



GENDER-BASED

VIOLENCE

HOW TO REACT ?

A GUIDE PRODUCED BY THE 9 REGIONAL SCIENCES PO

AIX - BORDEAUX - GRENOBLE - LILLE - LYON - RENNES - SAINT-GERMAIN-EN-LAYE - STRASBOURG - TOULOUSE

Table of content

1 The different types of gender-based violence

PAGES 4-13

2 I need help

PAGES 14-15

3 I am a witness

PAGES 16-17

4 I have been informed about a situation

PAGES 18-19

5 I am the defendant

PAGES 20

6 How to report?

PAGES 21-22

7 Roles and responsibilities of the Sciences Po schools

PAGE 23

8 The different procedures

PAGES 24-27

9 Some useful contacts

PAGE 28



WARNING

This booklet deals with gender-based violence. It contains examples of violence. It may be difficult to read. **If this affects you, do not hesitate to contact health professionals (preventive medicine or occupational health services).** At the end of this booklet you will find all the useful contacts in your Sciences Po.

Dear students, dear colleagues,

Our nine Sciences Po schools have joined forces to produce this guide on gender-based violence (GBV) for French and international students and for all staff - permanent and temporary teachers, administrative, technical and library staff.

Our aim is to make sure everyone can study and work in the best possible conditions; to ensure that higher education is a time of fulfilment for all students. Therefore, we must be as precise as possible about all the tools that allow us to react to situations of GBV.

Reacting implies both preventing beforehand and facilitating reporting afterwards. We know from experience that it is never easy to report, that it requires clear and well-established procedures. Furthermore, the person collecting the report should be trained and adopt an empathetic posture. By raising awareness of the various protection, listening and support mechanisms that our schools offer, we want to build trust and thus make reporting easier.

Action can also take the form of a sanction, hence the reminder of the legal elements and procedures provided for by the Education Code, that our schools can mobilise in a complementary manner.

The guide is intended to be as exhaustive as possible, as we hope to reach all the students in our schools and to cover all the situations that may be encountered. It is also supplemented by an information sheet which provides the necessary "local" information for each of the Sciences Po schools.

We are all involved and everyone can educate themselves so that they can act or react in full knowledge of the situation and the law.

We have received financial support for the production of this guide from the Ministry of Higher Education and Research as part of the national policy to combat GBV in higher education and research.

It was coordinated by the nine "Equality" officers in our schools, under the benevolent and efficient guidance of Catherine Saupin, and supported by our communication teams under the direction of Virginie Caekebeke.

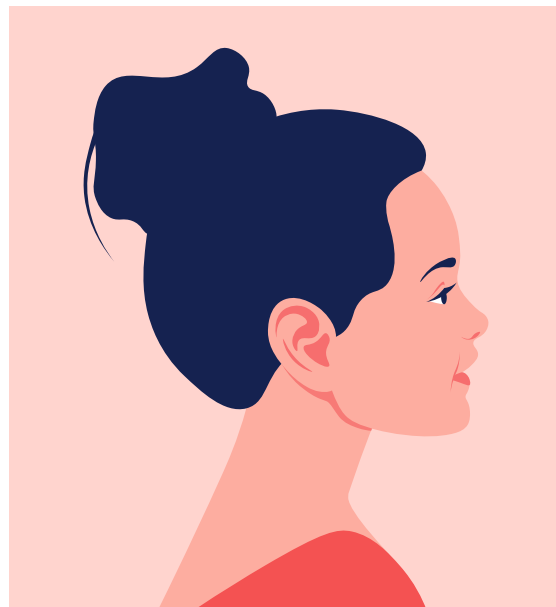
I would like to thank all those who have worked hard on this project, especially the students and members of our teams who are regularly asked for their opinions.

Enjoy your reading!

The directors of the 9 regional Sciences Po

01

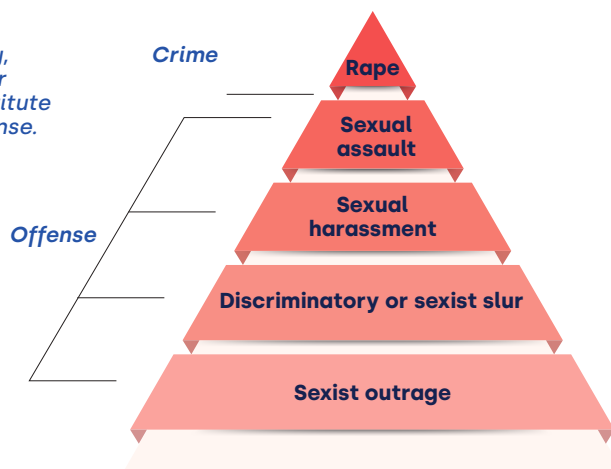
The different types of gender-based violence



Gender-based violence takes many forms, ranging from sexist behaviour to rape. This booklet provides definitions of nine types of gender-based violence.

These situations, of different natures, have one thing in common: while they can affect everyone, they are mostly directed at women because of their gender and at LGBTQIA+* people because of their sexual orientation or gender identity.

Under French law, the situations may, depending on their seriousness, constitute a crime or an offense.



*Lesbian, Gay, Bisexual, Trans, Queer, Intersex, Asexual and more.

To this day, gender-based violence tends to be trivialised and minimised, whether in informal discussions, in the media or in the public sphere. This may take the form of comments described as humorous, of statements that deny or minimize the seriousness of the situations, or that place the responsibility of violent acts onto those who have suffered it. Such behaviours and comments contribute to maintaining an individual or collective tolerance of violence. The existence of less serious violence (the bottom of the pyramid) and the lack of treatment by institutions can lead to a feeling of impunity.

These behaviours contribute to individual or collective tolerance of violence and a feeling of impunity. Although there are different levels of sexist and sexual violence, all are prohibited by law and punished.

Sexist behaviour



What does the law say?

Sexist behaviour is defined as “any action related to a person’s gender which has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment”. Sexist behaviour can be sanctioned in a disciplinary context, for example, by a formal warning.



Nota bene

Sexist behaviour is defined in the French Labour Code and in the General Civil Service Code. When an employee or civil servant makes sexist comments that make another person (student, other employee or partner of the higher education institution) feel uncomfortable, whether this was their intention or not, sexist behaviour can be characterised.

