Zero-Tolerance Code of Conduct

Counteracting Gender-Based Violence, including Sexual Harassment, in the EU Research and Innovation System

Sub-group to the European Research Area Forum 'Inclusive gender equality in the European Research Area'

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COUNTERACTING GENDER-BASED VIOLENCE, INCLUDING SEXUAL HARASSMENT, IN THE EU RESEARCH AND INNOVATION SYSTEM

1. About the Zero-Tolerance Code of Conduct

The purpose of this document is to provide guidance to Member States, stakeholders, and individuals on how to create a European Research and Innovation (R&I) environment free from all forms of gender-based violence, based on the values of gender equality and inclusiveness, respect, dignity and safety.

This document was drafted by the Task Force on Gender-Based Violence, which includes representatives of Member States, Associated Countries and stakeholder organisations ([1]). The Task Force was created within the sub-group of the ERA Forum ([2]) named 'Inclusive Gender Equality in the ERA' ([3]).

This document is a specific deliverable of the ERA Policy Agenda 2022-2024 adopted by the Council of the European Union on 26 November 2021 as part of the Council Conclusions on the Future Governance of the ERA ([4]). As such, it is not binding.

It builds in particular on the Czech Presidency Conference on 'Ending Gender-Based Violence in Academia', which took place in Prague on 24-25 November 2022 and its resulting Call for Action published by the Czech Ministry of Education, Youth and Sports ([5]), and the follow-up 'II Conference on Ending Gender-Based Violence in Academia' organised in Bilbao on 23-24 October 2023 under the Spanish Presidency ([6]). Both events put front and centre the findings and recommendations of the Horizon 2020–funded project UniSAFE focused on gender-based violence and institutional responses to it ([7]).

This deliverable directly reflects the values and principles laid out in the Council Recommendation on a Pact for R&I in Europe, which explicitly includes '*combatting gender-based violence and harassment'*, and the priorities for joint action defined in the Pact, one of which is to '*counteract gender-based violence and sexual harassment*' ([8]).

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[1] The Task Force on Gender-Based Violence consisted of the following representatives: Elena Phalet (BE), Marcela Linková (CZ), Silvia Rueda Pascual and Lydia González Orta (ES), Chloé Mour and Yona Gouetta (FR), Jennie Rothwell (IE), Heidi Holt Zachariassen (NO), Fredrik Bondestam and Sophia Ivarsson (SE), Gita Zadnikar (SI), Zuzana Staňáková (SK), Pim de Boer (AURORA), Georgiana Curea (The Guild), Sara Pilia (Eurodoc), Gwen de Bruin (EASSH), Adrien Braem (Science Europe), supported by Anne Pépin and Hana Tenglerová (European Commission, DG RTD.D4.001-Gender Sector).

[2] ERA stands for European Research Area. For more on the ERA Forum, see https://european-research-area.ec.europa.eu/era-forum.

[3] The Sub-group consists of representatives of 22 Member States, 3 Associated Countries and 14 stakeholder umbrella organisations representing higher education institutions, research performing organisations, individual researchers and innovators, academies of science and research funding organisations. For more see https://ec.europa.eu/transparency/expert-groups-register/screen/expert-groups/consult?lang=en&groupID=103813.

[4] General Secretariat of the Council. (2021). Future governance of the European Research Area (ERA) - Council conclusions (14308/21). [Online]. Available at https://data.consilium.europa.eu/doc/document/ST-14308-2021-INIT/en/pdf.

[5] For the event site see http://gbv2022.soc.cas.cz/index.html. The Call for Action is available at http://gbv2022.soc.cas.cz/wp-content/uploads/2022/11/Call-for-Action_GBV-2022_final.pdf.

[6] For the event site see https://www.conferencegenderacademia.com/.

[7] Grant agreement ID 101006261. Project information available at https://cordis.europa.eu/project/id/101006261. Project website available at https://unisafe-gbv.eu.

[8] Council Recommendation (EU) 2021/2122 of 26 November 2021 on a Pact for Research and Innovation in Europe. OJ L 431. [Online]. Available at https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021H2122.

In terms of content, this document proposes a zero-tolerance approach to gender-based violence, and provides guiding principles for EU stakeholders to follow. It underlines the importance of addressing this issue as a top priority, and defines the roles and responsibilities of different stakeholders in counteracting gender-based violence in R&I. In addition, the annexes clarify key terms and provide examples of national approaches to gender-based violence.

2. Scope and objectives

This document is intended to prevent and address incidents of gender-based violence in research and higher education settings. In this sense, it refers to the entire research and innovation ecosystem, which includes European and national authorities, research funding organisations, stakeholder associations, and umbrella organisations at European and national levels, higher education and research institutions as employers, and individual staff and students.

The document aims to:

- Ultimately prevent the occurrence of gender-based violence in higher education and research organisations;

- Effectively counter all forms of gender-based violence by providing specific procedures to combat and address it;

- Support the institutional changes in research and innovation organisations that are necessary to build safe and inclusive work environments;

- Raise awareness of and sensitivity to all forms of gender-based violence;

- Provide assistance and support to institutions and organisations involved in the European research and innovation system in setting internal policies and related documents;

- Provide assistance and support to employees and students and to anyone who comes into contact with higher education institutions and research institutions.

To support the implementation of the approach outlined in this document by Member States, Associated Countries and R&I stakeholders, the European Commission has provided funding through a dedicated topic in the ERA part of the 2023 WIDERA Work Programme ([9]). The selected project, GenderSAFE, was launched on 1 March 2024, with an EU contribution of EUR 2 million ([10]).

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[9]   For Widening participation and spreading excellence (WIDERA), see https://research-and-innovation.ec.europa.eu/funding/funding-opportunities/funding-programmes-and-open-calls/horizon-europe/widening-participation-and-spreading-excellence_en.
[10] Grant agreement ID 101130898. Project information available at https://cordis.europa.eu/project/id/101130898. For project website see https://gendersafe.eu/.

3. Gender-based violence in academia and research: a core yet still under-estimated problem

A pervasive problem

According to findings from a survey conducted in 2022 as part of Horizon 2020–funded project UniSAFE – the largest such prevalence survey in the EU to date – almost two in three of the over 42,000 staff and student respondents indicated they had experienced instances of gender-based violence within their academic and research institutions. This violence took various forms, such as physical, sexual, psychological, economic, and online violence (see the definitions in Section 5).

Particularly noteworthy was that respondents from marginalised communities, such as those based on gender identity, sexual orientation, ethnicity, or disability, were more likely to report experiencing gender-based violence.

Among the respondents, women and non-binary individuals were especially affected, with 66% and 74%, respectively, reporting having experienced at least some form of gender-based violence. Furthermore, those identifying as LGBQ+, reporting a disability or chronic illness, or belonging to an ethnic minority reported higher incidences of gender-based violence compared to their counterparts without these characteristics (Lipinsky et al. 2022).

An underreported problem

Particularly alarming is the low rate of reporting observed among participants of the UniSAFE survey (Lipinsky et al. 2022), who indicated experiencing gender-based violence within their academic institution. Only 7% of students and 23% of staff who experienced such violence reported the incident. Nearly half of the victims (47%) refrained from reporting because they were uncertain about whether the severity of the behaviour warranted a report. Other common reasons for not reporting included victims/survivors not recognising the behaviour as violence at the time (31%) and a lack of confidence that reporting would yield any meaningful action (26%) (see also Blazyte & Pilinkaite Sotirovic 2023).

These findings highlight the normalisation and tolerance of violence within higher education and research settings, exposing the failure of institutions to address all manifestations of gender-based violence, including psychological abuse and other forms not explicitly covered by legislative definitions.

A problem with major consequences at the individual, organisational, and societal levels

The UniSAFE research (Lipinsky et al. 2022) also shows that gender-based violence has significant consequences. At the individual level, it affects individuals' mental and physical health, leading to feelings of social isolation, insecurity, and diminished well-being. This then adversely affects their academic and career progression.

Among students who experienced gender-based violence in the UniSAFE survey, 63% expressed dissatisfaction with their academic pursuits, compared to 42% in the case of those who hadn't experienced such violence. Additionally, 38% of students subjected to gender-based violence contemplated discontinuing their university education, in contrast to 24% of their counterparts who had not experienced such violence.

In addition, the repercussions of gender-based violence at the individual level extend to broader collective damage, including diminished trust in the organisation, increased absenteeism, and challenges retaining students and staff. An institutional culture that tolerates violence creates a pervasive atmosphere of insecurity, hindering the ability of students and faculty to feel secure and valued, which is essential for fostering open expression of ideas and innovation (cf. Royal Netherlands Academy of Arts and Sciences 2022).

Importantly, the adverse effects are not limited to the victims or survivors. Bystanders who witness or are aware of such acts are also negatively impacted. Ultimately, at the societal level, the departure of victims/survivors from their institutions constitutes a loss for society as a whole – a loss of talent, innovation, and untapped potential. Furthermore, gender-based violence entails costs in terms of healthcare and social assistance and a decline in economic activity.

An unaddressed problem at the institutional level

Efforts to prevent and address gender-based violence through institutional policies remain insufficient (Bondestam & Lundquist 2020). The UniSAFE project conducted an assessment of policies and institutional measures aimed at combating gender-based violence across 48 universities and research organisations. Findings revealed that not all of these institutions had established specific policies, with 18 relying solely on general measures like anti-discrimination policies or codes of conduct, where gender-based violence was just one of various issues without a defined institutional approach (Huck et al. 2022).

Gender-based violence also received only limited coverage in these policies and measures. While the majority of institutions address 'sexual harassment' (44 out of 45 institutions have a policy) and 'gender-based harassment' (42 out of 45 institutions), only approximately one-half of them deal with 'sexual violence', and the other forms of gender-based violence receive even less attention. It is worth noting that the policies explicitly dedicated to gender-based violence found in 27 institutions addressed a wider array of its forms. This points to the need for institutional policies dedicated specifically to gender-based violence, as they ensure a more comprehensive institutional approach to the issue.

Lastly, the degree of complexity with which gender-based violence is addressed within these policies varies. Many policies fail to encompass all pertinent target groups (including both students and staff) and the various potential scenarios of incidents. Furthermore, a significant portion of institutions do not address the needs of groups that are particularly vulnerable to gender-based violence (such as students and staff with disabilities or chronic illnesses, LGBTQIA+ individuals, people from migrant and ethnic minority backgrounds, etc.) (Blazyte & Pilinkaite Sotirovic 2023; Linková et al. 2023a).

