

PSYCHOLOGICAL AND SEXUAL HARASSMENT, SEXUAL ABUSE, AND SEXUAL EXPLOITATION POLICY

of Saint Joseph University of Beirut

The French text of this Policy was approved by the University Board at its 217th meeting on February 22, 2023

Preamble

Saint Joseph University of Beirut (hereinafter referred to as the “University”);

Committed to the principles of the University Charter, particularly to the protection of human dignity and freedom against oppression in all its forms;

Concerned with establishing a policy of zero-tolerance for all forms of psychological and sexual harassment, sexual abuse, and sexual exploitation (collectively referred to as “**harassment, abuse, and exploitation**”) within the University community, including third parties associated with the University, by implementing effective measures to prevent and address such behavior;

Dedicated to promoting a work and academic environment that is ethical and respectful and that ensures the dignity of each person;

Considering Lebanese Law no. 205 issued on December 30, 2020 “criminalizing sexual harassment and rehabilitating its victims”, the Violence and Harassment Convention (C190) adopted by the International Labor Organization (ILO) on June 21, 2019, the UN Secretary General’s Bulletin on Special Measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) published in 2003, and other relevant laws and international standards;

The University hereby adopts the following Psychological and Sexual Harassment, Sexual Abuse, and Sexual Exploitation Policy (hereinafter referred to as the “**Policy**”).

1. Scope of Application

The present Policy applies to all members of the University community, namely faculty, students, and staff members, as well as third parties such as trainees, contractors, subcontractors, suppliers, visitors, and any other individuals or entities directly involved with the University, or any affiliated facility or program.

This Policy also extends to educational, social, and other activities or projects organized by the University, whether in the University’s premises or outside its premises, and whether within the framework of a partnership or not.

Any person operating on the University’s premises, using its facilities or receiving its support is committed to comply with this Policy.

2. Definition of Harassment, Abuse, and Exploitation

Psychological harassment denotes repeated abusive conduct that manifests itself in particular through behavior, coercion, bullying, words, actions, gestures and writings with the purpose or effect of violating the dignity or the physical and psychological integrity of an individual, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Sexual harassment denotes any pressure or threat made with the purpose of eliciting an act of a sexual nature, as well as any form of unwanted verbal, non-verbal, or physical behavior of a sexual nature, with the purpose or effect of violating the dignity of the person, in particular when such behavior creates an intimidating, hostile, degrading, humiliating or offensive environment.

For instance, the following behaviors qualify as sexual harassment:

- Unwanted and repeated sexual advances;
- Unwanted pressing sexual intimacy;
- Intrusive and repetitive questions or confidences about privacy;
- Repeated remarks on looks and clothing that are uncomfortable;
- Offensive comments about someone’s sexual orientation;
- Comments or threats of a sexual nature;
- Unwanted physical advances, fondling and kisses;
- Acts of voyeurism or exhibitionism;
- Threats of reprisal to punish a person who refuses to comply with sexual advances.

Sexual abuse denotes any actual or threatening physical intrusion of sexual nature, whether by force or under unequal or coercive conditions.

Sexual exploitation denotes any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

3. Training and Awareness Sessions

The University is committed to raising awareness on harassment, abuse, and exploitation. In pursuit of this commitment, the University shall organize regular training sessions on an annual basis for its faculty and staff members through its Professional Training Center, aimed at informing the University community about harassment, abuse, and exploitation, as well as updating them on any revision of this Policy.

The University shall notify its community regarding the UN PSEA online training, accessible at: <https://agora.unicef.org/course/info.php?id=7380>, and shall make reasonable efforts to ensure that all faculty and staff members complete this online training.

4. Protective Measures Available to Victims of Harassment, Abuse, and Exploitation

Any member of the University community, any person involved in a project or activity organized by or occurring exclusively on the University premises, any person providing services on the University premises, or any visitor who identifies themselves as a victim of harassment, abuse, or exploitation occurring exclusively on the University premises or during a University-organized activity or project, may confide in a Confidential Counsellor, refer the matter to the Counselling Unit, or file a complaint directly with the Complaints Commission. The victim may also choose to confide in any other person of their choice (“**Trusted Person**”). The Trusted Person shall have the same role as the Confidential Counsellor defined in Article 5 below. Additionally, any individual identified as a whistleblower shall report or disclose incidents of harassment, abuse, or exploitation to the Confidential Counselor, the Counselling Unit or the Complaints Commission following the reporting procedures set forth in this Policy.