Sexist behaviour is also prohibited in the context of internships. The employer must ensure that no one is subjected to or takes part in such behaviour in the course of their work. **A person who makes statements that could amount to sexist behaviour may be summoned to be reminded of the legal framework or be subjected to disciplinary action by the institution.**



82 %

of female employees believe that women are regularly confronted with sexist attitudes or decisions in the workplace. This observation is shared by 60% of men⁽¹⁾.

Sexist behaviour can take many forms.

Here are some examples:

DURING A WORK MEETING, TO A FEMALE COLLEAGUE

Everyone hide, it must be that time of the month again, she looks extra cranky!

NEXT TO THE COFFEE MACHINE, TO A MALE COLLEAGUE:

You want to take parental leave? Don't you have anything more interesting to do?

Sexist outrage



What does the law say?

“It is an offence to impose on a person any sexual or sexist comment or behaviour which either violates their dignity by being degrading or humiliating, or creates an intimidating, hostile or offensive situation.”

Sexist outrage is an offence that can be punished by a fine of up to €750. The person who committed the offence is tried by the police court. The statute of limitations (the time limit after which the complaint cannot be processed) is 1 year.



Nota bene

Sexist outrage affects all areas of life: it can happen in the classroom, at parties, in public spaces, etc. The management of your school is committed to preventing gender-based offences. It must use all the means at its disposal to put an end to the situation.

A person who commits a gender-based offence may be summoned to be reminded of the legal framework, disciplined by the institution or even fined under criminal law.



73 %
of 18-30 year olds say they have been subjected to inappropriate remarks about their appearance at work.⁽²⁾

A sexist outrage can be presented in different forms. Here are some examples:

I can't believe she's a valedictorian. I bet she's had more than a little help from her cleavage to get such grades

Miss, can you bring us some coffee before we start the meeting?"

He's a dancer, he's very effeminate

Discrimination



What does the law say?

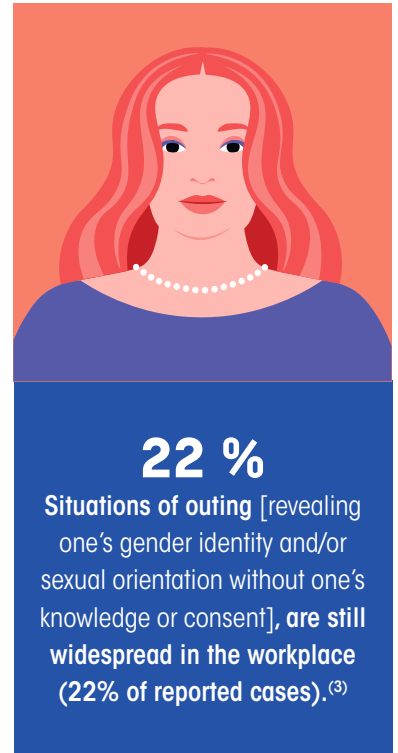
"Any action related to [a discrimination criteria], suffered by a person and having the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment." It can be sanctioned in a disciplinary context.

The criteria for discrimination include: physical appearance, age, state of health, perceived "race", origins or nationality, sex, gender identity, sexual orientation, pregnancy status, disability, origin, religion, bank domiciliation, political opinions, philosophical opinions, family status, genetic characteristics, morals, surname, trade union activities, place of residence, loss of autonomy, ability to express oneself in a foreign language, and vulnerability resulting from one's economic situation.



Nota bene

The prohibition of discriminatory comments applies to all spaces and allows for offences committed or suffered in the context of studies, parties, in the public space, etc. The management of your institution must prevent such behaviours when they occur in the context of studies or work. They must also react when they are informed of it. **A person who commits a discriminatory act may be summoned to be reminded of the legal framework, disciplined by the institution or even fined under criminal law.**



Discriminatory behaviour can take many forms. Here is an example:

"That's such a gay thing to say."

Discriminatory or sexist slur



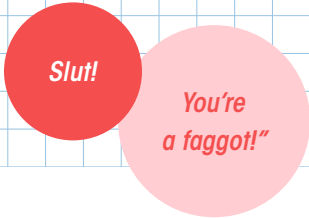
What does the law say?

Non-public insult of a sexist or discriminatory nature is prohibited. It can be the subject of a complaint to the police court and a fine of up to €1,500.

Public insult of a sexist or discriminatory nature is an offence that can be punished by up to one year of imprisonment and a €45,000 fine. It is dealt with by the criminal court. The statute of limitations (the time limit after which the complaint cannot be processed) is 1 year after the facts.

1,2 million
of women report being victims
of gender-based violence
in 2017, according to the report
of the High Council for Equality
between Women and Men
of 2019.⁽⁴⁾

**Discriminatory or sexist slurs
can take different forms.
Here are some examples:**



Sexual exhibition



What does the law say?

Sexual exhibition is an offence that can be punished by up to one year of imprisonment and a €15,000 fine. It is judged by the criminal court. The statute of limitations (the time limit after which the complaint cannot be processed) is 6 years after the situation.

**Sexual exhibition can take many forms.
Here are some examples:**



Sexual harassment



What does the law say?

“Sexual harassment is the repeated imposition on a person of comments or behaviours with sexual or sexist connotations that either violate their dignity by being degrading or humiliating, or create an intimidating, hostile or offensive situation.

Sexual harassment can also be characterized by the use, even if not repeated, of any form of serious pressure with the real or apparent intent of obtaining an act of a sexual nature, whether this is sought for the benefit of the perpetrator or a third party.”

The situations mentioned are punishable by two years of imprisonment and a €30,000 fine. They may be punished by three years of imprisonment and a €45,000 fine in the case of aggravating circumstances. The statute of limitations (the time limit after which the complaint cannot be processed) is 6 years after the facts.

32 %
of French women say they have already experienced some form of sexual harassment in the workplace.⁽⁵⁾



Nota bene

There are several situations where repetition is not necessary to characterise sexual harassment:

- if serious pressure is exerted on the targeted person (sexual blackmail, abuse of power, etc.).
Example: A teacher offers to help find an internship in exchange for an intimate evening at his place.
- if the comments or behaviour are imposed on the same individual by several persons acting in a concerted manner or at the instigation of one of them.

Sexual harassment is also defined in the Labour Code and the General Civil Service Code. It is the responsibility of the employer and the management of a higher education institution to ensure that no staff or students are exposed to or perpetrate sexual harassment. Your school has implemented a system to prevent and deal with such violence in order to meet its legal responsibilities.