A problem in need of reinforcement from national authorities

Institutional policies can receive significant reinforcement when a policy framework is established by national authorities, as evidenced in France, Ireland, and Spain (*see Annex 2*). These countries have comprehensive national-level policies that require the implementation of institutional policies and procedures that encompass all aspects of prevention, protection, prosecution, provision, partnership, participation, and policy integration. Another advanced national example from outside Europe is the United States, where the #MeToo movement prompted decisive actions and new policies from, for example, the US National Science Foundation (NSF) (*see Annex 3*).

The UniSAFE analysis of policy mapping indicates that at the national level policies are the most comprehensive when they are designed to specifically address gender-based violence rather than only being part of broader, more general policies (such as gender equality plans, ethics charters, etc.). Focused policies of this kind are seldom observed in the EU13 Member States, where policies tend to be more generalised, with gender-based violence receiving only superficial mention (Fajmonová et al. 2021; UniSAFE consortium 2022).

4. The EU legislative and policy framework

As a core element of the 'Union of Equality' umbrella priority set by President Ursula von der Leyen for her mandate, on 8 March 2020 the European Commission adopted the Communication on its Gender Strategy 2020-2025 ([11]), which made ending gender-based violence one of its key objectives. This Communication clearly states that '*the EU will do all it can to prevent and combat gender-based violence, support and protect victims of such crimes, and hold perpetrators accountable for their abusive behaviour*' and '*calls on the Member States to: (…) systematically collect and report data on gender-based violence*'. The commitment to strengthen the fight against gender-based violence is firmly anchored also in the political guidelines for the next European Commission 2024-2029 ([12]).

Sexual harassment and harassment based on sex and gender are already prohibited by Council Directive 2006/54/EC of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (Equal Treatment Directive) ([13]), which deals with the implementation of the principle of equal opportunities and the equal treatment of men and women in matters of employment and occupation. In June 2023, the EU as a whole acceded to the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence, commonly referred to as the Istanbul Convention ([14]), which entered into force on 1 October 2023. At the national level, to date, all EU Member States have signed the Istanbul Convention and 21 Member States have ratified it.

In May 2024, 'Directive 2024/1385 of the European Parliament and of the Council on Combating Violence against Women and Domestic Violence' ([15]) was adopted and entered into force, with the transposition period extending until 14 June 2027. The directive contains measures to prevent violence against women and domestic violence, sets standards for the protection of victims of these crimes, and criminalises female genital mutilation, forced marriage, non-consensual sharing of intimate images, cyber stalking, cyber harassment, and cyber incitement to hatred or violence. The directive also contains detailed rules on the measures of assistance and protection that Member States should provide to victims.

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[11] European Commission Gender Strategy 2020-2025. [Online]. Available at https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/gender-equality/gender-equality-strategy_en.

[12] Europe's Choice. Political Guidelines for the Next European Commission 2024-2029, p. 20. [Online] Available at https://commission.europa.eu/document/download/e6cd4328-673c-4e7a-8683-f63ffb2cf648_en?filename=Political%20Guidelines%202024-2029_EN.pdf.

[13] Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast). OJ L 204, 26.7.2006, p. 23–36. [Online]. Available at https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32006L0054.

[14] Council of Europe, The European Union deposited the instrument of approval of the "Istanbul Convention" (28 June 2023). [Online]. Available at https://www.coe.int/en/web/portal/-/the-european-union-deposited-the-instrument-of-approval-of-the-istanbul-convention-.

[15] Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence. PE/33/2024/REV/1. OJ L, 2024/1385, 24.5.2024. [Online]. Available at https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AL_202401385.

In addition to these overarching texts, key policy documents specific to the research and innovation sector adopted recently address gender-based violence and/or harassment explicitly:

- The Council Recommendation on a European Framework to Attract and Retain Research, Innovation and Entrepreneurial Talents in Europe adopted by the COMPET Council on 8 December 2023 ([16]) underlines the need to effectively address persisting gender inequalities, including gender-based violence.

- The new European Charter for Researchers, annexed to the Council Recommendation, has been revised accordingly and explicitly states the following:

  - Under 'Working conditions, funding and salaries': '(…) *Employers should provide working conditions and environment that promote the mental health and physical wellbeing of researchers, including appropriate procedures for preventing and tackling gender-based violence, including sexual harassment*'.

  - Under the 'Gender Equality' principle: '(…) *Gender equality also aims at combating gender-based violence and sexual harassment.* (…)'.

On 14 December 2023, the European Parliament also adopted a 'Resolution on Young Researchers' ([17]), which, in its chapter on 'Gender balance and well-being measures', states the following: '3*5. Calls for the Member States to ensure that they have fair and transparent procedures to deal with different types of harassment and abuse in academic systems, which can particularly affect the careers of early-stage researchers, who remain heavily reliant on references and referrals from senior academics in order to succeed in their academic careers*'.

Moreover, the current draft 'Council Decision Inviting Member States to Ratify the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization' on 19 January 2024 obtained the consent of the FEMM and EMPL committees of the European Parliament ([18]). The FEMM and EMPL co-rapporteurs emphasise that '*[w]ider societal issues beyond the world of work can also contribute to the root causes of violence and harassment. Such issues include power relations, gender norms, cultural and social norms as well as discrimination and stigmatisation*'.

And at an internal level, with the aim to lead by example, on 12 December 2023 the Commission also adopted a revised Decision on the Prevention of and Fight against Psychological and Sexual Harassment ([19]), which embraces a victim-centred approach, placing a strong emphasis on early intervention and reporting, while also providing for mandatory training of managers and training on bystander intervention.

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[16] Council of the European Union of 18 December 2023 on a European framework to attract and retain research, innovation and entrepreneurial talents in Europe (C/2023/1640). [Online]. Available at https://eur-lex.europa.eu/eli/C/2023/1640/oj.

[17] European Parliament resolution of 14 December 2023 on young researchers (2023/2884(RSP). [Online]. Available at https://www.europarl.europa.eu/doceo/document/TA-9-2023-0482_EN.html.

[18] Council of the European Union Proposal for a Council Decision authorising Member States to ratify, in the interest of the European Union, the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization. [Online]. Available at https://data.consilium.europa.eu/doc/document/ST-13190-2023-INIT/en/pdf;%20PR_NLE-AP_LegAct%20(europa.eu).

[19] European Commission Decision of 12.12.2023 on the prevention of and fight against psychological and sexual harassment, and repealing Decision C(2006) 1624/3. [Online]. Available at https://www.era.europa.eu/system/files/2024-05/MB%20Decision%20n%C2%B0%20350%20-%20Annex%20-%20C_2023_8630_F1_COMMISSION_DECISION_EN_V6_P1_3034149.pdf?t=1716444772.

With respect to research and innovation policy, the Gender Equality Plan (GEP) eligibility criterion introduced in Horizon Europe ([20]), which applies to all higher education institutions, research organisations, and public bodies in Member States and Associated Countries applying to the HE Programme, explicitly includes '*measures against gender-based violence, including sexual harassment*' among the recommended thematic areas to be addressed in GEPs.

5. Zero-Tolerance Code of Conduct

This Zero-Tolerance Code of Conduct consists of a set of principles, the application of which is aimed at creating a European research and innovation environment that is free from all forms of gender-based violence and is built on the values of gender equality, inclusiveness, respect, dignity, and safety. The Code of Conduct is intended for all members of the research and innovation system across Europe, including researchers and administrators, employers, funders, and policy-makers, in all sectors and disciplines and in all types of research and innovation conducted. It consists of 20 principles organised around the following three pillars.

1. Commitment

2. Action

3. Accountability

PILLAR 1: COMMITMENT

This pillar defines the underlying commitment principles for this Zero-Tolerance Code of Conduct and are the bedrock for any action and policy addressing gender-based violence in research and innovation. Because they are transversal in nature, they are to be inscribed in all the other principles under Pillars 2 and 3.

1. Acknowledge the existence and systemic nature of gender-based violence in research and innovation institutions and the responsibility of institutions to proactively create safe and inclusive working and studying environments, recognising that:

    - Unequal power relations exist in higher education and research and innovation;

    - Intersectional gender inequalities figure among the causes and consequences of gender-based violence;
    - Experiences of gender-based violence fall along a continuum of violence and abuse.

2. Adopt a whole-of-institution, trauma-informed, and victim- and survivor-centred approach.

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[20] European Commission Decision C(2024) 2371 of 17 April 2024. Horizon Europe Work Programme, 13. General Annexes. [Online]. Available at https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/horizon/wp-call/2023-2024/wp-13-general-annexes_horizon-2023-2024_en.pdf.

PILLAR 2: ACTION

The second pillar focuses on the concrete actions that all the stakeholders in the European Research Area should take in order to turn the commitment to creating safe and inclusive research and innovation environments into the lived reality of researchers and students. This requires:

1. Adopting comprehensive policies to address all forms of gender-based violence.

2. Working in partnerships with relevant actors and stakeholders across the entire research and innovation system as well as in specialised non-profit organisations.

3. Ensuring the continued monitoring of prevalence and/or incidence data at the institutional level through administrative data collection, surveys, or other means.

4. Taking preventative actions, including proactive risk assessment, such as having a policy and institutional mechanism in place, extensive communication and awareness-raising campaigns regarding the policy and unacceptable behaviours, and addressing organisational cultures with a view to building safe and inclusive work environments.

5. Allocating time and resources for capacity building on gender-based violence and sexual harassment in particular. Specific training and skills building should be integrated into standardised induction/orientation programmes for staff and students, tailored for specific roles, should be compulsory for decision-makers, group leaders, and staff in a supervisory or managerial role, and should be provided/reinforced on a regular basis.

6. Creating support structures for victims, survivors, and bystanders with adequate measures to protect them from retaliation and for their recovery.

7. Supporting mutual learning and exchange at all levels and across all types of institutions and stakeholders.

8. Integrating the work that aims to prevent and respond to gender-based violence with the work that is striving for gender equality and inclusiveness in higher education institutions through Gender Equality Plans, in order to create safe and inclusive research and innovation environments for all.

