

Code of Conduct of ESN Finland

As accepted during online NA 10.06.2024

The Erasmus Student Network is committed to promoting equal opportunities and safe environments for all, especially in order to ensure that no individual is discriminated against in the planning and delivery of any of our projects or activities.

1. Aim of the Code of Conduct

This Code of Conduct sets out to ensure that every person feels safe, included and respected during their involvement with ESN Finland. We follow our zero-tolerance policy towards any kind of discrimination or threatening behaviour and each instance will be individually considered for consequences. We reaffirm the importance of our core values, those of unity in diversity, openness, tolerance and respect. We demonstrate our dedication to eliminating discrimination and encouraging diversity among our members and volunteers.

We recognise our responsibilities as an international youth organisation and are committed to meeting them in full. An organisational culture that embraces equality and values diversity will help us to ensure that everyone feels involved and included in our plans and activities.

2. Persons to whom this Code applies to

This Code applies to any individual, organisation or group participating in any activity of ESN Finland and covers conduct at:

- All meetings and events, both organised for the members of the sections of ESN Finland and for the international students.
- All ESN-related online activity.
- All external representation of ESN Finland.

These activities may include, but not be limited to:

- Meetings, gatherings or events, physical or online;
- Online communication, through email or instant messaging;
- Online activity in official or unofficial channels related to ESN such as Facebook groups;
- External representation including non ESN related events.

This Code of Conduct also applies to the activities and matters of local sections and its members. Local sections may refer to ESN Finland's Code of Conduct in case a local section does not have its own Code of Conduct. In addition, this document shall also be applicable as a supplementary guide to their own Code of Conduct per local board's consideration. This can in any case be applied to all activities and matters within ESN Finland.

3. Discrimination, harassment and violence

ESN Finland respects and welcomes everyone. This also means that no form of bullying, harassment,

offence, abuse, violence, disrespectful or discriminatory behaviour can be tolerated without consequences.

Incidents violating this policy extends to, but are not limited by:

- Gender- or Sexual Identity based discrimination
- Race- or Ethnicity based discrimination
- Aged-based discrimination
- Ability- or Knowledge based discrimination
- Discrimination based on Education, Socio-Economic background or Religious beliefs
- Sexual harassment
- Violence (any physical and/or verbal form)
- Bullying
- Mental and physical health-based abuse

4. Behaviours

All persons participating in the activities of ESN Finland or its sections must act in accordance to these values and work to cultivate an inclusive and accessible network. Individuals should be respectful and constructive in their communication and engagement with others, and aim to treat others as they would like to be treated themselves. ESN will not tolerate any instance of verbally or physically aggressive or discriminatory behaviour. Violations of this Code should be reported to the designated Point of Contact (5.) and will be dealt with according to the relevant procedure. Reports can be made by anyone who has either experienced or witnessed a violation.

5. Points of Contact

The Points of Contact who are in charge of handling the possible Code of Conduct violations must always keep the information they receive confidential unless the party contacting them wishes otherwise.

The Arbitration Board will work as the Point of Contact for all Code of Conduct related matters. The primary way to contact the Arbitration Board about Code of Conduct violations is the Code of Conduct Violation [Report Form of ESN Finland](#).

In the absence of an Arbitration Board, ESN Finland should elect two (2) people among the National Board members and National Coordinators to serve as the Points of Contact. The Points of Contact should be appointed by the National Board and approved by the Sections during the Community of the Presidents. These Points of Contact should be people who are able to commit to working as the Points of Contact.

If possible, ESN Finland should provide training for the Points of Contact.

The primary way to contact the ESN Finland Points of Contact about Code of Conduct violations is the Code of Conduct Violation [Report Form of ESN Finland](#).

In addition to the permanent Points of Contact, in every ESN Finland event (including but not limited to National Assemblies, FInsights and Pirates of the Baltic Sea) the Organising Committee and Chairing Team should appoint at least two (2) Points of Contact for the event in case of Code of Conduct violations during and at the event. The Organising Committee and Chairing Team can decide the way in which the event's Points of Contact should be contacted in case of a violation (e.g. through a form, said persons' personal contact information, an email address dedicated for this purpose etc.)

