensible and unlawful nature of such acts. You may also remind the offender that Sciences Po has a sexual harassment monitoring unit.



Protect yourself

To the extent possible, avoid one-on-one encounters with the person harassing you. Do not keep the situation to yourself: talk to a third party, colleague, classmate, professor, etc.



Contact the monitoring unit

Immediately alert the sexual harassment monitoring unit.

If you have witnessed acts of sexual harassment

Show solidarity with the victim, inform him or her of the steps to be taken and refer him or her to the Sciences Po sexual harassment monitoring unit. Provide a written account of the events, specifying the location, date and circumstances, as well as the identity of any other people present.

3. TALK TO TRUSTED PROFESSIONALS

Sciences Po sexual harassment monitoring unit

The members of the Sciences Po sexual harassment monitoring unit can meet with you and offer you guidance, with complete respect for your privacy. You will be offered an initial interview with two members of the unit. You may request to speak to specific members of the unit, listed below. The objective is to listen to you carefully and professionally, passing no judgement. We can then offer you advice on the steps to be taken and refer you to healthcare (e.g., psychologist, doctor) or legal professionals, according to your needs. If necessary, we can put you in contact with English-speaking lawyers and gynaecologists.

⚠ NOTE:

The monitoring unit is not a disciplinary body, but rather a place to be heard and to receive information. It fully complies with the French Data Protection Act. All interviews remain strictly confidential.

PROBLEMS OR QUESTIONS? DON'T WAIT, TALK TO THE SCIENCES PO SEXUAL HARASSMENT MONITORING UNIT.

Only members of the monitoring unit, as listed below, are authorised to take calls and consult messages. If you prefer to speak with a particular member (Manager, Educational director, Campus administration, etc.) or to consult an outside organisation, please refer to the Sciences Po online directory and the contact list at the end of this handbook.

Who are the members of the sexual harassment monitoring unit support team?

- » The gender equality supervisor
- » Medical officers of the Health Centre of Sciences Po
- » Studies and Education managers
- » Teaching managers
- » The social worker

Find on Sciences Po website the names and precise functions of the monitoring unit:
www.sciencespo.fr/vie-etudiante/en/content/sexual-harassment

4. REPORT INAPPROPRIATE BEHAVIOUR

Reporting sexual harassment helps put an end to offensive behaviour and encourages other victims to speak up. The Sciences Po sexual harassment monitoring unit can offer you advice and guide you through the process. Perpetrators of sexual harassment may be subject to disciplinary action and criminal charges. Disciplinary and criminal procedures are independent of one another and may be undertaken simultaneously.

Criminal charges

Pressing criminal charges makes it possible to bring the case to court, obtain damages and see the offender punished. Sexual harassment is punishable by up to two years of imprisonment and a fine of €30,000. You must file a complaint at a police station or *Gendarmerie*. There is a three-year statute of limitations. Complaints lead to an investigation, following which the prosecutor decides whether to pursue the case. In the event of indictment, pre-trial hearings begin (this phase may last two to three years), followed by the trial itself.

⚠ NOTE:

Prosecuting serious violations such as sexual harassment makes it possible to bring such acts to light, to protect oneself and to protect other potential victims.

Disciplinary measures

Disciplinary proceedings may be initiated with respect to any person engaged in an activity at Sciences Po, whether as a student, faculty member, researcher or member of staff.

The director, who may be alerted by any means, begins the disciplinary proceedings by informing the relevant disciplinary section. To exercise the proceedings, the section establishes a committee of enquiry. It can interview any witness or expert competent in issues of sexual harassment and whose opinion is liable to clarify its deliberations. It then pronounces a contradictory procedure, and when appropriate, a disciplinary sanction. Disciplinary measures may be appealed before the French National Board of Higher Education and Research (CNESER). Implementation of the disciplinary procedure may go along with precautionary measures such as a suspension, in order to distance the victim from the alleged offender.

⚠ FOR MORE INFORMATION ON THE PROCEDURES:

www.sciencespo.fr/vie-etudiante/en/content/sexual-harassment