PILLAR 3: ACCOUNTABILITY

The third pillar is aimed at defining the appropriate measures for ensuring that policies are implemented and for achieving the stated goal of gender equality, inclusiveness, respect, dignity, and safety in the ERA. Institutional leaders and decision-makers in the R&I system are responsible for the implementation of the Zero-Tolerance Code of Conduct and for establishing an appropriate institutional accountability mechanism to address all forms of gender-based violence, to handle cases, and to implement restorative measures. Such measures include:

1. Openly publishing and communicating information on unacceptable behaviours defined by the Zero-Tolerance Code of Conduct and establishing reporting procedures, both online and at the entry points to the institution, such as the ombudsperson's office, confidential councillors, contact persons, and the like.

2. Clear reporting procedures with adequate timelines for consecutive steps and measures to secure the rights of all parties, including the provision of clear information to victims on the steps and progress of the reporting and investigation procedures.

3. Assigning responsibility at a senior level for overseeing the reporting mechanisms / procedures.

4. Equipping case managers and investigators with a thorough understanding of gender-based violence and the skills to manage victim-centred, trauma-informed investigations.

5. Establishing clear roles and responsibilities throughout the entire procedure of case management.

6. Putting in place processes to address breaches of institutional policy in the absence of formal complaints (such as sexist, LGBTIQ-phobic or sexual remarks).

7. Clearly defining forms of sanction, tailored to the type of institution (Research Performing Organisation/Research Funding Organisation/other), for breaches of policy, and working with reporting and responding parties to achieve safety, respect, and dignity for all researchers and for preventing recurring breaches.

8. Actively monitoring and evaluating the measures put in place to assess their effectiveness, identify gaps and needs, react to newly emerging issues, and ultimately build confidence in and the sustainability of the system.

9. Introducing mechanisms for inter- and intra-institutional accountability to ensure the non-recurrence of gender-based violence at the individual and systemic levels, including measures to prevent multi-site serial misconduct.

Ensuring sufficient resources are put in place to implement the above.

6. Zero-tolerance approach

A zero-tolerance approach is applied here in the sense of not tolerating any form of gender-based violence in higher education institutions and research institutions. Because gender-based violence is a continuum, the zero-tolerance approach focuses on capturing the entire spectrum of unacceptable behaviours, starting with and moving on from those instances that are less visible, in order to cultivate an institutional culture in which there is no form of gender discrimination. In this sense, the Zero-Tolerance Code of Conduct considers any instance of gender-based violence as appropriate to address.

Based on a review of existing scholarly debates and insights into the uses of the zero-tolerance approach, this document builds on the following understanding of the Zero-Tolerance approach to counteracting gender-based violence:

1. **Clear message**: Zero tolerance sends a clear message that gender-based violence is completely unacceptable at the given institution/in the given area. Such a message can be crucial in creating a culture of coming forward where any form of gender-based violence is regarded as deserving attention, thereby promoting a safer environment built on trust, open communication, accountability, support and resources, and continuous improvement.

2. **Strong deterrence**: A zero-tolerance approach can serve as a strong deterrent against gender-based violence, as it ensures that all acts of gender-based violence

will be thoroughly investigated and addressed with the sanctions and redress measures that are appropriate to the severity of the abuse.

3. **Institutional change**: The deterrence aspect, clear messaging, and accountability can be some of the drivers of institutional change, as adopting a clear stance against gender-based violence in higher education and research institutions would be a significant rhetorical and practical shift from the current state of institutional culture at many institutions.

4. **Clarity of intent:** The concept of 'zero tolerance' clearly characterises the intent and stance of the institutions in question. It represents a feasible goal, as a zero-tolerance stance does not imply the absolute eradication of gender-based violence, unlike, for example, the phrase 'ending gender-based violence', and instead it makes it clear that such behaviour will not be tolerated, meaning that every act of gender-based violence will be taken seriously and thoroughly investigated.

5. **Focus on rehabilitation**: In line with the institutional change approach, the focus must also be on rehabilitation and institutional healing.

7. Stakeholder roles and responsibilities

7.1. Policy makers at the European and national levels

Policy makers should be primarily concerned with policy coordination in the sense of involving public administration in all relevant areas and engaging in policy dialogue with umbrella organisations, university associations, ombuds in higher education and research organisations, student/staff associations and unions, social workers, and NGOs working with victims/survivors in order to develop a victim-centred and trauma-informed approach to gender-based violence.

Furthermore, policy makers should establish values and engage in awareness-raising towards all relevant stakeholders. They should also provide policy guidance in setting the legislative and policy framework in collaboration with relevant stakeholders.

Once policies have been introduced, policy-makers should actively enforce, monitor, and evaluate compliance with these policies. They should also initiate the collection of statistics and data on prevalence, which should then be used in awareness-raising activities.

7.2. Associations and umbrella stakeholder organisations at the European and national levels

The role of associations and umbrella organisations (such as the European Universities Initiative) is mainly to provide a platform for mutual learning, sharing experiences in policy implementation, and also setting high standards for member institutions, which can also be a condition for membership. They should also promote the adoption of appropriate policies and instruments to address gender-based violence. A crucial area is researcher and student mobility and exchange, as it creates specific challenges. As such, addressing gender-based violence in mobility and exchange (including working in remote research sites, field trips, participating in conferences) represents a specific area that could benefit from harmonising good practice and standards within research performing institutions.

In addition, these organisations should coordinate and require regular evaluations of mutual learning and should involve the top management of higher education, research performing institutions, and research funding institutions to coordinate policy implementation and build strategic partnerships.

7.3. Research Funding Organisations at the European and national levels

Research Funding Organisations should require evidence of existing institutional policies and mechanisms in place to address gender-based violence from institutions applying for grants. Research Funding Organisations should have a mechanism in place to ensure that a procedure is followed if a member of a funded project is investigated in a case of gender-based violence. The contract should clearly indicate how the grant funds will be handled in such cases, with a specification on how doctoral candidates and early-career researchers dependent on the member under investigation can continue their work without suffering any repercussions (including economic damage, opportunity damage, reputation damage and damage related to academic freedom). This may include clear time limits by which the grant can be suspended or withdrawn entirely, or by which the institution must demonstrate that an investigation of the reported case is ongoing.

Research Funding Organisations should provide clear information about gender-based violence and the mechanisms they have set up to address it. They should also organise training sessions and workshops for researchers and other stakeholders to help create a safe and inclusive research environment. In these activities, they should link with policy-making institutions and umbrella organisations.

7.4. Higher education and research institutions

Individual higher education and research institutions should adopt policy documents that explicitly demonstrate their commitment to addressing gender-based violence. As part of this commitment, they should regularly collect and analyse data on the prevalence and/or incidence of gender-based violence and the implementation of their established policy.

Steps implemented to prevent gender-based violence include raising awareness and organising victim-centred, trauma-informed training of all staff and students, including bystander training. Institutions should also set up an anonymous and non-anonymous system for filing formal and informal complaints and appoint persons responsible for handling cases.

A structure of contact points for dealing with cases of gender-based violence should be available to all students and staff and may be different for students and staff. Adequate timeframes and steps in the procedure should be set for institutions to proactively address cases.

Throughout the process, institutions should emphasise the protection of victims/survivors and the protection of the accused to prevent ongoing investigations from causing harm. The outcome of the investigation should be communicated as transparently as possible to all persons involved and to the wider relevant community.

Additionally, aftercare for victims/survivors should be provided, which may take the form of (temporary) isolation from the perpetrator, the provision of psychological services, or institutional adjustments to accommodate the needs of victims/survivors (e.g. an

individualised study plan, reduced frequency of attendance at meetings, or hybrid working, measures regarding student accommodation).

Research Performing Organisations should involve staff associations and unions, student associations and unions, and the authorities administering student accommodation in the process of co-creating institutional policies and their monitoring and evaluation, in order to ensure the uptake, ownership, and adequacy of the procedures in place.

ANNEX 1 : DEFINITIONS

Continuum of violence

The concept of violence as a continuum recognises that gender-based violence exists along a gradient, reflecting various degrees of severity and encompassing a wide range of behaviours and actions that perpetuate gender inequality and discrimination. It is important to conceptualise gender-based violence along such a continuum because doing so provides a more comprehensive understanding of the various forms and manifestations of gender-based violence, including both overt and subtle behaviours. This helps in recognising and addressing the full spectrum of violence that individuals experience.

Secondly, recognising that gender-based violence exists along a continuum allows prevention and intervention to be more effectively targeted in the early stages, addressing behaviours and attitudes that contribute to violence before they escalate into more severe forms.

Thirdly, the concept of a continuum allows for a more nuanced understanding of how factors intersecting with gender, such as ethnic and racial origin, sexual orientation, and socioeconomic status, shape experiences of violence. This intersectional approach helps in tailoring interventions to address the specific needs and experiences of different individuals and communities. Lastly, this conceptualisation encourages a holistic response that addresses the underlying root causes, social norms, and power dynamics that contribute to violence at all levels, rather than just focusing on how individual incidents are interlinked with one another and with systems of power that privilege and discriminate people in higher education, research institutions, and the broader community.

Gender-based violence

Gender-based violence refers to 'any type of harm that is perpetrated against a person or group of people because of their factual or perceived sex, gender, sexual orientation and/or gender identity' ([21]). The European Commission defines gender-based violence as acts that 'result in, or are likely to result in physical harm, sexual harm, psychological, or economic harm or suffering to women' ([22]). It covers a continuum of violence, which means that the different forms correlate and overlap. This correlation means specifically that unaddressed forms of misconduct lead to more serious transgressions (Andreska et al 2023a).

The environment of higher education and research institutions is particularly prone to this type of violence because of its highly hierarchical power structure and persistent gender stereotypes within such a structure (O´Connor et. al. 2021, Andreska et al 2023a). This results in incidents occurring between people in unequal hierarchical positions (such as a professor and PhD student) and in peer-to-peer forms (e.g. a woman being harassed following a promotion).

One consequence of this characteristic is underreporting related to the fears of retaliation, given that the consequences may include the future of the academic and professional

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[21] Council of Europe, 'What is Gender-based Violence?' [Online]. Available at https://www.coe.int/en/web/gender-matters/what-is-gender-based-violence.

[22] European Commission, 'What is Gender-based Violence?'. [Online]. Available at https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/gender-equality/gender-based-violence/what-gender-based-violence_en.

careers of students and staff being jeopardised or an institution losing its good reputation, which is essential to the functioning of individual academic institutions (Linkova et al 2023b).

