

End Gender-Based Violence Against Students

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What is gender-based violence?

According to the Istanbul Convention on preventing and combating violence against women and domestic violence¹, gender-based violence is ‘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’. It is important to clarify that while non-binary people and women are most affected by gender-based violence, it is relevant to everyone due to intersecting inequalities related to their gender and other characteristics.

Gender-based violence encompasses physical violence, sexual violence, psychological violence, economic violence, sexual harassment, harassment on the grounds of gender, and organisational harassment – in both online and offline contexts. Gender based violence occurs on a continuum from seemingly innocent comments, jokes or questions to physical and/or sexual violence and/or rape. In an organisational context, it is not just the behaviour of an individual, but a reflection of the organisational culture as a whole.

Gender-based violence is a human rights violation as freedom from violence is a fundamental human right.² Gender based violence comes at a great cost to individuals, it undermines their self-esteem and self-worth. It negatively impacts their health, wellbeing, and study or career outcomes. There is also a cost to wider society. The European Institute for Gender Equality estimates that gender based violence costs the European Union €366 billion a year.³

The United Nations (UN) and the European Union (EU) have the 3P approach to tackling gender-based violence (prevention, protection, prosecution) (UN 2017; EU 2019, 2020) and the Council of Europe (CoE) (2011) has the Istanbul Convention’s 4P approach (prevention, protection, prosecution, policies). The European Students’ Union bases this policy paper on the Council of Europe’s approach and incorporates elements from the Unisafe project that have created a framework aimed at ending and addressing gender-based violence in higher education.⁴ The International Labour Organisation adopted their Convention number 190-Violence and Harassment Convention. It recognises the right to work free from gender-based violence. Violence at work represents a human rights violation. It calls for an inclusive, integrated and gender-responsive approach in combating gender-based violence, that considers how intersecting forms of discrimination and unequal power relations contribute to the problem.⁵ Staff in higher education are therefore more protected against gender-based violence than students.

Prevention

¹ <https://www.coe.int/en/web/istanbul-convention/key-facts>

²

<https://rm.coe.int/gender-matters-a-manual-on-addressing-gender-based-violence-affecting-/16809e1c34>

³https://eige.europa.eu/gender-based-violence/costs-of-gender-based-violence?language_content_entity=en

⁴ Mergaert L, Linková M, Strid S. Theorising Gender-Based Violence Policies: A 7P Framework. *Social Sciences*. 2023; 12(7):385. <https://doi.org/10.3390/socsci12070385>

⁵ https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190

Preventive measures are key to understanding and eradicating the root causes of gender-based violence. In the context of higher education prevention necessitates the promotion of institutional cultural changes. To this end, prevention strategies must be developed jointly with students and implemented at every level of higher education. These strategies must be comprehensive, take into account intersectionality and address risk factors associated with cultural norms and unequal power relations in academia.

All higher education institutions must have strategies and action plans on social dimension,. They should have a clear code of conduct, laying out expected and unwanted behaviour, with a related protocol detailing procedures in case of violation of the code of conduct. Students need to be co-creators and included in bodies dealing with reports to foster trust in the processes. The code of conduct is applicable to all stakeholders in all learning and associated environments, including but not limited to physical higher education buildings, digital platforms and housing. There must be designated personnel who are responsible for the institution's diversity, equity and inclusion and students must be included in this work.

When starting at higher education institutions staff and students must be made aware of policies. All students, academic, administrative and other staff at higher education institutions must participate in regular mandatory training programmes. There must be regular awareness raising campaigns and courses on preventing unwanted behaviour and consent workshops.

During training the experiences of marginalised groups must be highlighted. There must be targeted support and resources for students and staff whose identities are marked by intersecting axes of inequality. Higher education institutions have diverse status groups of stakeholders, all of these should be involved in co-creation of training programmes to ensure maximum participation and ownership.

There must be training in understanding the need to empower victims to report and to make their own decisions and choices. Staff must be trained to recognise the signs of gender-based violence and know how to approach, support and signpost victims to relevant services. Professionals also need to also be trained to recognise and respond to violence and make appropriate referrals.

