



CODE OF CONDUCT

REGULATION OF PROHIBITED BEHAVIOURS

BRUGES AND TIRANA



Brugge

College of Europe
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CODE OF CONDUCT - Regulation of Prohibited behaviours
College of Europe (Bruges & Tirana)

Applicable from September 2024 onwards¹

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I – General Provisions

Article 1 – Objective of the Regulation

The College of Europe has zero tolerance for any acts against the dignity and integrity of individuals, whether in the form of discrimination, bullying, harassment, stalking, violence, or sexual misconduct. The College expects mutual respect and courtesy in all interactions between the students, faculty members, staff, including independent contractors, and visitors of the College.

Prevention is an essential part in fostering a respectful and safe environment at the College. The College commits to several prevention measures, as outlined in Title VIII, which will be further elaborated in an annual prevention roadmap.

Article 2 – Scope of the Regulation

1. This Regulation is applicable at the College of Europe, Bruges and Tirana campuses.
2. This Regulation applies to cases involving at least one student at the College, whether as Complainant or Defendant. Other cases involving the College Community are outside of the scope of this Regulation. The procedures for cases between employees are outlined in the Annex of the [Staff Work Regulations](#), if applicable.
3. Within the meaning of this Regulation, the College Community is composed of the students, faculty, and staff, including independent contractors, of the College.
4. While the College Community expects all external visitors, who are not part of the College Community, to abide by this Regulation, their behaviour cannot be bound by it. Nevertheless, the College will take seriously any allegations against guests of the College, and complaints can result in the prohibition of participation in any future College activities.
5. This Regulation applies both inside and outside College premises and includes behaviours both in person and virtual.
6. This regulation covers the entire period from the students' arrival on campus to the day of their departure at the end of the academic year. Complaints can be introduced and related procedures launched in this period. Ongoing procedures are not discontinued if they last beyond the day of departure of students (including dropouts during the academic year) or contract termination of/by College staff and faculty members.
7. This Regulation does not prejudice any recourse to legal procedures under the applicable Belgian or Albanian legislation, nor the application of the respective laws.
8. For the purposes of this Regulation, working days include all calendar days except Saturdays, Sundays and public holidays at the respective Bruges or Tirana campus.

II – Prohibited Behaviours

Article 3 – Prohibited Behaviours

The following behaviours, whether intentional or not, are prohibited and punishable under the provisions of this Regulation: any kind of discrimination, bullying, harassment, stalking, violence, and sexual misconduct. These behaviours are detailed in Article 4.

Article 4 – Definitions of Prohibited Behaviours

Within the meaning of this Regulation:

1. **Discrimination** occurs when people are treated less favourably than others in a comparable situation only because they belong, or are perceived to belong, to a certain group or category of people. Discrimination can take the form of unequal treatment because of age, ability, ethnicity, class and background, political belief, race, religion, gender identity and expression, sexual orientation, language, culture, and other grounds. Discrimination can be direct or indirect. Discrimination is direct when based on one of the protected criteria; a person is treated less favourably than a person without said characteristic; or is not treated the same in a comparable situation and without objective justification foreseen by the law. It is indirect when a disposition, criterion, or apparently neutral practice is susceptible to generating a specific disadvantage for a person with a protected criterion and without objective justification foreseen by the law, relative to others.
2. **Bullying** is unwanted, recurring aggressive behaviour, the goal or consequence of which is victimising, humiliating, undermining or threatening an individual or group of individuals. It causes psychological and/or physical harm, or causes the personality, dignity, physical or psychological integrity of a person to be affected in the execution of their work/studies. Bullying may involve a misuse or abuse of power/authority. It can be physical, verbal, social or relational, digital, and studies- or work-related. Such behaviour can be associated with but not limited to a variety of grounds, including those listed under discrimination.
3. **Harassment** is single or repeated cases of unwanted verbal, non-verbal, or physical behaviour, whether in person, online or through other forms of contact, the goal or consequence of which is violating a person's dignity, victimising, humiliating, undermining, threatening or creating a hostile, degrading, or offensive environment for a person. Such behaviour can be associated with but not limited to a variety of grounds, including those listed under discrimination.
4. **Stalking** is engaging in threatening conduct that causes an individual to fear for their physical or psychological safety, by repeatedly following them or repeatedly communicating through any means with them or keeping watch over the individual's location.
5. **Violence** is every act whereby a person is psychologically or physically threatened or attacked.
6. **Sexual misconduct** is any sexual act or act targeting an individual's sexuality, gender identity or expression, whether the act is physical or psychological in nature. It is committed, threatened or attempted against an individual without their consent. Sexual misconduct includes but is not limited to:
 - a. **Sexual assault**, which is any form of sexual touching or the threat of sexual touching without the individual's consent. Some forms of sexual assault include rape, attempted rape, and stealthing (which is non-consensual condom removal during sexual intercourse);
 - b. **Sexual harassment**, which is single or repeated cases of unwelcome verbal, non-verbal, or physical conduct of a sexual nature, whether in person, online, or through other forms of