Sexual harassment can take different forms. Here are some examples:

A person who regularly comments on the size of a fellow student's breasts.

A person who regularly sends messages to several students to suggest that they go for a drink and spend the evening together. They insist despite the refusals and lack of responses.

A person who loudly tells explicit sexual anecdotes in front of fellow students before the class starts.

FOCUS ON

online violence

The term online violence refers to all forms of violence that take place in digital spaces (social networks, forums, blogs, video games) or via digital tools (mobile phones, computers).

Such violence is prohibited. Indeed, the Penal Code states that harassment is also constituted when it is committed through the use of an online public communication service or through a digital or electronic medium (Article 222-33- 2-2 of the Penal Code).

Online violence is often minimized (“it’s only virtual”, “it’s not real life”), even though it can have exactly the same consequences as violence committed offline: loss of self-esteem, fear, depression, suicide attempts, etc.

This violence can take different forms:

- online insults
- invasion of privacy
- digital raids: the publication by several people of sexist and violent comments targeting one person
- sexual harassment online
- revenge porn: the dissemination of intimate sexual images without the person’s consent
- identity theft
- voyeurism (“upskirting”)
- online control: the abusive partner’s control of the activity of their spouse or ex-spouse through the use of digital services.



73 %

of women around the world have experienced some form of online violence or have been subjected to it, according to the UN.⁽⁶⁾



Sexual assault



What does the law say?

Sexual assault is defined in the Penal Code as “any sexual contact committed with violence, coercion, threat or surprise”. Sexual assault is an offence that can be punished by 5 to 10 years of imprisonment. It is dealt with by the criminal court. The statute of limitations (the time limit after which the complaint cannot be processed) is 6 years. If the victim was under 18 at the time of the offence, the statute of limitations is 20 years from the date of their majority.

738 000
sexual assaults
are committed every year
in France.

75 % of victims
are women.⁽⁷⁾



Nota bene

Sexual assault is a physical contact on a part of the body considered sexual by law, committed with violence, coercion, threat or surprise. It can be a contact on the breasts, buttocks, sex, mouth or between the thighs. Attempted sexual assault is also punishable.

Sexual assault can take different forms. Here are some examples:

He grabs her buttocks during an event organized by the school.

During a party, he kisses her by force.

Attempted rape



What does the law say?

Attempted rape is the attempt to carry out a rape, which fails regardless of the perpetrator's determination. Attempted rape is a crime judged by a criminal court, which can be punished by 15 years of imprisonment. The statute of limitations (the time limit after which the complaint cannot be processed) is 20 years. For victims who were minors at the time of the crime, the statute of limitations is 30 years from the date of their majority.

Viol



What does the law say?

Rape is defined as: «an act of sexual penetration of any kind, or an oral-genital act committed on an individual or on the person of the perpetrator by violence, coercion, threat or surprise». Rape is a crime that can be punished by 15 years of imprisonment, or even life imprisonment in the event of a repeat offence or aggravating circumstances. It is tried before a criminal court. The statute of limitations (the time limit after which the complaint cannot be processed) is 20 years. For victims who were minors at the time of the crime, the statute of limitations is 30 years from the date of their majority.

1 in 20 student report having been a victim of rape during their studies.⁽⁸⁾

En France, **112 000** attempted rapes or rapes are committed each year. 83% of the victims are women.⁽⁹⁾

FOCUS ON

Drug facilitated sexual offenses



It is an offence to administer psychoactive substances without the victim's knowledge or under threat. Several types of psychoactive substances can be used: GHB, GBL (which the body converts into GHB after injection), benzodiazepines or strong sedatives. The most commonly used substance to coerce a person into sexual relations is alcohol.

Committing violence under the influence of alcohol or drugs is not an extenuating circumstance ("But it is not his fault, he was drunk") but an aggravating circumstance for the alleged perpetrator.

Similarly, **taking advantage of a situation in which a person is particularly vulnerable to commit violence is also an aggravating circumstance.** The fact of administering to a person, without their knowledge, a substance of such a nature as to impair their discernment or control of their actions in order to commit rape or sexual assault is punishable by five years of imprisonment and a €75,000 fine. When these acts are committed on a minor of 15 years of age or a particularly vulnerable person, the penalties are increased to seven years of imprisonment and a €100,000 fine. Attempted chemical subjection (i.e. attempting to administer to a person without their knowledge a substance likely to impair their discernment or control over their actions) is punishable in the same way.

The consequences of violence

Gender-based violence can have many consequences for the person who suffered from it as well as for those around them. Being able to identify it helps understand and deal with the reactions of a person who has experienced violence.

The consequences can be of several types:

- **psychological consequences:** feelings of shame or guilt, isolation, loss of self-esteem, anxiety, depression, aggressiveness, mood swings, etc.
- **physical consequences:** injuries, weight loss or gain, sleep disorders, eczema, hair loss, etc.
- **consequences on work or studies as well as consequences on social life:** being late, absences, sick leaves, loss of motivation, drop in results, withdrawal from associations, etc.

If you observe some of these signals displayed by someone in the facility, you can tell them that you have noticed and are concerned about them.



Nota bene

Sometimes, the shock of violence and fear can prevent someone from defending themselves or fleeing, and can petrify: this is **called a freeze trauma response**. The person subjected to violence is then in a state of emotional stupor that prevents them from acting in the face of danger. In the same way, the individual can find themselves in a state of **traumatic dissociation**: faced with extreme stress, a disconnection will occur with their own perception of the events. This can lead to problems with memory, attention and sometimes the perception of reality.

02

I need help



If you have been the target of comments or behaviours amounting to gender-based violence in the course of your studies or work, you do not bear responsibility.

Gender-based violence is strictly prohibited. You can report any incident of violence to your Sciences Po so that they can take action.

Whatever the nature of the violence suffered, it is important to be supported, listened to, and informed; and whatever the nature of the help you need, there are trained and caring professionals to accompany you.

I am in immediate danger:

Emergency numbers

- **17** The police
- **112** European emergency services
- **114** To communicate via texts to the health emergency (SAMU), the police, or the fire brigade.
- **15** Health emergency (SAMU)
- **18** Fire brigade

These numbers are free of charge and can be reached from a home or mobile phone, even if it is blocked or without phone credit.

If you have been a victim of sexual violence, try not to isolate yourself and talk to someone you trust. You are not guilty. We encourage you to consult the forensic unit of the nearest hospital as soon as possible.

