

ARE YOU A VICTIM OR A WITNESS?

Are you a victim?

Take action as soon as possible. Don't be alone.

Say **no** clearly and firmly at the first signs of harassment, and assert the reprehensible and legally sanctionable nature of such actions

Protect yourself if possible, avoiding one-on-one encounters with the person who is harassing you. Do not keep the situation confidential: call in a third party, a colleague, professor...

Contact the Monitoring Unit of the Beaux-Arts de Paris

Create a dossier, gathering elements that will enable you to assert your rights: a detailed written account of the facts, messages, emails, the consequences of the abuses on your professional/personal life, testimonies from third parties, etc.

Are you a witness?

Show solidarity with the individual victim of the actions

Inform them about the steps to be taken and direct them to the Beaux-Arts' Monitoring Unit

Document your testimony in writing, clearly indicating the place, date, circumstances and people present

You are the supervisor/professor of a harassed person?

All staff must take the necessary measures to put an end to all acts of harassment or discrimination committed against a student or an employee.

You must inform your superiors and alert the Monitoring Unit and, with its aid, help establish the facts and seek objective testimony to stop criminal acts.

Article 40 of the French Criminal Code stipulates that any member of staff who, in carrying out his or her duties, has knowledge of a crime or misdemeanour, is required to notify the public prosecutor without delay to submit all information, written reports and material elements to the latter.

Disciplinary and criminal sanctions

- Disciplinary sanctions apply to all staff, teachers and students. These are taken by management in accordance with the seriousness of the facts (warning, reprimand) or by a ministerial disciplinary commission (temporary exclusion, dismissal). The implementation of the procedure may be accompanied by precautionary measures such as suspension, intended, in particular, to remove the victim from the alleged aggressor.
- Criminal sanctions are possible as soon as the complaint is filed with the police and decided by the court.

USEFUL CONTACTS

A problem, a question?

Specialized free services are available to you, to listen, to respond to your questions and/or support you in any proceedings.

Monitoring Unit

Do not hesitate to contact the Monitoring Unit of the Beaux-Arts de Paris

@ celluledeveille@beauxartsparis.fr

Its members are at your disposal, can meet with you and support you in complete confidentiality. The objective is to listen to you with sensitivity and professionalism, without judgement. Only the members of the Monitoring Unit, listed below, are authorized to consult messages sent to the above address.

The Monitoring Unit is made up of seven people, including two students, two teaching staff, two administrative staff and the equality/anti-discrimination adviser.

You can find the names and functions of the members of the Monitoring Unit on the Beaux-Arts de Paris's website: <https://www.beauxartsparis.fr/fr/l-ecole/charte-egalite-cellule-veille>

Allodiscrim / Allosexism

This service offers listening, treatment and advice (in French). It is a specialized, free service providing you with legal and psychological support.

☎ toll free : **0800 10 27 46**
Monday to Friday from 9:00 a.m. to 5:30 p.m.
And Saturdays from 9:00 a.m. to midday (excluding public holidays).

@ culture.allodiscrim@orange.fr ou
culture.allosexism@orange.fr

✉ Allodiscrim, 51, rue Bonaparte, 75006 Paris

Police station in Paris' 6th arrondissement

📍 78 rue Bonaparte, 75006 Paris

☎ 17

COUNTERING
SEXUAL
HARASSMENT,
PSYCHOLOGICAL
HARASSMENT AND
DISCRIMINATION
TAKE ACTION
TOGETHER !

SEXUAL HARASSMENT

Sexual harassment is abuse based on relationships of domination and intimidation in your work or study environment.

For example:

- A person repeatedly makes sexist and/or obscene comments to you
- A co-worker or studio partner bothers you by sending messages of a sexual nature despite your opposition
- Your professor/colleague urges you to have sex in exchange for privileges, receiving Course Units, favouritism, etc.

What does the law say?

Sexual harassment is the act of repeatedly forcing sexual or sexist comments on a person or conduct that violates his/her dignity because of its degrading or humiliating nature, or creating an intimidating, hostile or offensive environment.

The following shall be treated as sexual harassment, even if it is not repeated: using any form of undue pressure for the real or perceived purpose of procuring an act of a sexual nature, whether it is sought for the benefit of the perpetrator or for the benefit of a third party. (Article 222-33 of the French Criminal Code)

Such acts are punishable by two years' imprisonment and a fine of €30,000. These penalties increase to three years' imprisonment and a fine of €45,000 when the offences are committed:

- By a person who abuses the authority conferred on them as part of their duties;
- Towards a person whose particular vulnerability or dependence due to the precariousness of their economic or social situation is known to the perpetrator;
- By several persons acting as perpetrators or as accomplice(s);
- By using communication tools (social networks, messaging, email, etc.)

PSYCHOLOGICAL HARASSMENT

Psychological harassment manifests in repeated malicious acts: derogatory remarks, intimidation, insults, and so on. Such actions can result in a significant deterioration in the victim's working conditions and can the individual's rights and dignity, compromise his or her professional future, and affect his or her mental health.

For example:

- Repeated humiliating situations
- Isolation or segregation of a group
- Repeated verbal assaults

What does the law say?

Harassing others by repeated comments or behaviours with the object or effect of deteriorating **working conditions**, compromising the individual's rights and dignity, impairing physical or mental health, or undermining his or her professional future. (Article 222-33-2 of the French Criminal Code)

Harassing an individual by repeated comments or behaviours with the purpose or effect of deteriorating the individual's **living conditions**, resulting in an impairment in his or her physical or mental health. (Article 222-33-2-2 of the French Criminal Code)

Such acts are punishable, respectively, by:

- Two years' imprisonment and a fine of €30,000 in the event of deterioration in working conditions
- One years' imprisonment and a fine of €15,000 in the event of deterioration in living conditions, where the actions have caused a total incapacity for work of less than or equal to eight days or have not resulted in an incapacity to work.

DISCRIMINATION

Discrimination is unequal treatment based on criteria prohibited by law (gender, age, health status, etc) in a domain cited by the law (access to employment, to a service, and so on).

For example:

- You are not admitted to a studio because of your nationality
- You are treated differently because of your gender or sexual orientation
- You are stigmatized for your political or union positions

Discrimination can be direct (objective criteria: age, gender, etc.) or indirect (a provision or practice that appears neutral but is liable to put some individuals at a particular disadvantage in comparison with others).

What does the law say?

Discrimination is constituted by any distinction made between individuals on the basis of their origin, their gender, their familial situation, their pregnancy, their physical appearance, their vulnerability due to their economic situation whether apparent or known to the perpetrator, their name, their place of residence, their health status, their lack of autonomy, their disability, their genetic characteristic(s), their customs, their sexual orientation, their gender identity, their age, their political opinions, their union activities, their capacity to express themselves in a language other than French, their actual or presumed membership or non-membership of a particular ethnic group, nation, alleged race or religion. (Article 225-1 of the French Criminal Code)

Discrimination includes any distinction made between individuals because they have been subject to or refused to be subjected to acts of hazing or have testified to such acts. (Article 225-1-2 of the French Criminal Code)

Discrimination is punishable by three years' imprisonment and a €45,000 fine.