contact, that detrimentally affects the working, learning, or living environment, or leads to adverse consequences for the one directly subjected to the harassment. It may include, but is not limited to:

- i. Unwelcome sexual advances;
 - ii. Requests for sexual favours;
 - iii. Unwelcome pressure to develop a romantic or sexual relationship whether with oneself or third parties;
 - iv. Unwelcome commentary about an individual's body or sexual activities;
 - v. Threatening to engage in an unwelcome sexual act with another person;
 - vi. Any form of invasion of personal privacy;
 - vii. Unwelcome physical closeness or touching;
 - viii. Unwelcome jokes or teasing of a sexual nature or based upon gender, perceived gender, or sexual stereotypes;
 - ix. Other verbal or physical harassment of a sexual nature.
- c. **Indecent exposure**, which is exposing one's body to another individual for a sexual purpose or coercing another individual to remove their clothing in order to expose their body, without their consent;
 - d. **Voyeurism**, which is non-consensual viewing, photographing, or otherwise recording another individual in a location where there is an expectation of privacy and where the viewing, photographing or recording is done for a sexual purpose; and
 - e. The **distribution of sexually explicit photographs or recordings** of an individual to one or more individuals other than the individual in the photographs or recordings without the consent of the individual in the photograph or recording.

Article 5 – Consent

Consent is the agreement to participate in a sexual act where the individual has both the freedom and capacity to make that decision. Consent cannot be assumed on the basis of a previous sexual experience or previously given consent, and consent may be withdrawn at any time. Consent is not present when submission by an unwilling participant results from the exploitation of power, coercion or force (i.e., any physical or emotional harm or threat of physical or emotional harm that would reasonably place an individual in fear of immediate or future harm), regardless of whether there is verbal or physical resistance.

Free consent cannot be given if the individual does not have the **capacity to give consent**. Incapacitation may occur when an individual is asleep, unconscious, semi-conscious, or in a state of intermittent consciousness. Incapacitation may occur as the result of alcohol or drug use. Incapacitation arising from alcohol or drug consumption should be evaluated on the basis of how the alcohol/drugs have affected the individual; signs of incapacitation may include, but are not limited to, one or more of the following: unusual behaviour, blacking out, a lack of full control over physical movements, a lack of awareness of circumstances or surroundings, and/or an inability to communicate effectively.

Intoxication is never a defence for committing or attempting to commit an act of sexual violence and misconduct, or for failing to obtain consent. If there is any doubt as to the level or extent of one's own or the other individual's incapacitation, the safest approach is to not engage in a sexual act.

III – Remedies

Article 6 – Scope of Remedies

In the event of a breach of the behaviours outlined in Articles 3 and 4, a member of the College Community can undertake to launch either: (a) a mediation process; or (b) a formal process.

Mediation processes may concern a single or multiple Complainant(s) and Defendant(s).

A formal complaint can be launched against one or more Defendants. In the case where multiple Complainants launch a formal process against the same Defendant or group of Defendants, the cases can be joined at the discretion of the Hearing Committee established by the Rector or a member of the Executive Committee as per the provisions of Title VI.

Article 7 – Support

1. Upon request, the Complainant may be provided with alternative accommodation.
2. The Complainant can request priority access to an external psychologist through the Initial Point of Contact (see Title IV) while engaged in either a mediation or formal process.
3. A member of the College Community who has experienced one or more of the behaviours outlined in Article 3 who does not wish to initiate either a mediation or formal process can request priority access to an external psychologist by contacting the Student Welfare Officer in Bruges or the Student Affairs Officer in Tirana.
4. The Student Welfare/Affairs Officer is entrusted with ensuring that psychological support is offered to every party involved in a case and all members nominated to sit on a Hearing Committee or Appeal Panel.
5. In all aforementioned cases, the College will cover the fees of the psychological support.