The alleged victim and the whistleblower have the right to request that their identity be withheld. The protection of anonymity shall not prevent the implementation of provisional measures or sanctions against the alleged perpetrator, in accordance with the provisions of this Policy.

The mechanisms and procedures for victims and whistleblowers to report harassment, abuse, or exploitation allegations are based on the following principles:

- Accessibility – ensuring that victims or whistleblowers can easily report or file a complaint about an incident of harassment, abuse, or exploitation without barriers;
- Responsiveness – providing timely and appropriate responses to reported incidents or complaints;
- Safety – guaranteeing a safe environment for the victim and the whistleblower throughout the process;
- Confidentiality – protecting the confidentiality of all information shared by the victim, the whistleblower or any other person, unless disclosure is required by law;
- Anonymity – allow victims and whistleblowers to remain anonymous if they choose to do so;
- Transparency – ensuring transparency in the procedures, decisions, and actions taken in response to the report or complaint.

5. Confidential Counsellors

One or more Confidential Counsellors shall be appointed by the Rector for each campus and by the Dean or Director for each institution, to serve as a liaison for victims of harassment, abuse, or exploitation. A list of the appointed Confidential Counsellors shall be made publicly available on the University’s website.

Any member of the University community, any person involved in a project or activity organized by or occurring exclusively on the University premises, any person providing services on the University premises, or any visitor, who identifies themselves as a victim of harassment, abuse, or exploitation occurring exclusively on the University premises or during a University-organized activity or project, as well as any whistleblower, may confide in the Confidential Counsellor of their choice.

In cases where a whistleblower reports an incident of harassment, abuse, or exploitation, the Confidential Counsellor is required to take the necessary steps to engage with the victim, offer assistance, and encourage them to report the incident in accordance with the procedure set forth in this Policy.

The Confidential Counsellor must inform the victim of the psychological, medical, and legal support and assistance measures available through the University, including but not limited to the Counselling Office, the Family Medicine Center, the University Health Care Centers, the University Hospital Hôtel-Dieu de France (USJ) and its network, and the support provided by the legal clinic.

The Confidential Counsellor shall also inform the victim of the possibility of addressing the Counselling Unit and, if necessary, of filing a complaint with the Complaints Commission.

The Confidential Counsellor must report incidents to the Counselling Unit, keeping the victim's and whistleblower's identity anonymous if requested. Additionally, the Confidential Counsellor must notify the Rector, or any other person designated by the Rector for this purpose, to ensure that appropriate measures are taken. The Rector shall take necessary measures to ensure the adequate protection of the victim and the whistleblower.

6. Counselling Unit

6.1. Membership of the Counselling Unit

The Counselling Unit shall consist of six (6) members, mainly from the medical, psychological, social and legal fields, appointed by the Rector and approved by the University Board.

Members of the Counselling Unit and their contact information must be made public to all members of the University community and must be published on the University's website.

6.2. Mandate

The mandate of the members of the Counselling Unit is three (3) years.

This mandate can be renewed twice.

Should a member of the Counselling Unit resign, they shall be succeeded within one month from the date of acceptance of the resignation by the Rector.

6.3. Referral to the Counselling Unit

Any member of the University community, any person involved in a project or activity organized by or occurring exclusively on the University premises, any person providing services on the University premises, or any visitor, who identifies themselves as a victim of harassment, abuse, or exploitation occurring exclusively on the University premises or during a University-organized activity or project, and any whistleblower, may request to be heard by one or more members of the Counselling Unit. They are free to choose the person or persons in whom they wish to confide.

The meeting may be held on the premises of the University, over the phone, or via videoconference, as chosen by the alleged victim or by the whistleblower.

6.4. Duties of the Counselling Unit

The Counselling Unit is responsible for listening and guiding alleged victims of harassment, abuse, or exploitation.

Members of the Counselling Unit who are approached with a matter of harassment, abuse, or exploitation must inform the victim of the psychological, medical, and legal support and assistance measures available through the University, including but not limited to the Counselling Office, the Family Medicine Center, the University Health Care Centers, the University Hospital Hôtel-Dieu de France and its network, and the support provided by the legal clinic. They must inform the alleged victim of the possibility of filing a complaint with the Complaints Commission.