I NEED SUPPORT

On page 28 of this booklet, you will find the contacts of specialized associations that can guide and help you. You will also find in this booklet the school information sheet containing useful numbers and contacts at your Sciences Po and in your city.

The reporting and counselling systems set up in higher education institutions remain accessible if you are a victim of gender-based violence during an internship, apprenticeship or international mobility. In these situations, you can report the facts to the contacts identified within your Sciences Po.

I WOULD LIKE THE MATTER TO BE REFERRED TO THE DISCIPLINARY SECTION:

If you wish to have the matter referred to your school's disciplinary section, you must first file a report. The procedure is detailed on page 21 of this booklet. We encourage you to gather as many documents on the situation as possible (screenshots of texts, emails, images, etc.).

I WANT TO FILE A COMPLAINT TO THE POLICE:

When you are a victim of violence, you can file a complaint. As a reminder, the officers and agents of the judicial police are obligated to receive your complaint (Article 15-3 of the Code of Criminal Procedure). You can go to a police station, gendarmerie or send a letter directly to the public prosecutor.

You can also report online on the dedicated platform for reporting gender-based and sexual violence: <https://www.service-public.fr/cmi>. On this free chat, accessible 24/7, you can talk to police officers or gendarmes specially trained in gender-based and sexual violence. They can initiate interventions. A quick exit option allows you to quickly close the chat and delete it from your computer, mobile phone or tablet history.

Anyone who reports situations of violence is protected by law.

Article 225-1-1 of the Criminal Code states that "any distinction made between individuals because they have suffered or refused to suffer situations of sexual harassment as defined in Article 222-33 or testified to such situations, including, in the case mentioned in I of the same article, if the remarks or behaviours have not been repeated, constitutes discrimination".



03

I am a witness

When it comes to gender-based violence, everyone can take action. By reporting gender-based violence early on, you ensure that it is dealt with quickly and that it stops.



If you are a direct witness of gender-based violence, i.e. you have seen or heard violence, you can take action.

Examples of cases when a witness can intervene immediately to stop the situation:

A person says to another, in your presence: "Is that skirt an invitation?"

A person posts a humiliating picture of a student on a social network used by students.

You can interrupt the conversation by saying that it makes you uncomfortable. You can also point out that this comment or behavior is prohibited by law and could be characterized as sexist outrage or sexual harassment if repeated. If the person responds that it was just meant to be funny, you can remind them that humor does not allow for an exemption from the law. Sexist comments, as well as racist, homophobic or anti-Semitic comments, are prohibited. You can also provide support to the person targeted and direct them to the school's identified persons and useful numbers.



As a tool to intervene as a witness in a sexist and/or sexual violence situation, several associations⁽¹⁰⁾ developed and recommend "5D" method.

This method is broken down into five actions:



Designed to respond to street harassment, this method is also valid in other settings (party environment, in the office...). For more information, click on this code:



STAFF MEMBER

If you are in a position of responsibility (teaching staff, HR staff, management, etc.), you bear the responsibility to **intervene** immediately to stop the abuse and **report** it to your institution. **Showing your support** can help to reduce the situation's psychological impact on potential witness and victims.

STUDENTS

You can - if you are not in danger - **intervene** to stop the incident, **support** other witnesses and victims and **give evidence** in a report.

FOCUS

I am responsible for a student association

As a leader of an association, you have to prevent violence within your association and intervene, if you can, when confronted to situations that could be considered as sexist and/or sexual violence.

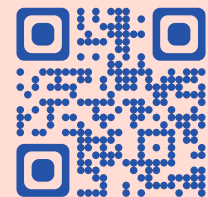
To prevent violence, several tools and measures can be implemented: awareness-raising training for associations' members, awareness campaigns, contacts and information about resource persons outreach.

It also involves paying particular attention to the conditions under which your events are organised (setting up safe areas during festive nights, prevent unsafe alcohol and drug use, ensuring presence of trained staff during the nights, etc.).

Resources are available⁽¹¹⁾ and specific training courses are organised by each Sciences Po to help you set up prevention measures within your association.

If you are an association's coordinator and you have witnessed and/or been alerted of any violent comments or behaviour that took place during an event you organised, you have to report it to your administration. You will find the contact details of the referents of your Sciences Po on the school form inserted in this booklet.

Student parties are particularly risky moments in terms of sexual violence. Therefore, plan a specific communication beforehand to remind people that no violence will be tolerated during the event. During the evening, if you witness or are informed that violence is taking place, you must, if you can, intervene immediately to stop it.



Download the MESR guide on organising festive and integration events

04 I have been informed of a situation



During your studies or work, you may receive reports of gender-based violence.

Listen to the testimony, respecting your limits and those of the person impacted, and redirect them to a resource person. You will find this information on page 28.

It is possible that the person does not wish to report for various reasons: fear of not being believed, of not being taken seriously, of being mocked or made to feel guilt, shame. To reassure them, you can remind them that they will be listened to sympathetically by members of the dedicated cells or external mechanisms.

IMPORTANT - All members of the institution (students, administrative, technical and library staff, temporary or permanent teachers, etc.) can report situations of violence.

You can also suggest reporting the matter without revealing their identity. Here are some elements on how you can respond to a person reporting situations that can be characterized as sexist, discriminatory or sexual violence :

What you can say to them:

- You made the right decision of speaking up. It is brave. Thanks for your trust.
- What you're describing can be characterized as [...]
- What you're telling me is serious and forbidden.
- You are not responsible for this.
- I can help you find help from professionals.

What you need to avoid saying:

- Are you sure it happened that way?
- You are too emotional; it is not that serious.
- How were you dressed?
- You didn't have to look at them this way.
- I know this person very well, what you're telling me is impossible.
- I think it is best to avoid talking about it, it could cause you some trouble.
- Have you thought of the consequences for them if you accuse them of that?

STAFF MEMBER

If you are in a position of responsibility, you must immediately report the facts to your institution so that they can be dealt with. You will find the contact details of your Sciences Po's resource person at the end of this booklet.



You can also suggest to the person who has come to you that they should **file a complaint**. The victim may need **medical, psychological or social support** and **legal information**, depending on their situation and the consequences that the violence they have suffered may have on them.

You will find useful numbers and contacts at the end of this booklet.

If you have the capacity to do so, you can help the person to **organise follow-up appointments** (medical, psychological, legal, etc.).