Article 8 – Protection of Privacy and Confidentiality

1. The College will respect the privacy of the parties, as well as any other members of the College Community involved in a case, both during and after the end of the proceedings. Any personal data provided in the framework of this Regulation will be treated according to the General Data Protection Regulation² and the applicable rules in Belgium or Albania regarding that matter.
2. Disclosure of information provided by the parties in a case will operate on a strictly need-to-know basis, depending on the type of process engaged by the Complainant.
3. While the parties to a case are not bound by such an obligation of confidentiality, the College expects them to handle any information obtained in the context of a proceeding in a respectful and integer manner and in accordance with any applicable Belgian or Albanian laws and regulations.
4. In the context of a formal process, Initial Points of Contact, members of the Hearing Committee and Appeal Panel, support persons and the minute taker (see Title IV and VI) will sign a confidentiality declaration confirming their obligations in accordance with this Article.

² Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) - *OJ L 119, 4.5.2016, p. 1*

IV – Launching a Process

Article 9 – Initial Point of Contact

1. To launch either a mediation or a formal process, the Complainant can contact anyone of the following persons, hereinafter referred to as Initial Point of Contact:

In Bruges:

- a. the Student Welfare Officer;
- b. the Director of Student Affairs;
- c. the Human Resources Directors;
- d. the Person of Trust for staff members;
- e. any Director of Studies;
- f. any Permanent Professor;
- g. any Academic Assistant.

In Tirana:

- a. the Student Affairs Officer;
 - b. the Head of Administration;
 - c. the Human Resources Officer;
 - d. the Director of Studies;
 - e. any Resident Professor;
 - f. any Academic Assistant.
2. A third party may contact one of the Initial Points of Contact if requested to do so by the Complainant.
 3. The Complainant can inform the Initial Point of Contact of their decision to launch either a mediation or formal process at any point, before, during, or after their meeting.

Article 10 – Responsibilities of the Initial Point of Contact

1. An Initial Point of Contact must meet with the Complainant at the earliest possible moment that is convenient for the Complainant. If the Initial Point of Contact has a conflict of interest, this should be disclosed so the Complainant could select an alternative Initial Point of Contact.
2. The person acting as the Initial Point of Contact will:
 - a. provide information about the mediation and formal processes;
 - b. provide information about the fact that all evidence provided in the context of a formal process will be made available to the Defendant;
 - c. provide information about the available support services at the respective College campus and/or outside the College;
 - d. provide information about potential interim measures that may be taken, as set out in Article 24;
 - e. given the severity of the claims and, in particular, if there is a risk to the safety of members of the College Community, inform the Complainant that alleged behaviour which constitutes a crime under national law may be referred to the police by the College;
 - f. not form a view about the merits of any allegations.
3. Upon receipt of a complaint, the Initial Point of Contact should inform the Student Welfare/Affairs Officer, sharing the following data:
 - a. Name and role of the Complainant;
 - b. Name and role of the Defendant;
 - c. A brief description of the facts, including the nature and timing of the prohibited behaviour.

V – Mediation Process

Article 11 – Provisions under the Mediation Process

The mediation process provides for an informal resolution between Complainant and Defendant through the moderation of an impartial third party, hereinafter referred to as the Mediator.

Article 12 – Mediator Selection

1. When the Complainant informs the Initial Point of Contact that they wish to engage in a mediation process, the latter can suggest potential Mediators. This could include the Initial Point of Contact as well as other potential Points of Contact outlined in Article 9.1.
2. Once the Complainant agrees to a Mediator, the Initial Point of Contact should inform the Mediator of the details of the complaint.
3. Once mediation is in progress, both the Complainant and Defendant may indicate to the Mediator or to the Initial Point of Contact that they wish to find a new Mediator. Either the Mediator or the Initial Point of Contact are entrusted with arranging for a new Mediator. Both parties must approve of the new Mediator.