It is therefore not only a question of inappropriate behaviour by individuals, but rather a problem of organisational cultures allowing or encouraging such behaviour.

The UniSAFE toolkit defines the various forms of gender-based violence:

Gender harassment	Gender harassment refers to unwelcome behaviours, actions, or comments that create a hostile or offensive environment and are directed towards an individual or a group based on their sex, gender identity, or gender expression. These behaviours are not necessarily sexually explicit and may instead also include derogatory or degrading remarks, sexist jokes, exclusion, silencing, stereotypical prejudices, or other forms of demeaning treatment that belittle or marginalise individuals based on their gender. Gender harassment can occur in various settings, both online and offline, including workplaces, educational institutions, and public spaces, and can have negative impacts on the mental health and well-being of those who experience it. *Sources:* Cortina L. M., Kabat-Farr D., Leskinen E. A., Huerta, M. & Magley, V. J. (2011). Selective incivility as modern discrimination in organizations. Journal of Management 39: 1579–1605 Leskinen E. A. & Cortina, L. M. (2014). Dimensions of disrespect: Mapping and measuring gender harassment in organizations. Psychology of Women Quarterly 38: 107–123. https://doi.org/10.1177/0361684313496549.
Online violence	Online violence is a type of violence, abuse, and violation that occurs through the use of information and communication technologies, such as social media, e-mail, text messages, and online forums. It can take many forms, including cyberstalking, cyberbullying, internet-based sexual violence, and the non-consensual distribution of sexual images or texts. The instantaneous nature of online communication and the fact that images and messages can be reproduced and distributed globally create unique challenges for addressing and preventing online violence. The COVID-19 pandemic also highlighted the need to address and prevent online violence as more research and education moves online. *Sources:* Strid, S., Humbert, A. L., Hearn, J., Bondestam, F. & Husu, L. (2021). UniSAFE D3.1: Theoretical and Conceptual Framework. Public deliverable submitted to the European Commission 30/04/2021. Zenodo. https://doi.org/10.5281/zenodo.7333232
Organisational (gender-based) violence	Organisational gender-based violence refers to the manifestation of gender-based violence at the collective, group, and organisational levels of research-performing organisations. This can take various forms, such as weak or autocratic management that allows or condones individual gender-based violence or the existence of group/organisational cultures that directly or indirectly promote gender-based violence, including hostile environments and psychological violence. Factors that enable such negative

	environments can include power imbalances, perception of the real costs to the organisation of not (adequately) addressing violence, high stress and dissatisfaction among staff, and the organisation's leadership style in relation to gender-based violence.
	Sources: Ågotnes, K. W., Einarsen, S. V., Hetland, J. & Skogstad, A. (2018). The moderating effect of laissez-faire leadership on the relationship between co-worker conflicts and new cases of workplace bullying: A true prospective design. Human Resource Management Journal 28(4), 555–568. https://doi.org/10.1111/1748-8583.12200. Hearn, J. & Parkin, W. (2001). Gender, Sexuality and Violence in Organizations. London: Sage. MacKinnon, C. (1979). Sexual Harassment of Working Women. A Case of Sex Discrimination. Yale University Press. Salin, D. & Hoel, H. (2020). Organizational risk factors of workplace bullying. In: Einarsen, Hoel, Zapf & Cooper (eds), Bullying and Harassment in the Workplace: Theory, Research and Practice. London: CRC Press, pp. 305–330.
Physical violence	Physical violence and abuse refer to the intentional use of physical force against another person or group, including kicking, beating, pushing, slapping, shoving, hitting, and blocking. Physical violence is the form of violence most easily measured, often as incidents, and most commonly addressed. It is direct and often involves a relatively easily identifiable perpetrator, and the time and space between the act and the immediate impact is very limited. *Sources*: Heise, L. (1998). Violence against women: An integrated, ecological framework. Violence Against Women 4(3), 262–290. https://doi.org/10.1177/1077801298004003002 Hester, M., Kelly, L. & Radford, J. (eds), (1996). Women, Violence and Male Power: Feminist Activism, Research and Practice. Buckingham: Open University Press. Strid, S., Humbert, A. L., Hearn, J., Bondestam, F. & Husu, L. (2021). UniSAFE D3.1: Theoretical and Conceptual Framework. Public deliverable submitted to the European Commission 30/04/2021. Zenodo. https://doi.org/10.5281/zenodo.7333232
Sexual harassment	Sexual harassment is any form of unwanted verbal, nonverbal, or physical behaviour of a sexual nature, including but not limited to unwanted sexual comments, jokes, innuendos, stalking, sextortion, bullying, sexual invitations, and demands. It can create an intimidating, hostile, degrading, humiliating, or offensive environment, and it is a form of sexual violence. Sexual harassment is not the same as sexual assault, although the two can overlap. Quid pro quo sexual harassment occurs when studying or employment decisions are based on the acceptance or rejection of unwelcome sexual behaviour. The term 'misconduct' is sometimes used instead of harassment to capture abuses of power. *Sources*: MacKinnon, C. A. (1979). Sexual Harassment of Working Women.

	New Haven, CT: Yale University Press.
	Council of Europe (2011). Convention on Preventing and Combating Violence against Women and Domestic Violence (Council of Europe Treaty Series No. 210). Istanbul: Council of Europe.
Economic and financial violence	Economic and financial violence and abuse refer to intentional acts or behaviours that result in financial or economic harm to an individual or make them financially dependent. This can include controlling financial resources, denying access to money or other resources, forbidding participation in educational or employment-related activities, and withholding support. Economic violence can also take the form of sextortion, where a person abuses their entrusted authority to obtain a sexual favour in exchange for a service, benefit, or economic gain. In research, economic violence may manifest as quid pro quo, denying access to financial resources, restricting employment opportunities or healthcare services, withholding employment contracts, or not fulfilling economic responsibilities. *Sources*: Postmus, J. L., Hoge, G. L., Breckenridge, J., Sharp-Jeffs, N. & Chung, D. (2020). Economic Abuse as an Invisible Form of Domestic Violence: A Multicountry Review. Trauma, Violence & Abuse, 21(2), 261–283. Strid, S., Humbert, A. L., Hearn, J., Bondestam, F. & Husu, L. (2021). UniSAFE D3.1: Theoretical and Conceptual Framework. Public deliverable submitted to the European Commission 30/04/2021. Zenodo. https://doi.org/10.5281/zenodo.7333232

Victim-centred approach

Adopting a victim-centred approach means putting the needs and priorities of victims/survivors of violence at the forefront of any response. Key elements of a victim-centred approach include listening to victims/survivors, avoiding re-traumatisation, and systematically focusing on their safety along with pro-active risk assessment and safety planning, rights, well-being, autonomy, expressed needs, and choices, thereby giving back as much control to the victim(s) as feasible and ensuring an empathetic, sensitive, and non-judgemental delivery of services and assistance (UN Women 2019; UNHCR 2024; European Institute for Gender Equality 2024). These principles are aligned with the Victims' Rights Directive, especially in terms of the emphasis on enhancing the safety of victims and reducing risk (European Commission 2024).

It also entails providing comprehensive support services and centring victims'/survivors' voices in decision-making throughout the process, including in disciplinary procedures. A victim-centred approach builds on the principles of empowerment, trust, safety, accountability, and justice. The shift towards a victim-centred approach reflects the growing recognition of victim/survivor needs and the failures of punitive, re-traumatising approaches, a better understanding of the impact of trauma, and an emphasis on long-term healing (UN Women 2019; UNHCR 2024; European Institute for Gender Equality 2024).

Victim/Survivor

Persons with experience of gender-based violence are referred to here as 'victims/survivors' because these terms acknowledge that these individuals may identify differently in relation to their experience. Although the term 'victim' is a legal definition within the criminal justice system used for persons who have experienced a crime, 'survivor' is often used as an empowering term to convey that a person has started the healing process.

Bystanders

A bystander is an individual who witnesses or becomes aware of a potentially harmful or violent situation but is not directly involved as a victim or perpetrator. Bystanders have the power to intervene, speak out, or take action to prevent or stop the harm from occurring (UniSAFE toolkit).

Trauma-informed approach

The trauma-informed approach is closely related to the victim-centred approach and is based primarily on the 'do-no-harm' principle. It focuses on maximising the safety of the victim/survivor throughout the process, in physical, psychological, and emotional terms, in order to prevent re-traumatisation or secondary victimisation. Acknowledging that victims/survivors can manifest a diverse array of reactions and responses, it underscores the importance of rejecting any stereotypical notions about victims/survivors in order to ensure comprehensive support for all in need and to accurately gauge the level of trauma and distress experienced (National SART Guidelines Development Group 2023).

The goal of a trauma-informed approach is to care for the victim/survivor and assist in the initiation and healing process. It emphasises understanding the prevalence and effects of trauma, promoting safety and trust, and empowering survivors to regain control over their lives. Much like the victim-centred approach, its key principles include safety, trustworthiness, choice, collaboration, and empowerment (National SART Guidelines Development Group 2023).

Restorative justice

At its core, the restorative justice approach is a victim-centred approach that focuses on resolution and healing, in relation both to the victim/survivor and to the entire community in which the offense occurred. The victim-centred approach is a critical component and entails a focus on victim empowerment, voluntary participation, meeting a victim's needs, and creating supportive empowerment. Another critical component is the availability of appropriate expert resources to facilitate the restorative justice process. It involves the perpetrator taking responsibility for the transgression, including apologising to the victim/survivor and the whole community, as well as actively participating in the reconstruction and healing of the community. The goal of this approach is to assist the victim/survivor as much as possible, using a trauma-informed and victim-centred approach, with overcoming the violence perpetrated against them (Jülich et al. 2024; Wormer 2009).

ANNEX 2 : UNISAFE 7P MODEL

The UniSAFE project has developed a holistic framework for the analysis, assessment, and development of comprehensive policies aimed at ending and addressing gender-based violence, which is called the **7P model** ([23]). The seven Ps refer to **Policy, Prevalence, Prevention, Protection, Prosecution** and internal disciplinary measures, **Provision of services,** and **Partnerships**. This model thus extends the UN's and EU's conventional 3P approach (prevention, protection, prosecution) ([24])and the Council of Europe's 4P approach (prevention, protection, prosecution, policies) set out in the Istanbul Convention ([25]).