REMINDER

The reception of the statement is mainly a time for listening and advice, and not a time for judging or analysing the facts. At this stage, prior to any internal investigation, it is not your responsibility to judge the veracity of the facts, nor to project possible sanctions. You can inform about existing support mechanisms, but not announce the outcome of a possible procedure.

IMPORTANT - When someone reports abuse to us, our first reflex is sometimes to think "I'll go and talk to the alleged perpetrator and tell them to stop". This is not the right strategy: don't try to deal with the problem individually, you risk endangering the person who reported it. Violence should be reported to the school so that it can be dealt with according to the law.



05 I am the defendant



If you are the subject of an alert or the accused party in the context of a higher education investigation, the situation must be handled in a way that respects your rights.

You have the fundamental right to the respect of your dignity. Thus, no one has the right, at any time, to insult you, to humiliate you or to undermine your moral or physical integrity.

As a defendant in an investigation, you benefit, like any individual, from the right to **respect of your private life** as stated in Article 9 of the Civil Code. In accordance with this article, the persons in charge of processing the report or conducting the investigation are subject to an obligation of confidentiality concerning the elements reported.

Throughout the proceedings, you have the right to be presumed innocent. By virtue of this right, a person, even if suspected of having committed an offence, cannot be considered guilty until a legal decision has been taken. This means that it is strictly forbidden to present someone as guilty or to suggest guilt in the press or on social networks if that person has not been convicted. The person against whom the statements were made can, in this case, request a public correction and file a complaint for defamation.

NOTA
BENE

The persons who testify in good faith in the context of a reporting mechanism or an investigation initiated by a higher education institution may not be sued for defamation.

Finally, if a disciplinary sanction is taken against you, you have the right to challenge it before the competent court. Whether or not a complaint has been made against a person, a higher education institution has the right to take disciplinary action if acts contrary to the internal rules have been committed. Disciplinary and criminal proceedings are independent.

STAFF MEMBER

If you are the subject of an administrative investigation, the adversarial principle must be respected: you will be informed that the investigation has been launched and you will be offered an interview to enable you to respond to all the facts that have been reported.

How to report?



The report takes the form of an email sent to the Sciences Po contact person or a message on the institution's reporting platform. It should be as precise and factual as possible.

In addition to describing the events that you experienced, that were reported to you or that you witnessed, do not hesitate to add the context (dates, places, possible witnesses, etc.) as well as their consequences for you or the person who suffered the violence.

Please refer to the information sheet included in this booklet, which details the procedures for contacting the Sciences Po unit.

What happens after I report?

Once the report has been received, **the referral person will offer to meet with you** and tell you which actions might be taken. They can also refer you to specialized structures or support.

For acts that may constitute sexist behavior or discriminatory comments, the school management may **summon the defendant** to remind them of the legal framework and inform them of the consequences if they repeat the behaviour.

For other types of situations, the institution may, if necessary, initiate an **internal investigation**. This investigation, which is impartial and adversarial, aims to establish the facts. The purpose of this investigation is not to qualify the facts from a legal point of view.

The investigation shall ensure the **confidentiality of the identity of victims, witnesses and respondents**. At the end of the internal investigation, a report shall be drawn up and forwarded to the management of the institution or to the competent body. **Disciplinary proceedings** may be initiated on the basis of the findings of this investigation.

GOOD TO KNOW

Your Sciences Po is obliged to inform the public prosecutor of facts that may constitute an offense or a crime, in accordance with Article 40 of the Code of Criminal Procedure.

Anyone who reports situations of violence is protected by law.

Article 225-1-1 of the Criminal Code states that “any distinction made between individuals because they have been subjected to or refused to undergo acts of sexual harassment as defined in Article 222-33 or testified to such acts constitutes discrimination, including, in the case mentioned in I of the same article, if the remarks or behaviour have not been repeated”. Article 135-1 of the General Civil Service Code also specifies that “no measure concerning, in particular, recruitment, tenure, training, grading, discipline, promotion, assignment or transfer may be taken in respect of a civil servant 1° Because they have suffered or refused to suffer the acts of sexual harassment mentioned in the first three paragraphs, including, in the case mentioned in a, if the remarks or behaviour have not been repeated; 2° Because they have lodged an appeal with a hierarchical superior or taken legal action to put an end to these acts; 3° Or because they have testified to such acts or reported them”.



Roles and responsibilities of the Sciences Po schools



All students, users and members of the Sciences Po staff must be aware of and respect the law and the internal regulations of their institution. All acts of violence are strictly prohibited.

Higher education institutions have a role to play in preventing and dealing with gender-based violence, both towards students and towards staff. They have several obligations set out in law or in regulatory obligations, including ensuring the health and safety of staff and students and having a system for preventing and dealing with gender-based violence.

- **If any act contrary to the law or to the internal rules of your Sciences Po is committed which may endanger individuals or which may damage the proper functioning or reputation of the institution**, its author may be the subject of an internal investigation, a disciplinary procedure and, if necessary, a sanction.
- **If violence occurs outside the school but in the context of work** (e.g. a retirement party) **or studies** (e.g. a party organised by a student association in a bar), **your Sciences Po may be involved.** Indeed, if the people are present because of their work or if the event is organised by the school or a school association, the school must ensure that violence is prevented, dealt with and sanctioned if it is proven.
- **If any act of violence has been committed, even outside the campus, by a person who is part of the school and towards another person who is part of the school, the school may take disciplinary measures “for any act likely to undermine order, the proper functioning or the reputation of the school”** (art. R811-11 of the Education Code). **If the acts were committed in a strictly private context by a person outside the school, the school cannot intervene in the disciplinary context.** The person targeted by the violence may be referred to dedicated structures. **Your school should check that no one is in danger on campus.** For example, if a student is being threatened by her boyfriend who is not a student at the school, the school can intervene to protect the student.

In all cases, the management of the higher education institution has the obligation, as specified in Article 40 of the Code of Criminal Procedure, to report to the public prosecutor any offence or crime of which they may have become aware in the course of their duties.



08

The different procedures



When a person is the target of gender-based violence, three different procedures can be initiated:

The disciplinary procedure

The penal procedure

The civil procedure

These procedures are independent.

- In a disciplinary procedure, the institution convenes a disciplinary board and can punish misconduct.
- In a penal procedure, a court judges and possibly convicts for the commission of an offence.
- Civil procedure is designed to deal with disputes between two people, institutions or between an individual and their employer, for example. It allows the claim of damages.