6.5. Duty to Notify the Rector

When the alleged victim of harassment, abuse, or exploitation decides not to refer the matter to the Complaints Commission and when the Counselling Unit is informed of facts that are likely to endanger their physical or psychological integrity or that of any other member of the University community, they must notify the Rector, or any other person designated by the Rector, for this purpose. The purpose of this notification is to ensure the protection of the alleged victim by taking the necessary and adequate measures to address the situation and safeguard their well-being.



7. Complaints Commission

7.1. Membership of the Complaints Commission

The Complaints Commission shall consist of six (6) members, mainly from the medical, psychological, social and legal fields, appointed by the Rector and approved by the University Board. It shall be chaired by a legal expert.

An alternate member is also appointed by the Rector and approved by the University Board.

7.2. Mandate

The mandate of the members of the Complaints Commission is three (3) years.

This mandate can be renewed twice.

Should a member of the Complaints Commission resign, they shall be succeeded within one month from the date of acceptance of the resignation by the Rector.

7.3. Recusal of Commission Members

Any member of the Complaints Commission may be requested to recuse themselves for any of the following reasons:

- If the member or the member's spouse is related to one of the parties to the proceedings or the party's spouse;
- If the member or the member's spouse is in a dependent relationship with any of the parties;
- If there has been a lawsuit between the Commission member, their spouse or their relatives, or direct descendants, and one of the parties to the proceedings, their spouse, or their relatives, or direct descendants.

The request for recusal shall be made by the person filing the complaint or by the person against whom the complaint is filed to the Rector. In the event of recusal, the duties of the recused member shall be undertaken by the alternate member.

7.4. Duties of the Commission

The Complaints Commission shall be responsible for investigating complaints submitted to it by the victims or by the whistleblowers and files transferred to it by the Rector and for issuing appropriate sanctions, if necessary, against the perpetrator.

7.5. Referral to the Commission

a- Referral by the alleged victim

Any person who is a victim of harassment, abuse, or exploitation may file a complaint with the Complaints Commission.

The complaint must state:

- The name of the alleged perpetrator;
- The name of the alleged victim, provided the victim does not object to the disclosure of their identity;
- The date(s) and place(s) as well as the description of the allegations qualifying as harassment, abuse, or exploitation;
- The names of witnesses;
- Any other relevant information.

b- Referral by the whistleblower

Any whistleblower may file a complaint with the Complaints Commission.

The complaint must state:

- The name of the alleged perpetrator;
- The name of the whistleblower, provided the latter does not object to the disclosure of their identity;
- The name of the alleged victim, provided the victim does not object to the disclosure of their identity;
- The date(s) and place(s) as well as the description of the allegations qualifying as harassment, abuse, or exploitation;
- Any other relevant information.

c- Referral by the Rector

The Commission may also be notified by the Rector when he is informed of conclusive evidence of considerable magnitude, when the alleged victim does not wish to file a complaint and when the allegations are of such as to endanger the victim themselves or other members of the University community. In this case, the Rector shall provide the Commission with all the information at his disposal and shall ask it to investigate the case.

7.6. Notice to the Parties

The Complaints Commission shall inform the victim and the alleged perpetrator of their rights under this Policy and of the procedures for the conduct of the proceedings.

7.7. Provisional Measures

The Complaints Commission may advise the Rector to take provisional measures against the alleged perpetrator until a non-appealable decision is made on the allegations.

In particular, the Rector may provisionally prohibit the alleged perpetrator from entering the University or temporarily suspend them from their duties.

7.8. Investigation

When referred by the victim, by the whistleblower or by the Rector as provided in Article 7.5 hereof, the Complaints Commission shall:

- Obtain a full statement from the author of the complaint and listen to them unless they object;
- Inform the person against whom the complaint is filed, of the nature of the complaint and proceed to hear the person.

The Commission may also ask to hear any member of the University community whose testimony would be useful for the investigation of the complaint or the proceedings and collect all relevant documents from the relevant departments or institutions.