It is important to emphasise that within the 7P framework measures can have an impact on multiple Ps, and the boundaries between these Ps are not always clearly defined.

Duties and appropriate behaviour are based on the Horizon 2020 UniSAFE 7P framework: prevalence, prevention, protection, prosecution, provision of services, partnerships, and policy (Mergaert, Strid & Linkova 2023). These seven principles should be included in any institutional policy addressing gender-based violence.
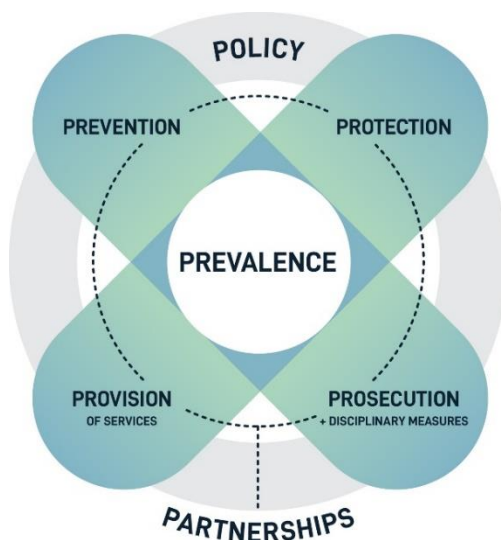

Figure 1. Image of the 7P Model - Source: The UniSAFE toolkit. © UniSAFE.

The **prevalence** principle refers to repeated data collection and estimation of the extent of gender-based violence, along with subsequent monitoring and evaluation. Evidence-based policies are developed on the basis of these data and should be founded on the intersectional approach represented in the data collection itself.

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[23] For a history of the model and advanced definitions for each P, see Mergaert et al (2023).
[24] United Nations. (2017). Human Rights Council: Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences. Rashida Manjoo. A/HRC/20/16. [Online]. Available at https://documents.un.org/doc/undoc/gen/g12/136/00/pdf/g1213600.pdf?token=A7mzvEzXFnSQFmxGtW&fe=true; European Commission. 2019. EU-Wide Survey on Violence against Women. [Online]. Available at https://ec.europa.eu/info/sites/default/files/aid_development_cooperation_fundamental_rights/2019_vaw_survey_implementation_plan_en.pdf; European Commission. (2020). A Union of Equality: Gender Equality Strategy 2020–2025. [Online]. Available at https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0152
[25] Council of Europe Convention on preventing and combating violence against women and domestic violence of 1 August 2014 (CETS No. 210).

The principle of **prevention** means that individual institutions should have a clear code of conduct as part of their preventive measures, along with other materials providing information about gender-based violence that can be used in ongoing awareness-raising campaigns. Training programmes for all staff and students, including bystander training, are an essential component of prevention. The issue of gender-based violence should also be reflected in the teaching and research itself (both content and process).

The principle of **protection** in research and higher education organisations refers primarily to measures to ensure the safety of victims/survivors, listening to them, providing information related to the reporting process, protection from retaliation, assessing risks related to gender-based violence, and protection from re-traumatisation and secondary victimisation.

The principle of **prosecution** aims to establish clear and transparent procedures for assessing and investigating cases of gender-based violence. These procedures should have clearly set timelines and be based on a victim-centred and trauma-informed approach. Clearly established procedures should also include clear consequences in the event that allegations are proven. Furthermore, institutions should have firm criteria in place for determining the composition of disciplinary committees.

As part of the **provision of services**, institutions should provide psychological, medical, and legal assistance to victims/survivors, along with help navigating the reporting process and linking victims/survivors to relevant organisations. Institutions should establish closer partnerships with these organisations and develop referral pathways with a focus on 24/7 service and support access. Institutions should also provide programmes and trainings for perpetrators that promote accountability and a sense of responsibility for one's acts. Providing such services entails a strong communication strategy and ensures that the process is completely professional, confidential, accessible, and inclusive.

The principle of **partnerships** requires that institutions work in strategic partnerships with government bodies, legal organisations, student associations, local community and health organisations, and, last but not least, other higher education and research organisations in establishing internal policies and implementing other principles.

The last principle, **policy**, applies to both policy frameworks and policy documents. It therefore includes codes of conduct, protocols, action plans, information, and explanatory documents, strategies, regulations, procedures, and directives on gender-based violence. This principle should result in the integration of all other principles into a holistic policy document addressing gender-based violence.

ANNEX 3 : THREE EXAMPLES OF NATIONAL STRATEGIES IN THE EU: IRELAND, SPAIN, AND FRANCE

Country	IRELAND
Summary/description of the national strategies/policies/measures	The national policy framework entitled '*Safe, Respectful, Supportive and Positive: Ending Sexual Violence and Harassment in Irish Higher Education Institutions'* (hereinafter the Framework), was published by the Irish Government in 2019. It sets out a vision for a safe, respectful, and supportive campus culture and outlines the duty care that institutions have towards their staff and students. It also sets out principles for action and advocates for a whole-of-system approach. The Framework details 15 holistic outcomes across four core pillars, which core-funded Higher Education Institutions (HEIs) are expected to implement. The Higher Education Authority (HEA) supports and monitors implementation of the Framework. HEIs report to the HEA on progress on an annual basis. In 2021, the HEA conducted national surveys to monitor the experiences of students and staff in relation to sexual violence and harassment in order to create a robust evidence base for further policy and funding decisions in relation to tackling sexual violence and harassment in higher education institutions (HEIs). The survey reports set out a number of recommendations for action, which are addressed by the '*Ending Sexual Violence and Harassment in Higher Education Institutions, Implementation Plan, 2022–2024'* (hereinafter Implementation Plan). The Implementation Plan sets out 19 actions that represent a comprehensive and ambitious response to the survey findings, and it was formally launched in October 2022. The HEA provides limited financial support for the implementation of the Framework. To date the HEA has funded research, awareness-raising campaigns, educational initiatives, and an anonymous reporting tool and has support learning and collaboration though various events, committees, and the establishment of a sectoral practitioner network.
Time frame of national strategies/policies/measures	The national Framework was launched and adopted in April 2019. A review is planned for 2024/2025. The Implementation Plan was launched in October 2022 and runs until the end of 2024.
Responsible authority (authorities)	The HEA is responsible for monitoring the progress made by higher education institutions against the Framework. The HEA is the government agency that is responsible for the strategic development, funding, and regulation of the higher education sector in Ireland. Its parent department is the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS). The Framework requires each institution to assign senior responsibility for the implementation of the Framework at the institutional level. Progress is reported to the HEA on an annual basis.
Target entities and groups	The national policy Framework states that higher education institutions have a duty of care to all staff and students. The national surveys conducted in 2021 explored vulnerability and risk, in

	addition to recommending further research in this area. The resulting Implementation Plan includes a number of actions, such as further research and pilot initiatives, that are aimed specifically at improving the understanding of and support for vulnerable, high-risk, and hard-to-reach groups. The HEA has provided limited funding for these actions.
Allocated budget	€241,000.00 in 2023 for the implementation of the Framework. Since 2023, €1,500,000.00 per annum has been allocated to support the appointment of dedicated Sexual Violence and Harassment Prevention and Response Managers in Irish higher education institutions ([26]).
Commitment	The focus of the national Framework is on addressing sexual violence and sexual harassment; however, it also makes several references to the existence of gender-based violence. It does not specifically mention power relations, intersectional factors, or reference GBV as a continuum.
Action	The Framework sets out 15 outcomes to be achieved by HEIs, and the Implementation Plan details a further 19 actions for various stakeholders across the sector. Outcomes in the Framework include (summarised here): • Assigning senior level responsibility • Establishment of a cross-institutional working group • Engaging in external specialist partnerships • Collation and reporting of data on incidences of SVH to the HEA • Establishment of accessible, survivor-centred disclosure and reporting mechanisms and raising awareness of these • The development of institutional policies with regular progress reports to Governing Authorities • Targeted interventions including awareness-raising, skills-building and training • Trauma-informed support services • Monitoring effectiveness Actions in the Implementation Plan include (summarised here): • Awareness-raising, education, and training for staff and students • Integrating survey findings into initiatives • A conference • Exploring the feasibility of a panel of investigators • Developing pilot initiatives for high-risk and hard-to-reach groups • Mapping training initiatives and reporting mechanisms • Exploring the feasibility of standardised training

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[26] https://www.gov.ie/ga/preasraitis/3371d-new-higher-education-sexual-violence-and-harassment-implementation-plan-and-additional-funding-announced-by-minister-harris/.

	• Conducting further research • Reviewing the national Framework outcomes
Accountability	HEIs are expected to implement the Framework outcomes listed above and to report on progress to the HEA on an annual basis.
Approach	The policy refers to gender-based violence and specifies many forms. In addition to providing definitions of sexual consent and legal definitions of rape and sexual assault, the following broad definition of sexual misconduct is included: *Sexual misconduct is any form of unwelcome behaviour of a sexual nature that may be subject to disciplinary proceedings. This includes crimes of sexual violence, sexual cyberbullying of any kind including non-consensual taking and/or sharing of intimate images, creating, accessing, viewing, or distributing child pornography material online or offline, stalking behaviours, whether online or offline, in a sexual context, and any verbal or physical harassment in a sexual context.* The policy framework for higher education (2019) does not refer to zero-tolerance or advocate a zero-tolerance approach.
Do national strategies/policies/meas ures define GBV? If yes, please specify.	The term gender-based violence is mentioned but not defined in the policy.
Do the national strategies/policies/meas ures incorporate an intersectional perspective? If yes, please specify which inequalities.	Not directly, but measures relating to vulnerable and high-risk groups are included, including further analysis and research.
Do the national strategies/policies/meas ures contain concrete objectives to be reached? If so, please specify.	Yes, the 15 outcomes in the policy Framework (at the institutional level) and 19 actions in the Implementation Plan mentioned above.
Do national strategies/policies/meas ures contain (implicit or explicit) measurable indicators to assess the degree of implementation? Are the monitoring data collected then evaluated by the responsible authority? And if so, what are the results of the evaluation/monitored state?	The Framework includes 15 outcomes, which are self-assessed and reported on by HEIs. The reports are analysed by the HEA that is responsible for monitoring progress. In 2023 a synthesis report on progress was developed by the HEA. There is scope for improvement in relation to further refining the 15 outcomes to be more specific, clear, and measurable. This will be explored further in 2024/2025 during the Framework review.
Other Link(s) to relevant source(s) and	https://assets.gov.ie/24925/57c394e5439149d087ab589d0ff39c92.pdf https://hea.ie/assets/uploads/2021/04/HEA_ESVH_Implementation_Plan_FINAL.pdf