Academic institutions are places of research, learning, and teaching. Within these institutions, campaigns play a crucial role in addressing gender-based violence, promoting a culture of consent and respect, and challenging detrimental stereotypes specific to the context of higher education. All information, communication and campaigns must be clear, inclusive and accessible to all. Ensuring that it is available in different formats for students and staff who use braille, with different languages including sign language. By actively engaging students, faculty, and staff in constructive dialogues and educational workshops, we are committed to eradicating the factors that perpetuate gender-based violence. These campaigns underscore our unwavering commitment to cultivating an environment within higher education that is free from discrimination and violence, reinforcing our shared responsibility to prevent and address gender-based violence on our campuses. Academic institutions have a responsibility to the public, therefore any research on gender-based violence must be shared to tackle it in wider society.

Students' Unions role in Prevention

Any students' unions, associations or other groups should have preventative measures in place within their organisation. They can promote a culture of safety, inclusion, respect, consent and bystander intervention at their events and within their organisation. Involving students' unions is key to organising workshops and awareness raising campaigns targeted at students.

As student unions represent students' interests as an autonomous and collective body, they must be included in the development, implementation and evaluation of measures aiming to tackle the issue of gender-based violence. There should be a constant stream of information, notwithstanding legal limits, between higher education institutions, especially the leadership and legal departments, and the unions, in order to create synergies and to increase knowledge about problems on campus. Systematic collaboration is a key element for prevention and early-stage interventions.

Learning and teaching

Education and training should include understanding and recognising different forms of violence. Students not only need training to prevent and report gender based violence in their higher education institution. By training them to recognise and prevent gender based violence they can use these skills and knowledge in wider society and subsequent life and careers. They can also intervene if they are witness to violence and prevent any (further) violence from occurring.

Higher education institutions should ensure that gender-based violence is part of the curriculum. Learning, teaching and assessment should take a student centred approach. We need to ensure that relevant programmes teach about gender based violence with and for gender justice⁶. Students should receive recognition for any training or contributions they are involved with in the work against gender-based violence.

Non-violence education and equality should be integrated into academic programs, ensuring that students across various disciplines engage in this and understand the intersectionality of gender-based violence, addressing the unique challenges faced by individuals from diverse backgrounds. There should be teaching material on non-violent conflict resolution and the right to personal integrity. Education should encompass and foster consent, healthy relationships, bystander intervention, and the consequences of gender-based violence, equipping students and faculty with skills for prevention. Possible approaches should emphasise interactive methods, fostering critical thinking and active participation. Faculty and staff should be trained to maintain a consistent and supportive approach throughout the institution. They must be trained to understand the necessity to empower victims to make their own decisions. Those most at risk of gender-based violence should be offered empowerment programmes to strengthen their self-esteem and autonomy.

Challenging gender stereotypes

⁶ <https://www.tandfonline.com/doi/epdf/10.1080/09540253.2023.2206848?needAccess=true>

Persistent gender stereotypes contribute to and reinforce gender based violence. They reflect the belief about how women and men should behave and don't recognise diverse and non-binary gender identities. Gender stereotypes foster a culture of victim blaming, where victims of gender-based violence are blamed for their own victimisation based on their perceived failure to conform to gender norms.

Academic institutions should pledge to create an inclusive and equitable campus community where all individuals, regardless of gender, feel safe, respected, and valued and actively promote gender diversity in faculty, staff, and leadership positions, ensuring that opportunities are available to all qualified individuals, irrespective of gender. Higher education institutions should implement curricula and programming that deconstruct gender stereotypes and commit to providing resources and support systems for those who experience discrimination or harassment based on their gender. Through these guidelines, Higher education institutions should aim to create an educational environment that empowers individuals to transcend traditional gender roles and fosters a culture of mutual respect and equality, affirming our dedication to dismantling gender stereotypes within our higher education institutions.

Protection

The needs and safety of victims and bystanders must be at the core of protective measures. Students must be aware of when they are victims of gender-based violence. They must have the language to understand their experiences. Students must be made aware of their rights. There must be clear reporting procedures and support mechanisms for survivors, victims and bystanders. There must be training for those responsible for handling cases. Higher education institutions need to have measures to ensure a victim-centred approach.

Reporting systems

All higher education institutions must have reporting systems in place. The reporting system for gender based violence can be the same as reporting other objectionable or undesirable situations or conditions. The reporting systems must be effective and available to all persons at higher education institutions including visitors.

Different ways of reporting must be offered, including the possibility to report online, by phone and in-person, informally and formally. It must be possible to report both anonymously and confidentially. An anonymous report is where the person reporting is unknown and a confidential report the reporter is known to the organisation, but not disclosed to anyone.