Article 13 – Responsibilities of the Mediator

1. Once selected, the Mediator should contact the Complainant to enquire as to how they wish to proceed. The Mediator should act on their own discretion while ensuring respect for the wishes of the Complainant. Generally speaking, three broad approaches are possible:
 - a. the Mediator can facilitate a private conversation between the parties in a safe environment;
 - b. the Mediator can act in a conciliatory capacity by engaging in a direct dialogue with both the Complainant and Defendant present;
 - c. the Mediator can act as a facilitator of indirect communication between the parties, trying to achieve an amicable resolution.
2. Where the mediation involves the presence of both the Defendant and the Complainant in the same place, the Mediator will take steps to ensure that the circumstances of any meeting will appropriately protect the dignity of the parties. Accommodations that may be considered include:
 - a. providing separate rooms before the meeting;
 - b. provide alternative means of participation, such as telephone, video, or pre-recorded statements;
 - c. prepared written responses;
 - d. the opportunity to have support at the meeting.
3. The College administration will provide all necessary resources for the Mediator to be able to make the necessary accommodations.
4. Interim measures may be implemented, as per the provisions of Title VII, if the Complainant requests them, or if the Mediator thinks that they might be necessary.

Article 14 – End of the Mediation Process

1. The mediation process is successfully concluded when a mutually acceptable resolution is agreed upon by both parties. This may include:

- a. a formal spoken or written apology;
 - b. commitments to change behaviour, with a follow-up by the Mediator within a certain timeframe;
 - c. requirement to take prevention training;
 - d. a voluntary decision on the part of either party to change residence, if applicable.
2. The mediation process fails if the parties do not agree to a solution within 14 working days of the start of mediation efforts. Nevertheless, parties can mutually agree to continue the mediation process, if reasonable chances exist of achieving a successful outcome.
3. The mediation process fails if one or both of the parties refuses to engage with the Mediator and refuses the selection of another mutually agreed upon Mediator.
4. The Complainant(s) can at any time during the mediation process decide to launch a formal process. This would be done through a request to their Initial Point of Contact. If the Initial Point of Contact is also the Mediator, then the request can also be made to any other potential Point of Contact listed in Article 9.1.
5. The Mediator shall in no way attempt to coerce or apply pressure on the Complainant to stop them from launching a formal process.
6. Irrespective of the outcome of a mediation process, the College commits to protect both parties from retaliation.

VI – Formal Process

Article 15 – Provisions of the Formal Process

The formal process provides for a binding resolution of the complaint between Complainant and Defendant after a hearing held by a committee established by the Rector or a member of the Executive Committee, hereinafter referred to as the Hearing Committee.

Article 16 – Letter of Complaint

When the Complainant tells the Initial Point of Contact that they wish to engage in a formal process, the Initial Point of Contact informs them that they must write a letter of complaint directly either to the Rector, their respective Director of Studies or their Head of Service. In the latter cases, the Rector shall be informed by the Director of Studies or Head of Service that a formal complaint procedure has been launched. The Initial Point of Contact may assist in the writing of this letter. The letter of complaint should be sent by e-mail.

The letter of complaint does not have to provide any details of the relevant events but should indicate the Defendant as well as outline the nature of the complaint.

Article 17 – Nomination of the Hearing Committee

1. Upon receipt of the letter of complaint, the Rector or a member of the Executive Committee shall establish a Hearing Committee within 3 working days, which can include representatives of both the Bruges and Tirana campuses.
 - a. **If the Complainant is a student:** the Hearing Committee shall be composed of three members nominated by the Rector. These will include:
 - i. one elected student representative;
 - ii. one academic or administrative staff member, depending on whether the Defendant is a student or member of staff respectively;
 - iii. one senior academic staff member at the Director or Professor level, who will act as Chair.

In the nomination of the Hearing Committee the aim shall be to avoid the involvement of the Academic Departments of both the Complainant and Defendant.
 - b. **If the Complainant is another member of the College Community:** the Hearing Committee shall be composed of three members nominated by the Rector. These will include:
 - i. one elected student representative;
 - ii. one staff member;
 - iii. a Head of Service or senior academic staff member at the Director or Professor level, who will act as Chair.
 - c. **In cases in which the Rector is Complainant or Defendant:** a Hearing Committee will be nominated by a member of the Executive Committee. Its membership will include:
 - i. one elected student representative;
 - ii. one academic or administrative staff member;
 - iii. a member of the Executive Committee, who will act as Chair.
2. Throughout the formal process, the Student Welfare/Affairs Officer shall be available to provide support to the Hearing Committee, the Complainant and Defendant, and to take minutes at the hearing. In cases in which the Student Welfare/Affairs Officer is either Complainant or Defendant, the Director of Student Affairs/Head of Administration will take over this role.