Country	SPAIN
Summary/description of the national strategies/policies/measures	Spain has developed different actions for structural change at universities and in the bodies and institutions that are part of the Spanish R&I system in order to eradicate any form of violence that prevents real and effective equality among the people working in the R&I fields. In line with European policies, Spain will continue to develop a policy of zero tolerance towards any form of sexism, sexual harassment, or gender-based violence, considering the most basic manifestations of such violence, with policies aimed at prevention, detection, and taking immediate action.
Time frame of national strategies/policies/measures	There is an annual plan developed by the Women and Science Unit. The actions referred below correspond to 2024.
Responsible authority (authorities)	The Women and Science Unit of the Ministry of Science, Innovation and Universities.
Target entities and groups	Public research organisations Public and private universities Private research centres Staff of the Ministry of Science, Innovation and Universities
Allocated budget	Estimated budget of 22,000 €
Commitment	National measures do acknowledge the existence of GBV. There will be a focus on victims and survivors, on guaranteeing non-recurrence, and on establishing appropriate institutional mechanisms to handle cases and implement restorative measures for victims.
Action	• The reform of the Spanish Act (No. 17/2022) on Science, Technology, and Innovation requires that public agents of the R&I system have protocols against sexual harassment in place that include annual monitoring. Those protocols must promote and guarantee diverse, inclusive, safe, and egalitarian working environments. • The Organic Act (No. 2/2023) on the University System emphasises the need to implement measures to promote gender equality and inclusion. It establishes the requirement for having measures to prevent and respond to violence, discrimination, and harassment in order for universities to be established and recognised. • A study of the protocols that address sexist, homophobic and sexual violence at Spanish universities (2024). • Annual training on the prevention of sexist, homophobic, and

	sexual violence targeting the staff of public research organisations and the Ministry of Science, Innovation and Universities.
	• Unified recognition of gender-based violence at the ERA level that has been proposed within the framework of the ERA forum sub-group 'Inclusive Gender Equality in the ERA'.
	• The Spanish award certification on gender equality for R&I institutions will include as evaluation criteria if institutions have measures and protocols to prevent GBV (Royal Decree 669/2023).
Accountability	GBV policies in the Spanish R&I system are coordinated through two main mechanisms: the coordination group for public universities and the periodic meetings with research public organisations organised by the Women and Science Unit.
Approach	National policies refer to gender-based violence, sexual harassment, gender harassment, online violence, and other forms of violence against women.
Do national strategies/policies/measures define GBV? If yes, please specify.	The R&I system is aligned with the general definitions included in Spanish laws against GBV and the definitions adopted by international instruments ratified by Spain, such as the Istanbul Convention.
Do the national strategies/policies/measures incorporate an intersectional perspective? If yes, please specify which inequalities.	The most recent legislation on sexual violence in Spain (Act No. 10/2022) acknowledges the relevance of an intersectional approach. Moreover, both the Act on Science, Technology, and Innovation and the Act on Universities mention intersectionality in the development of policies. Intersectionality will be considered in measures designed to prevent GBV in the R&I field.
Do the national strategies/policies/measures contain concrete objectives to be reached? If so, please specify.	The legislation on science, technology, and innovation includes general objectives on GBV that are translated into more concrete objectives in the annual plans of the Ministry.
Do national strategies/policies/measures contain (implicit or explicit) measurable indicators to assess the degree of implementation? Are the monitoring data collected then evaluated by the responsible authority? And if so, what are the results of the evaluation/monitored state?	While the legislation does not include specific actions or monitoring indicators, they are included in the annual plans of the Ministry.
Other Link(s) to relevant source(s) and document(s)	Ley 17/2022, de 5 de septiembre, por la que se modifica la Ley 14/2011, de 1 de junio, de la Ciencia, la Tecnología y la Innovación: https://www.boe.es/buscar/act.php?id=BOE-A-2022-14581 Ley Orgánica 2/2023, de 22 de marzo, del Sistema Universitario: https://www.boe.es/buscar/act.php?id=BOE-A-2023-7500 Ley Orgánica 10/2022, de 6 de septiembre, de garantía integral de la libertad sexual: https://www.boe.es/buscar/act.php?id=BOE-A-2022-14630

Country	FRANCE
Summary/description of the national strategies/policies/measures	To end GBV, France has developed a strong executive framework accompanied by a binding legislative framework designed to change practices and behaviours and promote gender equality to foster inclusiveness. In 2019, France adopted a law that makes gender equality plans mandatory for all public institutions. This law requires measures against gender-based violence and, in particular, requires all public employers to set up a dedicated service to support sexual violence victims. The Ministry of Higher Education and Research adopted a dedicated national policy in 2021. The national executive strategy is framed by a plan entitled 'Plan national de lutte contre les violences sexistes et sexuelles dans l'enseignement supérieur et la recherche 2021-2025', which puts the fight against GBV at the forefront of our national politics. This plan aims to collectively take a new step in the fight against GBV by instilling a change in practices and behaviours at all levels. The plan consists of 21 measures structured around four principal axes: • Massive and systematic training of the higher education and research community. • Strengthening services in universities that are dedicated to supporting victims of violence and discrimination. • Communicating at the national level on these issues. • Promoting student initiatives. This framework establishes a clear roadmap for actions for HEIs and RPOs and helps to harmonise the implemented measures.
Time frame of your national strategies/policies/measures	The plan was designed in the spring 2021 following student mobilisation around sexual violence cases at prestigious French institutions. The Minister for Higher Education and Research at the time, Frédérique Vidal, called for the creation of a Task Force involving the Ministry for Equality. Many other stakeholders engaged in ending GBV in higher education and research were auditioned to draw up this plan. Representatives from about twenty organisations, including student associations and unions, as well as other ministries, including the Ministry of Justice, were interviewed. The plan was launched in October 2021 and runs to 2025.
Responsible authority (authorities)	The Ministry for Higher Education and Research coordinates the five-year plan and its national strategy and works in close cooperation with higher education and research institutions, specialised associations, and academic regions (decentralised administrative authorities).
Target entities and groups	The plan targets three types of beneficiaries at all institutions under the authority of the Ministry for Higher Education and Research, namely students and academic and non-academic staff. Special attention is paid to staff and students in vulnerable and/or precarious positions, such as international and exchange students, PhD candidates, and first-year students. It also targets specific moments in student life where gender-based violence is pervasive

	(e.g. student parties).
	The Ministry for Higher Education and Research also works on issues related to racism and anti-Semitism by supporting a national strategy piloted by the DILCRAH (Inter-Ministry Delegation for Combating Racism, Anti-Semitism and Anti-LGBT Hatred), an inter-ministerial body designed to lead state policy in the fight against racism, anti-Semitism, and, since 2016, anti-LGBT hatred. The DILCRAH also leads a national strategy against LGBTQIA+ discrimination and violence, in which the Ministry for Higher Education and Research takes part. International students are also targeted through actions aimed at internships abroad.
	Moreover, the Ministry encourages HEIs to translate their resources for non-French-speaking staff and students.
Allocated budget	As soon as the plan was launched, a budget of 7 million euros was allocated for its implementation over the period 2021-2025. On 9 October 2022, Minister Sylvie Retailleau announced a doubling of the plan's annual budget, from 1.7 to 3.5 million euros per year.
Commitment	In France, the term and concept of 'gender-based violence' is not commonly used. Until the 2010s, 'sexual harassment' was the term used by national policies. Since then, the French national framework refers to 'sexist and sexual violence'. It acknowledges the continuum of violence and mentions unequal power relations (especially between PhD candidates and professors).
Action	The actions to combat sexual violence in higher education and research institutions are centred around four axes:
	• Massive and systematic training and awareness-raising sessions for the entire higher education and research community are essential to changing attitudes and practices. Those involved in dealing with cases of sexist and sexual violence, presidents and directors of institutions, and those involved in doctoral training are some of the audiences defined as having a priority in terms of access to training and awareness-raising on the subject.
	• Strengthening the services in RPOs that are dedicated to supporting victims of violence and discrimination by ensuring that each reporting unit has the necessary resources to function properly and provide appropriate treatment in all situations of sexual violence.
	• Communicating on these issues at the national level through a dedicated communication campaign in order to massively increase the community's sensitivity to sexual violence and promoting the knowledge of reporting units at the level of individual institutions.
	• Promoting student and staff initiatives aimed at combatting sexual violence, which are many and varied and have grown strongly in recent years in the wake of the #MeToo movement. Staff and student commitment to equality is the cornerstone of institutional change and concrete progress. The Ministry for Higher Education and Research launched two calls for projects, which funded 86 projects (for a total budget of 870,000 euros).
	The Ministry for Higher Education and Research has reinforced its national politics to end GBV by moving to a new scale of stakeholder

	cooperation. This is why, between now and the beginning of 2024, the 18 academic regions (decentralised administrative authorities) will be reinforced, with 37 new coordination positions focusing on two complementary areas: the fight against GBV and student well-being.

The Ministry has also set up a free and confidential national platform for listening and support for all students experiencing difficulties (harassment, bullying, sexual violence, financial difficulties, etc.). [More information about the national platform (in Fr).](#) |
| **Accountability** | The procedure designed to address sexual violence is twofold:

• The first step of the procedure is a reporting mechanism. Since the adoption of the law on 6 August 2019, all public higher education establishments have set up a system for reporting acts of violence, discrimination, harassment, and sexist abuse. These systems, also known as 'reporting units', enable victims and witnesses to be listened to and heard in complete confidentiality, to be directed towards medical and psychological support, and to be advised on the procedures that can be put in place to deal with the violence they have suffered. To ensure open communication on the existence of those units, the Ministry for Higher Education and Research created a virtual national map of existing facilities, which is regularly updated and available on its website. The aim of the Ministry's policy is to be able to gather quantitative feedback on the number of reports in HEIs in order to better evaluate and monitor the procedure.