Sometimes there may be links between the procedures:

- If several proceedings are taking place in parallel, some elements of the disciplinary proceeding can sometimes be taken into account for the penal and civil proceedings (testimonies, investigation report, etc.).
- If the management of a Sciences Po has initiated a disciplinary procedure and learns that a penal procedure is underway for the same facts, they can decide (it is not an obligation) to suspend the disciplinary procedure until the penal procedure is completed.
- If a penal proceeding results in a judgment that the material evidence proves that the facts did not take place, then this judgment takes precedence over the disciplinary proceeding and the disciplinary proceeding should be dropped. Apart from this, for example if the penal proceeding is closed by prescription or if it is concluded that facts exist but are insufficiently characterised (classification 21), the disciplinary proceeding may continue.

More about
the penal
procedure



More about
the civil
procedure



As regards the disciplinary procedure, the modalities vary according to the status of the defendant.

STUDENTS

Discipline is covered by the Education Code (articles R811-10 to R811-42). The students in the institution are subject to the disciplinary section competent for users.

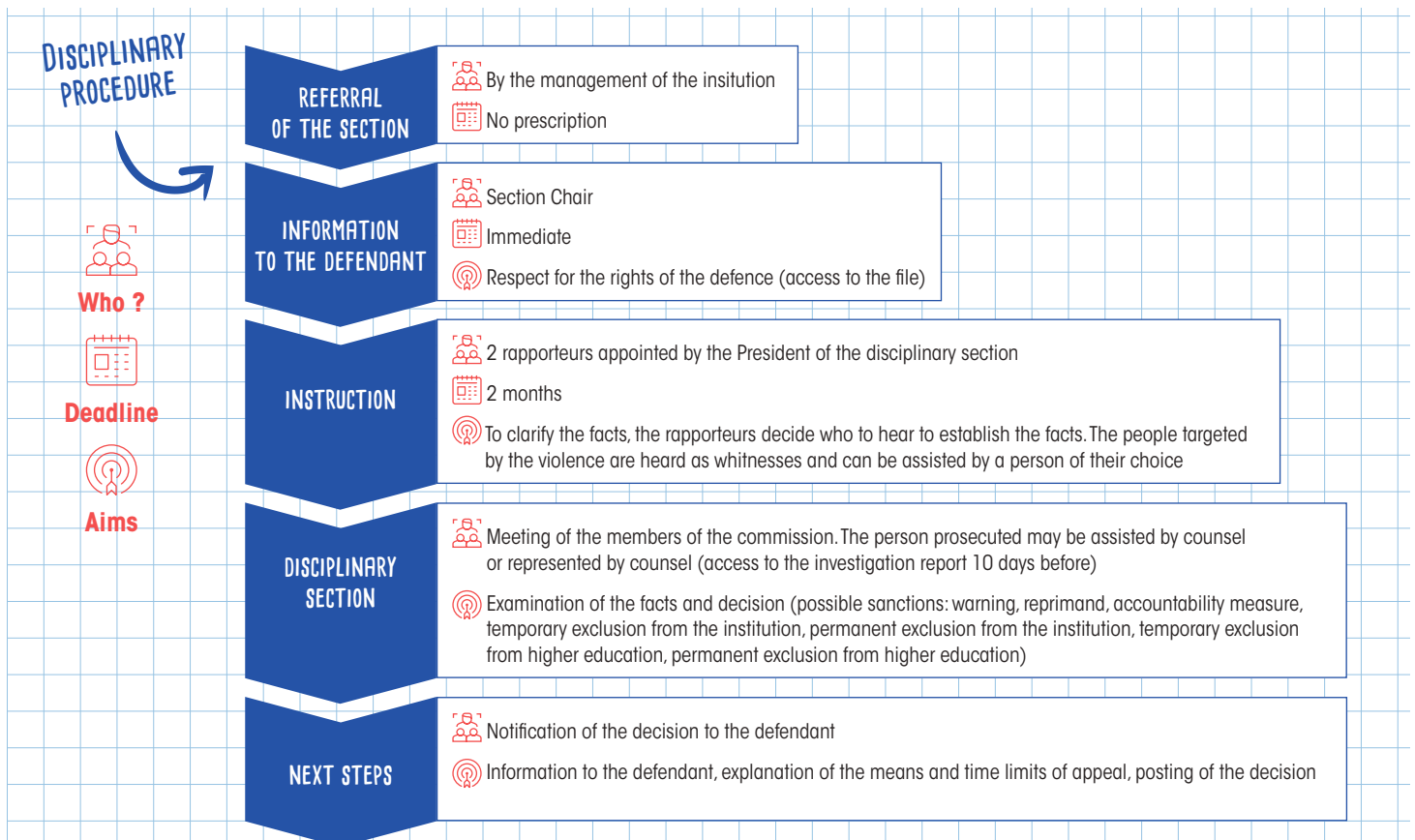
Prosecution can be initiated if two conditions are met:

- the student is duly registered enrolled in the institution at the time of the offence,
- the offence is committed during the course of their studies.

In all cases, **acts likely to undermine order, the proper functioning or the reputation of the institution are prosecuted.**

The disciplinary section with jurisdiction over students has equal representation: it is composed of representatives of teachers and users.

The members of the disciplinary section are elected by and among the elected representatives on the board of directors of your Sciences Po or the university to which your Sciences Po is attached or integrated. **The members of the disciplinary section are bound to respect the secrecy of all investigation operations and debates relating to the case under examination.**



TEACHERS

Discipline is covered by the Education Code (Articles R712-9 to R712-46). Teaching staff, regardless of their status, are subject to the disciplinary section competent for teachers.

The disciplinary section for teachers is composed of 10 members. The composition of the disciplinary section shall be equal part men and women.

The members of the disciplinary section are elected by and from the elected representatives on the board of directors of Sciences Po or their constituent universities, each in their college.

The procedure is then similar to that for users.

A case may be referred to the disciplinary section of another institution.

HOWEVER,
THE PENALTIES
ARE DIFFERENT.



- 1° Blame ;
- 2° Delay in advancement to a higher rank for a maximum period of two years ;
- 3° Lowering of rank ;
- 4° A ban on access to a higher class, grade or body for a maximum period of two years ;
- 5° Abandon carrying out any or some teaching or research duties in the institution or in any public higher education institution for a maximum of five years, with deprivation of half or all of the salary ;
- 6° Compulsory retirement ;
- 7° Revocation.