7.9. Right of Defense

Any member of the University community, any person involved in a project or activity organized by or occurring exclusively on the University premises, any person providing services on the University premises, or any visitor, and any whistleblower, who is heard by the Complaints Commission shall have the right to be represented before the Commission by any person of their choice or by an attorney.

The Commission shall ensure that the adversarial principle is respected throughout the proceedings. It shall also ensure that the parties have access to the various elements of the file and can communicate their observations on the matter before the investigation report is drafted.

7.10. Investigation Report

At the end of the various hearings conducted by the Commission and the collection of testimony and evidence necessary for the investigation of the complaint or the file transferred by the Rector, the Chairperson of the Commission shall issue an investigation report stating:

- The subject of the complaint or the elements of the file transferred by the Rector;
- The statements and observations made by the parties to the proceedings and by all persons heard by the Commission;
- The measures introduced in the course of the investigation;
- The evidence collected by the Commission.

This report is communicated by the Chairperson to all members of the Commission.

7.11. Decision of the Complaints Commission

Upon receipt of the investigation report and within a time limit set by the Chairperson, the Complaints Commission will convene to rule on the classification of the facts and, if applicable, on the sanctions to be ordered in accordance with Article 7.12 hereunder.

The sanctions ordered by the Commission shall be passed by an absolute majority of its members.

When the Commission considers that the allegations do not qualify as harassment, abuse or exploitation, the complaint shall be dismissed.

The decision of the Complaints Commission shall be rendered within a maximum of thirty days from the date on which the complaint was filed.

7.12. Disciplinary Sanctions

In case the perpetrator is a member of the University community, the Complaints Commission may order the following disciplinary sanctions:

- a. Censure;
- b. Public censure;
- c. Temporary or permanent exclusion from the University.

The victim is entitled to seek legal protection, obtain compensation for the harm suffered, and assert their rights before the Lebanese judicial courts. The legal clinic of the University can assist the victim in the required legal procedures before the competent Lebanese courts.

In case the perpetrator is a third party providing services or involved in a project or activity organized by or occurring exclusively on the University premises, the University may:

- Notify the party responsible for the third-party entity if the perpetrator is one of its employees ensuring appropriate measures and actions to be taken against the perpetrator;
- Terminate any contractual engagement with the third-party entity if the perpetrator is an official representative of that entity.

8. Appeal Against the Decision of the Complaints Commission

The decision of the Complaints Commission may be appealed to the Disciplinary Board of the University within seven working days from the date of notification of the decision to the parties involved. The Disciplinary Board must render its decision within fifteen days from the date of the appeal.

9. Protection of Persons

Any person shall have the right to avail themselves of the provisions hereof without fear of reprisal or retaliation. No discriminatory measure, no infringement of rights pertaining, in particular, to salary, promotion, transfer, or contract renewal may be taken against a member of the University community who has refused to be subjected directly or indirectly to acts of harassment, abuse, or exploitation or who has testified in good faith to such acts or has reported them.

10. Confidentiality

Members of the Counselling Unit and the Complaints Commission, as well as Confidential Counsellors and all individuals involved in proceedings, must take all reasonable precautions to protect the confidentiality and privacy of the parties involved, as well as that of all documents relating to complaints, including minutes of interviews or hearings and investigation reports.

11. Compliance in Contracts, Agreements, and Obligations

- 11.1 All agreements signed by the University must comply with and align with the principles set forth in this Policy.
- 11.2 All students, faculty and staff members of the University shall acknowledge and comply with the terms and conditions of this Policy.

12. Final provisions

- 12.1 This Policy shall be reviewed every four (4) years and whenever deemed necessary, in order to ensure its relevance and effectiveness.
- 12.2 This Policy shall be implemented as of the date of its adoption by the University Board and may be amended by the University Board in accordance with the provisions of article 66 of the University bylaws.
- 12.3 This Policy shall be disseminated to the entire University community by means of the communication tools and media it uses. It is available in French and English and is publicly available on the University's website (www.usj.edu.lb).

CONFIDENTIAL COUNSELORS

Campus	Institution	Last and First Name	Phone Number	Email
Zahle and Beqaa Campus	School of Mediterranean Agricultural Engineering	Samar Salloum Araji	03 852353	samar.salloumaraji@usj.edu.lb
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Flowchart - Psychological and Sexual Harassment, Sexual Abuse, and Sexual Exploitation Policy