3. Both the Complainant and the Defendant may request that one person be removed from the Hearing Committee and replaced by another member of the same category.
4. When accepting a nomination by the Rector or a member of the Executive Committee, all prospective Hearing Committee members must declare that they have no conflicts of interest in the given procedure. They should also declare not to have been the Defendant in an upheld complaint under this Regulation.
5. The Student Welfare/Affairs Officer shall provide the members of the Hearing Committee with any relevant information concerning prior complaints that have been upheld against one of the parties involved in the procedure. In cases where the Student Welfare/Affairs Officer is either Complainant or Defendant, the Director of Student Affairs/Head of Administration will provide the information.

Article 18 – Responsibilities of the Hearing Committee

1. The Hearing Committee is tasked with adjudicating the complaint in a fair and impartial manner.
2. The Committee should aim for consensus in decision making. If no consensus can be achieved, the decision is adopted by simple majority. Each member of the Committee has an equal vote.
3. The Committee is charged with holding a hearing within 14 working days of its final establishment.
4. During exam periods and winter holidays, the timeframe for organising a hearing may be extended upon the request of the parties under the following conditions: if a complaint involves a student versus a staff member, irrespective of who is Complainant or Defendant, the student party has the final say on the extension; if a complaint involves at least one student in each party, the parties should strive for a consensus on the extension; that notwithstanding, the Hearing Committee should make a decision that causes the least harm to both parties.
5. Other exceptional circumstances, duly justified by the Chair, may also lead to an extension of this timeframe, subject to the Rector’s approval.

Article 19 – Responsibilities of the Chair

1. Once the Rector or a member of the Executive Committee has nominated a provisional Hearing Committee, the Chair of the Committee shall contact the Complainant to:
 - a. request a written or recorded video statement describing:
 - i. the nature of the behaviour under investigation;
 - ii. the effect of this behaviour on the Complainant;
 - iii. the resolution that the Complainant is seeking, if appropriate;
 - iv. who could serve as potential witnesses of this behaviour;
 - v. and any other potentially relevant information.
 - b. inform the Complainant of the process, including the identity of the Hearing Committee members, the potential outcomes, and options for assistance/support by:
 - i. informing the Complainant that they may request, within 24 hours, that one person be removed from the Hearing Committee and replaced by another member of the same category;
 - ii. explaining that the members of the Hearing Committee will keep the procedure confidential, what records of the complaint will be kept, for how long, and where;
 - iii. stressing the automatic interim measures that apply, as set forth in Article 24.1.

2. The Chair shall contact the Defendant to:
 - a. inform the Defendant that a complaint has been made against them and provide as much information as possible about the allegations and supporting information (where applicable);
 - b. confirm that they will be given the opportunity to respond to the allegations in writing or through a recorded video statement, as well as orally at a hearing;
 - c. provide information about the process, including the identity of the Hearing Committee members, the potential outcomes, and options for assistance/support by:
 - i. informing the Defendant that they may request, within 24 hours, that one person be removed from the Hearing Committee and replaced by another member of the same category;
 - ii. explaining that the members of the Hearing Committee will keep the procedure confidential, what records of the complaints will be kept, for how long, and where;
 - iii. stressing the automatic interim measures that apply, as set forth in Article 24.1.
3. The Chair is charged with collecting evidence on the basis of the guidance provided by the parties. This includes directly contacting potential witnesses who have knowledge or experience relevant to the specific complaint in the name of the Hearing Committee.
4. The Chair is charged with managing and leading the proceedings of the Hearing Committee. They are tasked with ensuring respect for all parties, professionalism throughout the proceedings and orderly management.
5. The Chair must always act impartially.

Article 20 – Evidence and Case Files

1. The collection of evidence shall be conducted in a professional and compassionate manner. The collection of evidence should not place an undue or unreasonable burden on the Complainant or Defendant.
2. Both Complainant and Defendant will be provided full, unimpeded and equal access to consult all evidence and case files submitted by either party to the Hearing Committee, either in person or electronically.
3. All parties shall be provided at least 2 working days to examine evidence and/or case files before a hearing. If a party has a legitimate request to delay a hearing for the purpose of examining, collecting, or processing these, the Chair may delay the hearing by 2 working days for this purpose.
4. All parties will be treated on the basis of the evidence relating to the specific case at hand. Evidence not relating to the case, including references to past criminal or sexual history outside the scope of previous upheld complaints under this Regulation, and evidence based exclusively on general character, are not admissible as written or oral testimony.
5. Anonymous testimonies are not admissible, save for exceptional justifications, such as a threat to personal safety.
6. In order to protect the privacy of any third parties, the Student Welfare/Affairs Officer will review and redact all pieces of evidence submitted to the Hearing Committee.