Points of contact:

During national and local events, there shall be a Point of Contact where violations are reported to. The Point of Contact preferably consists of several of the following people:

- A member of the National Arbitration Board (AB) who performs duty as an advisory body of the National Board for appropriate actions and legal decisions;
- A member of the National Board (NB) who deals with legal procedure to ensure a safe environment and Well-Being for all volunteers and to enforce the Code of Conduct.
- A member of the National Coordinators (NC) who acts as a low-threshold contact point to support volunteers in any matter.
- A member of the Organising Committee of the event who can take action on the spot.

The Point of Contact information should be reviewed before each event and announced to the participants before the start of the event. This can be done verbally, but is ideally done by visual means, such as the survival guide of the event or information published on the local section's official channels.

6. Process

Any reported violations will be promptly and thoroughly investigated by AB. After a violation is reported, it is forwarded to the Arbitration Board where the following steps are taken:

- Confidentiality Foundation:
 - Confidentiality between the claimant and the Arbitration Board is established. Any information or action from this point onwards needs to be agreed upon by the claimant.
- Information Collection:
 - Relevant parties are identified and inquired for further information within 14 days. Other potentially relevant evidence is also collected.
- Respondent Hearing:
 - The respondent gets the opportunity to plead their case to the Arbitration Board in the form of a conference as soon as possible. The initial report as well as relevant information that might be used for issuing a decision need to be addressed.
- Further Action:
 - The Arbitration Board decides on the next steps e.g. sanctioning, mediation. The claimant and respondent are informed accordingly.

The steps are a general guideline on how a report should be handled. However, each case is different and the steps described are not always suitable. Therefore, the steps are only followed to the extent that is appropriate for each situation. The points of contact during an event can decide to remove the respondent from the event. Further actions can be taken by the AB according to the procedure laid

out in this article. In case of a severe situation requiring immediate preliminary actions, the NB and AB in common agreement can set up preliminary sanctions until the violation report has been processed.

6.1. Possible Consequences

Depending on the severity and nature of the violation, consequences for violators may include, but are not limited to:

- Issuing a written warning to the local section of the reported individual. Removal of the local section from ESN Finland membership can occur as indicated in the SOS.
- Removal from an event
- Suspension of participation in events organised in the scope of ESN Finland
- Impose the local section to compensate for any damages as a result of wrongdoing by the board members. In order to enforce any financial obligation as a consequence, the financial consent form must be signed as a contract to confirm that the reported individual or their local section will take responsibility.
- Inform the local section about the incident report and any ongoing investigation, given the permission is granted by the affected party
- Advise the local board to immediately terminate and/or temporarily suspend the individual's membership in the local section given the decision is made by AB.
- Advise the local section to take legal action, if deemed appropriate.

6.2. Imposing a sanction

The competence of imposing a sanction lies with the AB. When determining the type and severity of a sanction, the following factors must be taken into account:

- Severity of the violation;
 - Careless - Mild - Severe
- The intentionality of the respondent's actions;
 - Careless - Mild - Severe
- How often the respondent has committed a violation;
 - First time - Several prior violations
- The position of the respondent within ESN;
 - Position of power - Equal level
- The amount of evidence.
 - Low - Mid - High

If a sanction is imposed, the addressee of the sanction will receive an official statement by the Arbitration Board describing the sanction and the reasoning behind imposing the sanction. The imposed sanction is effective immediately after the issuing of the statement. Non-compliance with or any attempt to circumvent the sanction may constitute grounds for further sanctioning.

6.3. Principles

Imposing a sanction is not something that should be done lightly, considering the consequences it could have for an individual. That is why the following principles should be respected when deciding on imposing a sanction:

- Fair hearing and opportunity to present evidence;
- Proportionality of the sanction;
- Equality, meaning that similar cases should be treated similarly;
- Transparency in reasoning of imposed sanction.

6.4. Right to Appeal

If the addressee of the sanction disagrees with the reasoning of the imposed sanction or the (severity of) the sanction itself, they have the right to appeal. The right of appeal can be exercised by sending a written response to the Arbitration Board through email clearly stating the point of contention within two weeks after the decision has reached the addressee. The Arbitration Board has to give the addressee the opportunity to be heard. The Arbitration Board has to reach a decision within two weeks after the appeal was issued.

7. Exceptions

The current Code of Conduct of ESN Finland applies to all the members of ESN Finland, including all ESN Finland sections in all of the events organised by ESN Finland or the sections, with the exception of the events organised in the local level by a section which has its own Code of Conduct.

In case of conflict of interest with member(s) of the Arbitration Board or one of the designated Points of Contact, the reported case should be discussed and decided by the other designated Points of Contact on a case by case scenario.