More
on disciplinary
procedures



CIVIL SERVANTS

Any misconduct by a civil servant or contractual agent in the performance of their duties exposes them to disciplinary action, without prejudice, where appropriate, to the penalties provided for by penal law (Article 530- 1 of the General Civil Service Code).

The civil servant concerned shall have the right of access to their complete file and may be assisted by one or more persons of their choice in the proceedings.

PENALTIES
ARE CLASSIFIED
INTO 4 GROUPS



- FIRST GROUP** Warning, reprimand, temporary exclusion for a maximum period of three days
- SECOND GROUP** Removal from the promotion table ; lowering of rank ; temporary exclusion from duties (from 4 to 15 days) or compulsory removal
- THIRD GROUP** Reduction in rank ; temporary exclusion (from 16 days to 2 years)
- FOURTH GROUP** Compulsory retirement or dismissal



The sanctions of the first group (warning, reprimand, temporary exclusion from duty for a period of 1 to 3 days) do not require the prior opinion of the Disciplinary Board, unlike those of groups 2 to 4.

The **Disciplinary Board** shall be composed of the members of the gender-equal Administrative Committee representing the grade of the official concerned and those of the next higher grade, and an equal number of representatives of the administration.

The person being prosecuted shall be summoned by the Chair of the Disciplinary Board by registered letter at least 15 days before the date of the meeting. The Disciplinary Board issues an opinion, which must be substantiated and forwarded to the authority with disciplinary powers. The latter is not bound by this proposal but can only impose the sanctions provided for in the texts.

Several sanctions may not be imposed for the same facts. The sanction must be reasoned and proportionate to the fault committed. It may not be retroactive.

There are both informal and formal appeals.

09

Some useful contacts



If you are in immediate danger, call 17 or send a text message to 114 if you cannot speak freely.

If you are a victim or witness of violence, here are several free and anonymous contacts of national structures specialised in receiving testimonies.

3919

National listening and information number for women victims of violence, their families and professionals 7 days a week and 24 hours a day

“Let’s stop the violence”.
Government information site
arretonslesviolences.gouv.fr

The online reporting platform
www.service-public.fr/cmi
24/7 chat

0 800 05 95 95

Telephone helpline for victims of rape and assault
Monday to Friday from 10am to 7pm
www.cfcv.asso.fr

European Association against Violence against Women at Work (AVFT)

Association fighting against all forms of violence against women, in particular gender-based discrimination and gender-based violence at work

01 45 84 24 24

Monday: 2pm to 5pm Tuesday and Friday: 9.30am to 12.30pm
contact@avft.org - www.avft.org

En Avant Toutes

Awareness-raising association fighting against sexist behaviour
Online chat from Monday to Saturday from 10 am to 9 pm
www.commentonsaime.fr

Collectif de lutte antisexiste contre le harcèlement sexuel dans l’enseignement supérieur (CLASCHES)

Feminist student and PhD students association fighting sexual harassment in higher education
www.clasches.fr

Women Saying Women Doing (FDFA)

Association fighting against the double discrimination of being a woman and a disabled person
Monday 10am to 1pm and 2.30pm to 5.30pm, and Thursday 10am to 1pm
www.fdfa.fr

Defender of rights

09 69 39 00 00

Monday to Friday from 8am to 8pm
www.defenseurdesdroits.fr

Acceptess-T

Against transphobic violence
psychologue@acceptess-t.com
or **06 31 38 99 82**
www.acceptess-t.com

Stop Homophobia

Violence related to sexual orientation or gender identity
07 71 80 08 71
Monday to Friday from 6pm to 10pm
Saturday from 2pm to 4pm
Sunday from 6 to 8 pm
www.sos-homophobie.org

There are also support groups for victims at the local levels, set up for example by the Family Planning or by France Victimes.

To be cut out and stored

Fighting against gender-based violence

The violentometre

Sexual and gender-based violence is also illegal in the workplace. They must be prevented, dealt with and sanctioned. Victims and witnesses must be accompanied. This tool, designed from a typology from the Virage survey, allows you to assess your work environment. Faced with this type of violence, we are all concerned. Let's act together!



Fighting violence against young women

The violentometre

What is consent? It is the act of giving conscious, free and explicit consent at a given time to a situation. You can revisit this choice whenever you want and for your own reasons. You do not have to justify yourself or be pressured to it.



| | | | |
|---|----|--|------|
| ENJOY YOURSELF Your relationship is healthy when... | 1 | Respect your decisions and tastes | 100% |
| | 2 | Accept your friends and family | 100% |
| | 3 | Trust you | 100% |
| | 4 | Is happy when you feel fulfilled | 100% |
| | 5 | Make sure of your consent for what you do together | 100% |
| | 6 | Ignore you for days when they are angry | 100% |
| VIGILANCE, SAY STOP! There is violence when they... | 7 | Blackmail you if you refuse to do something | 100% |
| | 8 | Make fun of your opinions and your plans | 100% |
| | 9 | Mock you in public | 100% |
| | 10 | Manipulate you | 100% |
| | 11 | Is repeatedly jealous | 100% |
| | 12 | Control your outings, clothes, make-up | 100% |
| | 13 | Go through your texts, emails, apps | 100% |
| | 14 | Insist that you send intimate photos | 100% |
| | 15 | Isolate you from your family and friends | 100% |
| | 16 | Call you crazy when you blame them | 100% |
| PROTECT YOURSELF, ASK FOR HELP You are in danger when they... | 17 | "Flip out" when they don't like something | 100% |
| | 18 | Push you, pull you, slap you, shake you, hit you | 100% |
| | 19 | Threaten to commit suicide "because of you" | 100% |
| | 20 | Touch your private parts without your consent | 100% |
| | 21 | Threaten to release intimate photos of you | 100% |
| | 22 | Force you to watch pornography | 100% |
| | 23 | Force you to have sex | 100% |
| | 24 | | 100% |