Article 21 – Proceedings of the Formal Process

1. The Student Welfare/Affairs Officer will be appointed as minute taker and will keep detailed

records of the hearing with the parties. In cases in which the Student Welfare/Affairs Officer is either Complainant or Defendant, the Director of Student Affairs/Head of Administration will take over this role. These minutes can be used as evidence to substantiate facts in an appeal. All minutes will be approved by the members of the Hearing Committee after the deliberations.

2. Depending on the severity of accusations, the risk posed to the College Community, or the risk posed to the orderly management of the proceedings, the Chair can decide, either before or during the hearing, to change its format. This can include:
 - a. providing a separate hearing for the Complainant and Defendant;
 - b. alternate means of participation such as telephone, video, pre-recorded answers and statements;
 - c. using prepared written responses exclusively.
3. The College administration will provide all necessary resources for the Chair to be able to make the necessary accommodations.
4. The parties may have with them another student or a member of the staff of the College to act as a support during the hearing, provided that they specify the name of the supporting student or member of staff at least 1 day before the hearing to the Chair. Support persons are not granted access to the case file and are not supposed to speak during the hearing. Upon request of a party, the College can provide options for a member of staff of the College to act as support person.
5. Witnesses can be invited to provide a written, video, or oral statement with at least 2 working days' notice.

Article 22 – Outcomes of the Formal Process

1. Once a hearing is held, the Hearing Committee will hold a closed session where they will deliberate on the evidence presented by the parties and consider the outcomes suggested by them, if appropriate. On the basis of its deliberations, the Hearing Committee will put forward a motivated decision in writing to the Rector and approve the minutes of the hearing within 3 working days.
2. The motivated decision clearly indicates the grounds and evidence for upholding or rejecting the complaint. If the complaint is upheld, the Hearing Committee decides, in accordance with the principle of proportionality, on the existence of aggravating or mitigating circumstances.
3. In case of outcomes of a complex or unprecedented nature, the Hearing Committee should first consult the Rector for advice on the enforceability thereof.
4. Outcomes for the student Defendant if the complaint is upheld may entail one or more of the following:
 - a. an official written warning;
 - b. a requirement to provide a formal apology to the Complainant;
 - c. a requirement to attend anti-discrimination and/or harassment awareness training, or other relevant training, organised by the College;
 - d. contact restrictions (*e.g.*, with the Complainant);
 - e. the prohibition to enter College premises or attend specific activities;
 - f. academic adjustments;
 - g. a suspension;
 - h. expulsion from the College.

5. Outcomes for the staff Defendant if the complaint is upheld in principle entail one or more of the following:
 - a. an official written warning in accordance with Staff Work Regulations, if applicable;
 - b. a requirement to provide a formal apology to the Complainant;
 - c. a strong recommendation to attend anti-discrimination and/or harassment awareness training, or other relevant training, organised by the College;
 - d. disciplinary sanctions in accordance with Staff Work Regulations, if applicable;
 - e. non-renewal of the contract.

6. Outcomes for the Complainant if the complaint is upheld can include:
 - a. re-crediting of any absence taken as a result of the behaviours outlined in Title II;
 - b. supportive counselling, covered by the College through the end of the academic year;
 - c. extensions to academic deadlines and academic support;
 - d. regular updates on the implementation of outcomes for the Defendant.

7. The Rector informs both parties in writing of the motivated decision taken by the Hearing Committee and will begin the process of implementing this decision within 7 working days of its notification to the Rector. The implementation will be suspended, however, during an appeal process until a final decision has been rendered by the Appeal Panel in accordance with article 23. Upon request, parties can consult the minutes of the hearing, either in person or electronically.

8. In case of outcomes of an academic nature being imposed on a student Defendant, the Rector shall notify the Academic Council in writing, in accordance with Article 9 of the Study Regulations.