• The second step of the procedure is a processing mechanism. After having received a report from a victim or a witness, the HEIs may lead an investigation to gather objective evidence to establish the materiality of the report. The investigation report is then handed over to the university president, who is solely responsible for deciding whether or not to refer the case to a disciplinary section. The disciplinary section is then responsible for imposing an appropriate disciplinary sanction on the respondent. Disciplinary sanctions can range from reprimands to dismissal, in the case of lecturers, and from warnings to permanent exclusion from all public higher education institutions in the case of users, as well as a variety of other sanctions. To ensure transparency, the decisions taken by the disciplinary section, whether they be taken on the institutional or on the national level, may be made public. It is worth noting that this procedure is completely independent of any criminal proceedings and is specific to public institutions in France. |
| **Approach** | The legal framework defining sexual violence is codified by the Criminal Code and the Labor Code. The definition of such violence is broad and encompasses several different forms of violence, namely sexual or sexist insults or defamation, sexist contempt, dissemination of messages contrary to decency, image capture and the dissemination of indecent images, sexual exhibition, sexual harassment, sexual assault and rape (reference: [Guide on statutory and disciplinary rules in public civil service)](#)

The current national plan presents a firm line on gender-based violence by adopting a zero-tolerance approach, outlined in the introduction of the plan by the Minister. This zero-tolerance approach seeks to tackle the entire continuum of gender-based violence and to promote public awareness of the issue. |

Do national strategies/policies/measures define GBV? If yes, please specify.	The French government chose to adopt the following definition as stated on the website of the French national strategy against GBV (arretonslesviolences.gouv.fr): 'Sexual violence refers to all sexual acts committed with violence, coercion, threat or surprise. This type of violence violates fundamental human rights. No one has the right to force you to perform a sexual act you do not want.'
Do national strategies/policies/measures incorporate an intersectional perspective? If yes, please specify which inequalities.	Although France does not apply an intersectional perspective, the 2019 law equipped public institutions with 'reporting units', which are dedicated to preventing all forms of violence and discrimination, ranging from racist, anti-Semitic acts to anti-LGBTQIA+ hatred.
	In October 2022, the Ministry of Higher Education and Research launched a communication campaign raising awareness about sexual consent, which took into account sexual orientation diversity. The campaign included images of student heterosexual, homosexual, and lesbian couples (Link to the campaign).
	In November 2023, the Ministry also expressed the wish to strengthen and structure its support for nine national associations that are specialised in the fight against sexual violence and anti-LGBTQIA+ hatred and organise awareness-raising activities, with a multi-year convention lasting until the end of the plan in 2025.
Do national strategies/policies/measures contain concrete objectives to be reached? If so, please specify.	The four main concrete objectives are the four axes of the plan: • The massive and systematic training of the higher education and research community; • Strengthening services in universities that are dedicated to supporting victims of violence and discrimination; • Communicating at the national level on these issues; • Promoting student initiatives.
Do national strategies/policies/measures contain (implicit or explicit) measurable indicators to assess the degree of implementation? Are the monitoring data collected then evaluated by the responsible authority? And if so, what are the results of the evaluation/monitored state?	The indicators used to assess the practical implementation of the national policy are set out below for each of the four axes. **The massive and systematic training of the higher education and research community**: • The number of members of reporting systems who have benefited from training; • The number of members of disciplinary sections at the institutional and the national scale who have benefited from training; • The number of RPOs joining an inter-ministerial training market; • The provision of an online training module for the student community. Since 2021, 58 training sessions have trained around 3,000 staff members. Around 70 RPOs and HEIs have registered for an online training module financed by the Ministry for Higher Education and Research and created by an HEI called IMT Atlantique. English subtitles are available (link to training module). **Strengthening services in universities that are dedicated to supporting victims of violence and discrimination**: • Mapping each institution's training programmes available on the MESRI website;

- A summary of disciplinary decisions relating to instances of sexist and sexual violence;

➢ A virtual national map of existing reporting units is available on the Ministry's website. More than 1.6 million euros were allocated to RFOs and HEIs to strengthen their reporting units (for 91 funded projects).

Communicating at the national level on these issues:

- An inventory of events and communications dedicated to SGBV via a national list available on the Ministry's website;
- The launch of a national campaign and the number of institutions that have participated in the campaign;

➢ An inventory webpage has been created and is available on the Ministry's website. A national communication campaign on the notion of sexual consent was launched in October 2022 with the association 'Sexe & Consentement'.

Promoting student initiatives:

- The number of projects financed by the plan's budget;
- ➢ 86 projects were funded to the tune of 870,000 euros.

Out of the 21 measures, all have been launched and are currently being implemented. Every six months since 2021, a follow-up committee convenes, made up of representatives of the Ministry for Equality, the General Inspection for Higher Education and Research, and four associations dedicated to Higher Education and Research. Six committees have already convened during which hearings of specialist stakeholders were run. These committees are unique opportunities to assess and monitor the progress of national policies to combat sexual violence.

Additionally, since 2019, each HEI and RPO must be equipped with a Gender Equality Plan. These GEPs are then submitted to the Ministry for Higher Education and Research and are evaluated by an independent body called the High Council for the Evaluation of Research and Higher Education (HCERES).

Other Link(s) on relevant source(s) and document(s)	The national plan: plan-national-d-action-contre-les-violences-sexistes-et-sexuelles-dans-l-enseignement-sup-rieur-et-la-recherche-13730.pdf (enseignementsup-recherche.gouv.fr)
	The inventory webpage can be accessed on the website of the French Ministry for Higher Education and Research: Violences sexistes et sexuelles : ressources utiles | enseignementsup-recherche.gouv.fr

ANNEX 4: AN EXAMPLE AT THE INTERNATIONAL LEVEL: THE UNITED STATES

At the legislative level, the United States has adopted an overarching federal Violence Against Women Act (VAWA) ([27]). It was first enacted in 1994, and its comprehensive scope has been likened by academics to the integrated approach of the Council of Europe's Istanbul Convention across European member states (Columbus School of Law 2021). The VAWA Reauthorization Act of 2022 ([28]) includes groundbreaking provisions to strengthen and modernise the law. The law provides survivors, the local programmes that serve them, and communities with much-needed resources, for example, for legal assistance, alternatives to criminal responses, and prevention programming. It also includes new economic justice provisions and bolsters access for survivors of all genders by strengthening non-discrimination laws and creating an LGBTQ services programme. It also strengthens '*the application of evidence-based practices by law enforcement in responding to gender-based violence, including by promoting the use of trauma-informed, victim-centred training and improving homicide reduction initiatives*'.

On the academic and research sector, there are three pieces of federal legislation that determine the mechanisms to be used to measure and address different forms of gender-based violence at colleges and universities in the United States: Title IX of the Education Amendments of 1972 ([29]), the Jeanne Clery Act of 1990 ([30]), and the Campus SaVE Act of 2013 ([31]).

As an educational amendment to the Civil Rights Act of 1964, Title IX ([32]) prohibits discrimination on the basis of sex, including sexual harassment or sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion, as well as other forms of gender discrimination such as gender harassment, sexism, and sexist stereotyping. Title IX requires schools that receive federal assistance to take the necessary steps to prevent these forms of discrimination on their campuses, and to respond promptly and effectively when instances of sexual violence are reported. The most recent regulation of Title IX in 2020 broadened the scope of actions covered by the legislation to include dating violence, domestic violence, and stalking ([33]). The Department of Education's Office for Civil Rights (OCR) is the administrative enforcer of Title IX. The OCR may initiate an investigation proactively or in response to a formal complaint. If a school is found to be under a Title IX violation, it risks losing federal funding, but the OCR must first pursue a voluntary resolution process before terminating funds, allowing schools to take a series of steps to remedy the problem on their campuses. The Department of Justice (DOJ) shares authority with the OCR in the enforcement of Title IX and can 'bring all facets of a school, including its campus police, and local police departments into compliance with the law' ([34]).

The Clery Act requires colleges and universities that receive federal financial aid – including student financial aid programmes, which means that the legislation covers almost every campus in the United States – to publish Annual Security Reports (ASRs) on crime on-campus or near

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[27] Title IV of the Violent Crime Control and Law Enforcement Act, H.R. 3355. [Online]. Available at https://www.congress.gov/bill/103rd-congress/house-bill/3355.

[28] See White House Fact sheet on the Reauthorization Act. [Online]. Available at https://www.whitehouse.gov/briefing-room/statements-releases/2022/03/16/fact-sheet-reauthorization-of-the-violence-against-women-act-vawa/.

[29] 20 U.S.C. § 1681. [Online]. Available at https://www.law.cornell.edu/uscode/text/20/1681.

[30] 20 U.S.C. § 1092. [Online]. Available at https://www.law.cornell.edu/uscode/text/20/1092.

[31] The Campus Sexual Violence Elimination Act (Campus SaVE Act) is an amendment to the Clery Act and is part of the Violence Against Women Reauthorization Act of 2013, codified in 20 U.S. Code § 1092 - Institutional and financial assistance information for students. [Online]. Available at https://www.law.cornell.edu/uscode/text/20/1092.

[32] 20 U.S.C. § 1681. [Online]. Available at https://www.law.cornell.edu/uscode/text/20/1681.

[33] US Department of Education Press Office release (19 April 2024). [Online]. Available at https://www.ed.gov/news/press-releases/us-department-education-releases-final-title-ix-regulations-providing-vital-protections-against-sex-discrimination.

[34] White House Task Force on Protecting Students from Sexual Assault statement. [Online]. Available at https://www.whitehouse.gov/briefing-room/statements-releases/2023/03/17/the-white-house-task-force-on-worker-organizing-and-empowermentupdate-on-implementation-of-approved-actions/.

campus. Sexual assault (rape, fondling, incest, and statutory rape) falls under the category of a criminal offence, and domestic violence, dating violence, and stalking fall into the category of offences defined in the Violence Against Women Reauthorization Act of 2013 (VAWA). ASRs are the only consistent source of institution-specific information, but they have been found to undercount incidents of sexual misconduct (Richards, 2019b). ASRs only include incidents reported to campus security authorities and within the 'Clery Geography', which excludes off-campus locations. The ASR also 'provides no information regarding the investigation, campus disciplinary or criminal justice system processing, or outcome of an individual incident included in the report' (Richards & Kafonek, 2016: 96). The Clery Act also requires higher education institutions to develop and disseminate prevention policies. The Department of Education's Federal Student Aid (FSA) office is responsible for enforcing the Clery Act. The FSA can conduct on-site reviews to ensure compliance and impose fines if a school is found to have violated Clery Act provisions ([35]).