A formal complaint should also be possible to be placed with relevant authorities. This can be offered as an option in addition to reporting in higher education institutions. It must be made clear to anyone reporting that they do not have to report to authorities unless the law requires professionals who become aware of violence to report crimes. If this is the case the victim/survivor should be informed of this. It must be clear that internal institutional reporting is independent of any external report to authorities.

The internal investigative procedures for resolving reports of gender-based violence must be clear including the roles and responsibilities for all those involved. Data on the number and nature of reports, must be made available for transparency. This will allow for targeted approaches to improving the learning environment

Support services

There must be provision for immediate safety support systems. There must be a safe space for victims to go to at their higher education institution. There must be emergency accommodation provided for victims or survivors. Higher education institutions must also offer comprehensive resources and guidance for survivors, including access to free legal, medical, and counselling services.

Support services must provide targeted support for those whose identities are marked by intersecting axes of inequality. There must be support available that is culturally specific and in relevant language. If needed, translation should be provided by the higher education institution. Higher education institution councillors need to be trained to recognise and provide support to victims, especially with view to securing evidence of violence. Councillors and other contact points for students in higher education institutions need to be trained on what is necessary so evidence is secured to be admissible in case of legal proceedings.

Higher education institutions should have accommodation available for victims of gender-based violence from their institution. Victims should be able to live in a safe environment away from perpetrators. They must have the option to relocate to different accommodation, changing contact information such as institutional emails. Ensuring that victims avoid direct contact with the perpetrator in for example learning and teaching settings, organised activities or meetings, both in person and online. This also includes any internship, practical work, mobility and extracurricular activities.

Protection of the victim/survivor should be prioritised. The perpetrator should be relocated rather than the victim/survivor, unless the victim/survivor wishes for their own relocation. Any action taken must be based on the victim/survivors needs.

There may be bystanders who witness incidents, or friends who support people involved. There must be counselling and psychological support be in place as they may also experience symptoms of trauma, such as anxiety, depression and flashbacks. Bystanders may feel guilt or responsibility for not having been able to intervene or prevent the violence they witnessed. Psychological support and counselling can help them come to terms with what they experienced.

24/7 support

There must be information available about the emergency support from the higher education support services. There must also be information about free local or national helplines that are accessible 24 hours a day, 7 days a week, to create a safe and supportive environment within higher education. These helplines serve as a lifeline for individuals who may experience gender-based violence, providing immediate and confidential assistance when it

is needed most. They must offer a crucial avenue for survivors, witnesses, or concerned individuals to seek guidance, emotional support, and information. The existence and accessibility of such helplines send a clear message that our society prioritises the well-being and safety of its members. These helplines should be available around the clock, acknowledging that incidents can occur at any time. The information about these helplines or websites must be displayed both on campus and on the higher education website.

Shelters, sexual violence or rape crisis centres

Authorities must provide shelters and crisis centres for victims/survivors of gender based violence. Higher education institutions should actively engage with organisations that provide shelter and support for survivors of gender-based violence. They should maintain a comprehensive network of resources and partnerships with local rape crisis centers, offering immediate and confidential support to survivors. It is imperative for institutions to establish strong partnerships with local shelters and services tailored to address the unique needs of survivors. This should include accessible information and referrals to shelter services, ensuring survivors have a secure and confidential space to seek refuge if necessary. These services need to be available to people of all genders. The shelters must be accessible for Disabled people.

Regional and international complaint mechanisms

Outside of higher education reporting systems there are complaint mechanisms. Acts of violence should be reported to relevant authorities to prevent further violence. Victims must be aware of their rights to report to regional and international complaint mechanisms. Complaint mechanisms must be accessible to all.⁷

Students' Unions role in Protection

Students' unions must have clear reporting procedures within their own organisations. Students' unions can make students aware of their rights, support services and reporting procedures both outside and within higher education. They also play an important role in the reporting mechanisms within higher education institutions.

Students' unions can support students in the reporting procedures and advocating for victims/survivors. Enforce the rights of students and ensure victims/survivors are protected in their institutions and can study in a safe learning environment.

Collaborations with other student organisations and other organisations or activist groups tackling gender based violence can strengthen work being done. Collaboration with other interest groups such as organisations representing a specific group can ensure different lived experiences are included and represented.