9. In cases leading to the expulsion of a student Defendant, the decision taken by the Hearing Committee is subject to confirmation by the Academic Council. To that effect, the Rector will convene an emergency extraordinary Academic Council meeting in accordance with Article 9 of the Study Regulations.

10. In cases where the Defendant is a staff or faculty member, the Rector shall inform their respective Head of Service or Director of Studies of the motivated decision.

11. In cases where the Complainant or Defendant is the Rector, the responsibilities outlined herein lie with a member of the Executive Committee.

12. The Complainant can at any time during the formal process decide to drop the complaint, which will automatically trigger the end of the process.

13. Irrespective of the outcome of the formal process, the College commits to protect both parties from retaliation.

Article 23 – Appeal

1. The Complainant and the Defendant have the right to appeal the motivated decision of the Hearing Committee. They must be explicitly informed of this right by the Rector at the time of the notification of the decision of the Hearing Committee.

2. A letter of appeal should be addressed to the Rector, or the President of the Executive Committee, if the Rector is the Complainant or Defendant, within 7 working days after the reception of the motivated decision. The letter of appeal must indicate its basis and the preferred outcome and should be sent by e-mail.

3. Upon receipt of the letter of appeal, the Rector or a member of the Executive Committee will designate a new hearing panel, hereinafter, Appeal Panel, within 4 working days, which can include representatives of both the Bruges and Tirana campuses.
 - a. **If the Complainant is a student:** the Appeal Panel shall be composed of four members nominated by the Rector. These will include:
 - i. one elected student representative;
 - ii. one academic or administrative staff member depending on whether the Defendant is a student or member of staff respectively;
 - iii. two senior academic staff members at the Director or Professor level, one of whom will act as Chair.

In the nomination of the Appeal Panel the aim shall be to avoid the involvement of the Academic Departments of both the Complainant and Defendant.
 - b. **If the Complainant is another member of the College Community:** the Appeal Panel shall be composed of four members nominated by the Rector. These will include:
 - i. one elected student representative;
 - ii. one staff member;
 - iii. a Head of Service;
 - iv. a senior academic staff member at the Director or Professor level, who will act as Chair.
 - c. **In cases in which the Rector is the Complainant or Defendant:** an Appeal Panel will be nominated by a member of the Executive Committee. Its membership will include:
 - i. one elected student representative;
 - ii. one administrative staff member;
 - iii. one academic staff member;
 - iv. a member of the Executive Committee, who will act as Chair.
4. The Appeal Panel will review the case, including the original complaint and response, evidence collected, minutes of the hearing, and the written decision of the Hearing Committee. The Appeal Panel may contact anyone involved in the procedure before the Hearing Committee to ask for further information.
5. The purpose of the appeal is to determine, based on the arguments and evidence brought before the Hearing Committee, whether it has:
 - i. reached a reasonable decision in relation to the alleged breaches of this Regulation; and
 - ii. imposed appropriate and proportionate outcomes for the parties.
6. A new hearing will only be held provided that new evidence is presented by either party or new witnesses have come forward. The Chair of the Appeal Panel is charged with this decision.
7. The Appeal Panel will strive to reach consensus. If no consensus can be achieved, the decision will be taken by simple majority. Each member of the Appeal Panel holds an equal vote, while the Chair holds a tiebreaking vote.
8. On the basis of its deliberations, the Appeal Panel will put forward a motivated decision in writing to the Rector within 10 working days of its final constitution. However, in case of a new hearing, the Appeal Panel will issue its motivated decision within 3 working days following the date of the hearing, which needs to take place within 10 working days from the Appeal Panel's final constitution.

9. The motivated decision of the Appeal Panel can either sustain, partially overrule or entirely overrule the motivated decision of the Hearing Committee. This motivated decision is final.
10. In all further procedural matters on which this Article 23 does not deviate, the Appeal Panel is subject to the provisions applicable to the Hearing Committee, as set forth in this present Title.