| | | | |
|---|----|--|------|
| YOU ARE IN A RESPECTFUL WORK ENVIRONMENT | 1 | You have time to do your job properly, without pressure | 100% |
| | 2 | Your skills are recognised and valued | 100% |
| | 3 | In your professional environment, you find the support and backing you need | 100% |
| SEXIST BEHAVIOUR AND SEXIST OUTRAGE: VIGILANCE! VICTIMS AND WITNESSES, SPEAK OUT | 4 | In your team, people make comments or allusions about other people, their appearance, their clothes, their private life | 100% |
| | 5 | You are given offensive nicknames. People comment on your outfits, your appearance | 100% |
| | 6 | Some people in your professional environment are mocked, ignored or kept out of the loop | 100% |
| | 7 | Around you, sexist or sexual images or "jokes" are circulated verbally or on the Internet | 100% |
| HARASSMENT, SEXUAL ASSAULT OR RAPE: PROTECT YOURSELF, GET HELP | 8 | You are constantly cut off, people speak in your place. Your interventions are minimised. | 100% |
| | 9 | You are given unnecessary or demeaning tasks | 100% |
| | 10 | You are infantilised and/or belittled because you are a woman or a man. | 100% |
| | 11 | Strategic meetings are systematically organised on your non-working days. You get remarks when you take your Wednesday off. | 100% |
| | 12 | You have been made to feel uncomfortable by sexual comments or gestures in person, on the phone, by email or on the internet | 100% |
| | 13 | You have been made insistent sexual proposals that have made you feel uncomfortable | 100% |
| | 14 | You have been insulted face to face, on the phone, by email or on the internet. Your reputation has been smeared, rumours have been spread about you. | 100% |
| | 15 | You have been intimidated by threats or by shouting, the person bangs their fist or break things | 100% |
| | 16 | An object was thrown at you, you were shaken violently or you were hit. | 100% |
| | 17 | Against your will, someone touched your breasts, your buttocks, your thighs, your hips. You have been forcefully kissed. Someone rubbed themselves up against you. | 100% |
| REVISIONS - 05/08/20 | 18 | You were coerced into sexual relations. Someone tried or succeeded in having sex with you against your will. | 100% |
| | 19 | After you resisted certain actions mentioned earlier, abusive alterations were made to the organization and your working conditions | 100% |
| | 20 | When you refused to accept the actions you are subjected to, you were kept out of the loop. Your work is sabotaged, has disappeared, is destroyed or appropriated. | 100% |

- (1) BVA survey conducted in 2021 on sexism at work, on a panel of 64,690 employees in France. <https://www.afmd.fr/etude-sur-le-sexisme-at-work-for-more-than-8-women-on-10-sexism-at-work-is-a-reality>
- (2) Survey by the Conseil supérieur de l'égalité professionnelle entre les femmes et les hommes, "Les relations de travail entre les femmes et les hommes au sein de la population non-cadre" en entreprise, conducted by BVA in November 2016. <https://www.egalite-femmes-hommes.gouv.fr/wp-content/uploads/2016/11/CONSULTATION-2016-CSEP-BVA-Sexisme-chez-les-non-cadres-presentation-globale-Novembre-2016.pdf>
- (3) Report on LGBTIphobia, SOS Homophobie, 2021 - https://ressource.sos-homophobie.org/Rapport_LGBTIphobies_2021_interactif.pdf
- (4) Haut Conseil à l'Égalité entre les femmes et les hommes, 1er état des lieux du sexisme en France : Lutter contre une tolérance sociale qui persiste, 2019 : <https://www.haut-conseil-egalite.gouv.fr/stereotypes-et-roles-sociaux/actualites/article/1er-etat-des-lieux-du-sexisme-en-france->
- (5) IFOP survey on sexual harassment at work, 2019: <https://www.ifop.com/publication/observatoire-europeen-du-sexisme-et-du-sexual-harassment-at-work/>
- (6) UN report on online violence against women: <https://www.broadbandcommission.org/publication/cyber-violence-against-women/>
- (7) 2017 Virage survey https://www.ined.fr/fichier/s_rubrique/26153/document_travail_2017_229_violences.sexuelles_enquete.fr.pdf
- (8) Survey by the Student Observatory on Sexual and Gender-Based Violence in Higher Education, 2020: https://observatoire-vss.com/wp-content/uploads/2022/04/Rapport-complet_Paroles-e%CC%81tudiantes-sur-les-violences-sexuelles-et-sexistes_de-lObservatoire-E%CC%81student-of-Sexual-and-Sexist-Violence-in-Schooling-Superior-12_10_2020.pdf
- (9) ONDRP Report 2019, <https://arretonslesviolences.gouv.fr/je-suis-professionnel/chiffres-de-referance-violences-faites-aux-femmes>
- (10) <https://righttobe.org/>
- (11) The MESRI 2022 guide to student festive and integration events is intended for organisers of festive events, and includes a number of tips and a quick-reference sheet for victims and witnesses of GBV.

Sources P.5 : Article 131-3 du Code général de la fonction publique, Article 1142-2-1 du Code du travail - P.6 : Article 621-1 du Code pénal - P.7 : Défenseur des Droits, [https://www.defenseurdesdroits.fr/Loi n° 2008-496 du 27 mai 2008 portant diverses dispositions d'adaptation au droit communautaire dans le domaine de la lutte contre les discriminations](https://www.defenseurdesdroits.fr/Loi%20n%202008-496%20du%2027%20mai%202008%20portant%20diverses%20dispositions%20d%27adaptation%20au%20droit%20communautaire%20dans%20le%20domaine%20de%20la%20lutte%20contre%20les%20discriminations) - P.8 : Article 33 de la loi du 29 juillet 1881 sur la liberté de la presse, Article 222-32 du Code pénal - P.9 : Article 222-33 du Code pénal - P.11 : Article 222-22 du Code pénal, Article 222-31 du Code pénal, Article 222-22-2 du Code pénal - P.12 : Articles 222-23, 222-30, 222-30-1 et 222-31 du Code pénal - P.14-15 : https://arretonslesviolences.gouv.fr/associations-de-lutte-contre-les-violences-sexistes-et-sexuelles#les_associations_nationales1, <https://www.planning-familial.org/fr/le-viol-445>, <https://arretonslesviolences.gouv.fr/besoin-d-aide> - P.28 : https://arretonslesviolences.gouv.fr/associations-de-lutte-contre-les-violences-sexistes-et-sexuelles#les_associations_nationales1, <https://arretonslesviolences.gouv.fr/besoin-d-aide>, <https://www.francevictimes78.fr/les-droits-des-victimes/laide-apportee-par-notre-association/le-groupe-de-parole-pour-les-victimes-de-violences-sexuelles/>, <https://www.planning-familial.org/fr/le-planning-familial-du-haut-rhin-68/groupe-de-parole-413>.