Prosecution

⁷ <https://rm.coe.int/coe-istanbulconvention-brochure-en-r03-v01/1680a06d4f>

Prosecution and disciplinary measures cover legal proceedings against suspected perpetrators and related investigative measures and judicial proceedings. This includes – as legally appropriate – possible warnings, suspension, rehabilitation, and termination of employment and study, as well as liaison with legal, police, and criminal justice organisations and professionals.

There must be legislation and procedures in place ensuring the prosecution of perpetrators. Countries should ratify the Istanbul Convention on preventing and combating violence against women and domestic violence.

Within higher education institutions prosecution relates to the reporting procedures and handling the cases of gender based violence and how they are addressed and resolved within the institution. These outline clearly the types of disciplinary action(s) or sanction(s) for perpetrators. It must be clear what constitutes evidence and the reasonable timeframes for each stage of the process. It must be ensured that there is a low threshold to start a formal investigation.

Disciplinary committees must be made up of a diverse group of people, experts who are knowledgeable about intersectional or multiple forms of violence should be included. There must be student representatives involved in disciplinary committees. Ideally investigations of reports of gender based violence within higher education should be handled by an independent third party.

During investigation accused members of staff should have their duties modified or adapted, Accused students should be offered alternative learning and assessment methods. A psychologist should be involved in the interpretation of facts by the victim/survivor and the perpetrator. To protect future (potential) victims severe forms of transgressive behaviours should be recorded. Judicial records can be made available to future employers or places of study.

Signing non-disclosure agreements (NDAs) as a mandatory policy create a culture where misconduct goes unreported. This also prevents victims/ survivors talking about their experiences and they may not disclose important information.

Both the complainant and the accused have the right to representation by a trade union, students union, lawyer or friend.

In article 48⁸ of the Istanbul convention, mediation is discouraged because victims/survivors cannot engage in alternative dispute resolution processes on an equal footing as the perpetrator. Therefore there must not be meetings with the parties to attempt mediation or to clarify the situation.

Confidentiality of victims/survivors must be respected, they must be informed if it is required by law to report the crime.

⁸Council of Europe Convention on preventing and combating violence against women and domestic violence <https://rm.coe.int/168046031c>

Students' Unions role in Prosecution

Students' unions can act as a support or representation for students. In internal investigation committees and in disciplinary committees composition must be diverse, impartial and representative, there must be a student member if a student is a victim.

Policy

National authorities must ensure there are coordinated policies which are built on common frameworks for addressing gender based violence. The mechanisms put in place need to allow for effective cooperation between higher education institutions and other relevant government agencies, as well as authorities at all levels.

Laws and policies across Europe rarely address intersectionality in gender-based violence. If they do it is often gender identity and sexual orientation that is most often addressed. Laws and policies must also address other grounds of inequality to ensure the rights of all students. Policies and legislation put in place must have a human rights based approach. Students must be included and protected by any legislation that is created.

Prevalence

Any policy should be informed by research and data. Policies should be monitored and evaluated to ensure their impact and effectiveness. Prevalence refers to data and data collection aimed at estimating the extent of gender-based violence and at providing information on its different forms. By using surveys and other data sources (e.g. administrative data, such as from complaints and incident reports), it is possible to derive incidence estimates and approximate the actual scale of the issue. This information contributes to formulating evidence-based policies. Importantly, prevalence must take an intersectional approach, taking into account people's ethnicity and origin, age, gender identity, sexual orientation, chronic illness and disability status, as well as their position within organisations.

Discovering prevalence can occur through survey data collection and qualitative information, such as through national surveys or Europe wide surveys such as Eurostudent. It is crucial that governments invest in systematic data collection. The data collection exercises at both national and institutional level should be regular, in order to ensure comparability and evidence trends and be followed-up by meaningful actions. Databases should be made interoperable in order to support both research and access to public services.

Data should be collected in an inclusive manner in terms of language, wording and dissemination. For best practice examples look at [Unisafe toolkit](https://unisafe-toolkit.eu/tool-and-action-plan/prevalence/)⁹

⁹ <https://unisafe-toolkit.eu/tool-and-action-plan/prevalence/>

The European Students' Union expects that prevalence of gender-based violence in higher education is collected including data on students.

Students' Unions role in Policy making

Students should be involved in co-creating any policy affecting them. They should be involved in the monitoring and feedback of any policies.

Students that are involved in advocating and policy making should be recognised for their contributions to policy creation,

Funding

In order to implement the aforementioned policies and services there must be sustainable adequate funding provided by public authorities to higher education institutions. Higher education institutions can not be expected to carry out these measures and services without funding from authorities.