VII – Interim Measures

Article 24 – Adoption of Interim Measures

1. In the event that a formal process is launched, the following Interim Measures will automatically be imposed:
 - a. A personal contact restriction between the Complainant and Defendant, as well as witnesses brought forward by the opposing party;
 - b. A prohibition for both parties to, directly or indirectly, coerce or apply pressure on other students or members of staff to stop them from launching other complaints or from testifying.
2. The Rector, or in case the Complainant or Defendant is the Rector, a member of the Executive Committee, can, either on the request of a Mediator, a Hearing Committee or Appeal Panel, or following a request by one of the parties, or on their own initiative, decide to implement additional interim measures to protect the College Community and/or either party in a case.
3. The Rector, or in case the Complainant or Defendant is the Rector, a member of the Executive Committee, can make the decision to implement interim measures by weighing the likelihood of harm for the Complainant or third parties against the likelihood of harm for the Defendant.
4. Interim measures can include, among others:
 - a. immediate psychological and administrative assistance;
 - b. academic waivers exempt from existing College provisions requiring a medical waiver;
 - c. temporary relocation of the Defendant, or of the Complainant, at their request;
 - d. increased security in the residence of the Complainant;
 - e. online class attendance.

Article 25 – Duration of Interim Measures

1. Interim measures must be implemented by the Rector or a member of the Executive Committee as soon as possible. Interim measures last until the end of the deadline for appeal after a decision by the Hearing Committee in a formal process, or until the end of a mediation process.
2. In the case of an appeal, interim measures will last until the end of the appeal process.

VIII – Prevention Measures

Article 26 – Student Spaces

To safeguard the professional interaction between members of the College community, some College premises are reserved for students only. Faculty and staff members are therefore not permitted to attend the student bar nor any gatherings in a student residence, except upon explicit invitation from a member of the Bar Committee or the organising student team, respectively.

Article 27 – Training

All members of the College community will be invited for an annual training, by an external third party or the Student Welfare/Affairs Officer, to be able to effectively fulfil their roles.

Article 28 – Awareness

1. Each campus will conduct at least one anonymised survey of their College Community per academic semester and publish the results of these surveys independently to raise awareness of the issues addressed by this Regulation.
2. The Student Welfare/Affairs Officer will work with on and off-campus partners to develop an annual education strategy that includes campaigns, training sessions, workshops, print and online resources, programs and events on a breadth of topics related to discrimination, bullying, harassment, stalking, violence and sexual misconduct.
3. These campaigns will explore topics such as bullying, discrimination, intersectionality, rape culture, consent culture, sexual assault awareness, how to seek support, resources for victims, advice and resources for bystanders. The audience for these efforts will include staff, faculty members and students.
4. Departments will make efforts to include education related to, among others, the fight against rape culture, sexual violence, discrimination, and racism in course materials and program curricula where appropriate. They are also encouraged to use trained facilitators who understand the sensitivity with which these topics must be raised, who have the skills to respond appropriately to disclosures and those who may be triggered by the content of the material or resulting discussions.

Article 29 – Bystander Reporting

1. Each campus will permanently make available a webform to collect anonymous bystander reports.
2. Witnesses to a breach of behaviours prohibited by this Regulation can also report it to one of the Initial Points of Contact outlined in Article 9. Having received a report, an Initial Point of Contact must refer the matter to the Student Welfare/Affairs Officer. When deemed appropriate, the Student Welfare/Affairs Officer may reach out to the person affected to provide support and remind them of the resources and remedies available under the present Regulation.
3. All bystander testimonies will be handled in accordance with Article 8. In case the Student Welfare/Affairs Officer would be the subject of such a report, the Director of Student Affairs/Head of Administration will take over this responsibility.

IX – Miscellaneous

Article 29 – Unavailability of Student Welfare/Affairs Officer

Should the Student Welfare/Affairs Officer not be in the position to fulfil their role foreseen in this Regulation (e.g., due to a prolonged absence), the Rector or a member of the Executive Committee will – in consultation with the Director of Student Affairs/Head of Administration – nominate a temporary replacement for their respective tasks.

Article 30 – Archiving of Case Files

In line with the College of Europe’s rules for management, storage and deletion of personal data, the case files will be archived in the respective office of the Student Welfare Officer or Student Affairs Officer. Anonymised versions of decisions of Hearing Committees and Appeal Panels will be kept on file for future consultation of precedents.

Article 31 – Revision of the Present Regulation

1. The present Regulation will be reviewed, and where necessary revised, every year by the Student Welfare Officer, in consultation with the Student Affairs Officer in Tirana, who will propose amendments to the Rector after having sought input from all relevant stakeholders.
2. Either a Hearing Committee or an Appeal Panel can suggest amendments to the Regulation in their decision following a case.



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