The Campus SaVE Act is a provision added to the 2013 Violence Against Women Act (VAWA) Reauthorization (Violence Against Women Reauthorization Act, 2013), which also applies to all colleges and universities, both public and private, that receive any federal funding. The Campus SaVE Act amended the Clery Act introducing new aspects such as the requirements for colleges and universities to a) report information on other types of gender-based violence beyond sexual violence, such as domestic violence, dating violence, and stalking; b) adopt student disciplinary procedures such as providing victims with information about their rights and their choice to decline help from law enforcement; c) provide primary prevention programmes on GBV and adopt institutional policies to address and prevent campus sexual violence, such as training institutional personnel. The latter requirement not only amended the Clery Act but also the latest guidance of Title IX, which previously only recommended prevention programming. The 2013 Campus SaVE Act, instead, mandates higher education institutions to provide 'ongoing prevention and awareness campaigns' regarding gender-based violence (Richards 2019a: 2003), shifting the paradigm from reactive monitoring and enforcement to a more preventing approach (Kafonek & Richards 2017).

In the wake of the *#MeToo* movement, decisive proactive steps were taken by national and federal bodies, prompted by the National Academies and key federal Research Funding Organisations.

In 2017, the US National Academies of Sciences, Engineering and Medicine (NASEM), under the oversight of their standing Committee on Women in Science, Engineering and Medicine, created an ad hoc committee to carry out a study of the influence of sexual harassment in academia on the career advancement of women in the scientific, technical, and medical workforce. A groundbreaking report ([36]) was released in June 2018, followed by a high-level workshop held in November 2018, and the launch of an 'Action Collaborative on Preventing Sexual Harassment in Higher Education' in November 2019 ([37]). The June 2018 report presented the most comprehensive examination to date of sexual harassment in academic sciences, engineering, and medicine in the United States, and on its effects on women's well-being, their careers, and the scientific enterprise. The report found that sexual harassment in academic sciences, engineering, and medicine remained common, and that there was no evidence that current policies, procedures, and approaches had resulted in a significant reduction in sexual harassment. The cumulative result of sexual harassment, the report

[35] U.S. Department of Education, Office of Federal Student Aid (2020b). Archived Information: US Department of Education Principal Office Functional Statements. [Online]. Available at https://www2.ed.gov/about/offices/list/om/fs_po/fsa/enforcement.html.
[36] US National Academies. (2018). Sexual Harassment in Academic Science, Engineering, and Medicine. [Online]. Available at https://nap.nationalacademies.org/resource/24994/Sexual%20Harassment%20of%20Women%20ReportHighlights-Federal%20Policy%20Makers.pdf.
[37] NASEM. (2019). Action Collaborative on Preventing Sexual Harassment in Higher Education. [Online]. Available at https://sites.nationalacademies.org/SHSTUDY/index.htm.

underlined, is significant damage to research integrity and a costly loss of talent in academic sciences, engineering, and medicine.

The report concluded that a system-wide change to the culture and climate in higher education is needed to prevent and effectively respond to sexual harassment. It recommends that colleges, universities, and federal agencies adopt holistic, evidence-based policies and practices to address sexual harassment. For example, sexual harassment occurs at lower rates in systems in which prohibitions against unacceptable behaviours are clear and which hold members of the community accountable for meeting behavioural expectations established by leadership. Sexual harassment is also less likely to occur when organisational systems and structures support diversity, inclusion, and respect. Sexual harassment is also less likely to occur if targets of sexual harassment are supported. The report stressed that the legal system alone is not an adequate mechanism for reducing or eliminating sexual harassment. Adherence to legal requirements is necessary but not sufficient to drive the change needed to address sexual harassment. As such, academic institutions and federal agencies should treat the legal obligations for addressing sexual harassment under Title IX and Title VII law as a floor, not a ceiling, and work to move beyond basic legal compliance to promote sustainable, holistic, evidence-based policies and practices.

The National Academies report also produced an illustration of the public consciousness of what sexual harassment and sexually harassing behaviours can encompass using the image of an iceberg:
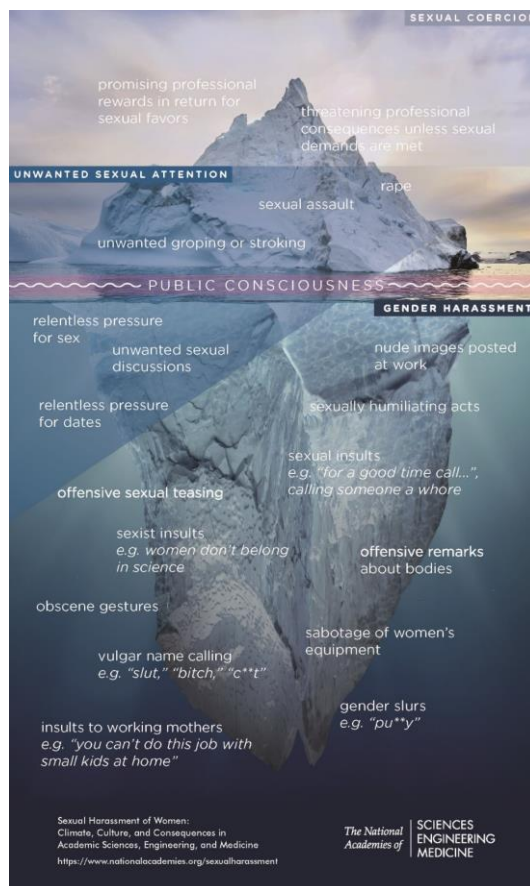

Figure 2. Infographic: The Iceberg of Sexual Harassment – Source: The National Academies webpage © National Academies.

The National Academies report also made explicit recommendations to federal agencies to:

- Increase support for the research and evaluation of the effectiveness of policies, procedures, and training on sexual harassment.

- Attend to sexual harassment with at least the same level of attention and resources devoted to research misconduct. Increase collaboration among offices that oversee the integrity of research (i.e., those that cover ethics, research misconduct, diversity, and harassment issues); centralise resources, information, and expertise; provide more resources for handling complaints and working with targets; and implement sanctions on researchers found guilty of sexual harassment.

- Require institutions to report to federal agencies when individuals working on grants are found to have violated sexual harassment policies or have been put on administrative leave in connection with sexual harassment. Agencies should also hold accountable the perpetrator and the institution by using a range of disciplinary actions that limit the negative effects on other grant personnel who were either the target of the harassing behaviour or innocent bystanders.

- Reward and incentivise colleges and universities for implementing policies, programmes, and strategies that research shows are most likely to and are succeeding in reducing and preventing sexual harassment.

The US National Science Foundation (NSF) was the first federal research funding agency to react to the Academies' report, by releasing, in September 2018, a new NSF policy that requires that funded (beneficiary) institutions report sexual misconduct findings and notify the agency when a Principal Investigator (PI) is found to have engaged in sexual harassment and/or is put on leave and/or if administrative action is taken in connection with a finding or investigation of sexual harassment or sexual assault. ([38])

The NSF 'Terms and Conditions on Sexual Harassment, Other Forms of Harassment, or Sexual Assault' also asks funded organisations to develop specific protocols on sexual harassment at conferences or during fieldwork, e.g. in isolated locations, relating to their NSF grant(s). ([39])

The NSF Terms and Conditions are now legislated by the US Congress, which asked that federal agencies discuss and adopt common rules covering, inter alia, the requirement that applying institutions conduct annual climate surveys, have a code of conduct, and provide protection/support for victims of sexual harassment or sexual assault.

The NSF policy is coordinated by the NSF Office of Equity and Civil Rights. The ground statement is that NSF-funded actors should be a 'role model for teamwork, fairness and equity'. regarding harassment

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[38] National Science Foundation (n.d.), 'Stopping Harassment and Assault'. [Online]. Available at https://new.nsf.gov/stopping-harassment.

[39] U.S. National Science Foundation, 'Term and Condition: Sexual Harassment, Other Forms of Harassment, or Sexual Assault'. [Online]. Available at www.nsf.gov/od/oecr/awardee_civil_rights/term_and_condition.jsp.

[40] National Science Foundation (2018). Important Notice No. 14: Harassment - Important Notice to Presidents of Universities and Colleges and Heads of Other National Science Foundation Grantee Organizations. [Online]. Available at www.nsf.gov/od/odi/harassment.jsp.

Upon reporting on a PI found to have engaged in sexual harassment/assault, the NSF will then consult with the awardee organisation and determine what action is necessary under the NSF's authority. The NSF's actions may include substituting or removing the PI/Co-PI, reducing the awarded funding, and suspending or terminating the award.

The NSF also offer funding to support the research and implementation at: of some measures, such as the 'Dear Colleague Letter' initiative, ([41]) which covers research projects that a) advance fundamental knowledge about the nature and underlying dynamics of sexual and other forms of harassment in STEM environments and b) inform anti-harassment efforts in STEM; it also supports implementation of projects aimed at facilitating culture change and organisational policy structures to ensure safe and harassment-free STEM environments.

An important report was also released in June 2019 by the US Government Accountability Office (GAO) on 'SEXUAL HARASSMENT IN STEM RESEARCH – Preliminary Observations on Policies for University Grantees and Information Sharing among Selected Agencies', ([42]) which prompted other federal agencies, such as the National Institutes of Health (NIH), to follow suit.

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[41] National Science Foundation (2023). Dear Colleague Letter: Fostering Harassment-Free STEM Education, Research, and Workplace Environments. [Online]. Available at www.nsf.gov/od/odi/harassment.jsp.

[42]United States Government Accountability Office (2019). Sexual Harassment and Assault in the Workplace. [Online]. Available at https://www.gao.gov/assets/gao-19-583t.pdf.

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This document was developed by the ERA Forum sub-group 'Inclusive Gender Equality in the ERA', in close cooperation with the European Commission. It aims to address incidents of gender-based violence in research and higher education environments by setting out a common approach, definitions, and a list of principles to guide Member States and other stakeholders and individuals, to create a European Research and Innovation environment free from all forms of gender-based violence, based on the values of gender equality and inclusiveness, respect, dignity and safety.

Research and Innovation policy