

# CODE OF CONDUCT

## HOW TO PREVENT SEXUAL HARASSMENT

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## CODE OF CONDUCT – HOW TO PREVENT SEXUAL HARASSMENT

### I. WITNESSING THE GOSPEL

As people whose faith is rooted in the Gospel of Jesus Christ EMS upholds the principle that each human being has received his or her dignity as a gift of God and therefore needs to be respected and protected.

This fundamental insight, rooted in our faith, needs to be expressed coherently in the ways we meet and interact everywhere, especially in events that bring us together.

We strive to build a caring community with an awareness to avoid any kind of harassment, in particular sexual harassment and to create a safe space for all.

*“Our witness is based on faithfulness to the Gospel and on compassion for God’s creation, particularly for all vulnerable and endangered creatures”.*

*“Our witness finds expression in signs of living solidarity. As reconciling and healing communities we share life, also suffering. We strive for human rights. We also strive for a just community of women and men and in all generations”.*

(EMS Theological Guidelines 2003; § 5, § 8)

### ACCEPTING THE CHALLENGE

In harmony with the EMS Gender Policy, EMS accepts the challenge of discerning gender justice and power abuse in intercultural dimensions.

Within churches and mission organizations there is a special responsibility of people in power positions of emulating Christ’s servanthood by not misusing the imbalance in relationship, but rather behave respectful towards others and supervise the implementation of the Policy.

Courage is necessary to call into question things we take for granted, sensitivity and courage to deal with the question of justice within a trans-cultural dialogue.

*“As a forum for ecumenical living, in our common witness across borders our fellowship enables us to learn from each other, to encourage each other, and to challenge each other”.*

(EMS Gender Policy 2006/2010)

Our cultural diversity is our potential and our strength. We want to relate and communicate in a caring and sensitive way. As an international ecumenical community we have the task to develop and live appropriate expressions of the friendship and warmth felt for others in a positive, non-threatening way.

## LIVING OUT THAT COMMITMENT

Basic ethical commitments and standards are to be lived out in the work of the EMS. These include

- Respect for the dignity and integrity of all human beings.
- Fair and just treatment of all human beings, without discrimination, exploitation or harassment.

These commitments call for special attention in international and multicultural work contexts where differences based on race, ethnicity, religion, gender, age or disability can lead to attitudes or practices that violate individuals' personal integrity or sense of what is appropriate. The temptations to misuse power, harass and exploit others, also in relation to sexuality, are considerable, and must be constrained. The EMS Code of Conduct embodies zero tolerance with regards to harassment, abuse, sexual exploitation and the abuse of power, in all of EMS activities and responsibilities, at the organizational or program level in our humanitarian, development and advocacy work, and applies rules and penalties for any breaches or violations.

As followers of Jesus Christ, we are called to provide environments that affirm the dignity and worth of persons created in the image of God. Fellow human beings mirror divine dignity. Jesus addresses them as „brothers and sisters“. To this end it is our responsibility to oppose oppression in all forms including any sexual abuse, exploitation, or harassment in our midst.

## II. WHAT IS SEXUAL HARASSMENT?

Sexual harassment is defined by its impact on a person rather than by the intent of the person engaged in the behavior. Any sexual conduct is unwelcome whenever the person subjected to it considers it unwelcome. Sexual harassment can be done by remarks, gestures or behavior.

Sexual harassment includes unwelcome, one-time or persistent sexual conduct that offends, humiliates or intimidates a person and/or that creates a poisoned psychological or emotional environment for those who work in, or participate in any activity, of the EMS communion of churches and missions.

Sexual harassment is often an expression of an unequal power relationship. It occurs when those persons in power discriminate or take advantage of others, especially those who are dependent or vulnerable.

The EMS does not accept any kind of sexual harassment. If a victim is pointing it out the following procedures should be followed.

### III. GUIDELINES FOR ACTION

As we as EMS Fellowship encounter one another's differences we should be careful not to assume that our way of being and behaving is comfortable for everyone else. Even between individuals of the same culture or background, what may be considered normal friendliness and sociability to one person can be interpreted differently by another; in a culturally mixed group, the potential for misunderstanding increases. Sometimes our differences of age, gender, culture, religion, confession, ability, language, caste, ethnicity and class make it a challenge to understand and communicate with one another. We are invited to take this challenge as a gift and an opportunity. In doing so, we need to take extra care and sensitivity in our behavior and approach to one another.

#### 1. HOW TO PREVENT SEXUAL HARASSMENT

There are steps that can be taken to make sure one is treated in ways that are comfortable and appropriate, and to make sure one is doing the same for others. Be clear with yourself and with others about your personal boundaries.

- (a) Refuse any gesture or contact you consider inappropriate.
- (b) Respect other people's personal boundaries. If you are not sure, ask first. (For example, "Would it be okay if I gave you a hug?")
- (c) If you experience harassment, make it clear that the behavior is unwelcome. You can say "no" with a look, words, or gestures.
- (d) If harassment persists, and you are in a public place, make your protests louder so that the public notices the harasser, especially if you feel yourself to be in danger. It is your right to hit, kick, or push someone who is molesting you. This is self-defense.
- (e) Trust your intuition if someone's behavior makes you feel uncomfortable. There is no need to rationalize or deny what is really going on. Do not diminish your feelings even if you are embarrassed or are not sure if you are really experiencing harassment. Your feelings are valid and they indicate that it would be valuable and helpful to talk with a trusted friend or counsellor who can help you interpret what is going on.
- (f) Talk about it with people you trust, so that you may take the right steps for you and so that the name of the harasser and the objectionable things done are known. The latter is important so that others are not subjected to the same kind of treatment. Silence may only provoke more harassment.
- (g) For any legal action, verbal and written reports are helpful. If you feel that you may want to report the harassment formally, write down or record what happened while it is still fresh in your memory.

## 2. ACTIONS TO BE TAKEN DURING ANY EMS MEETING

- (a) The folded EMS-leaflet about sexual harassment will be handed out to every participant before or at the beginning of every EMS event, and introduced to those present in the event.
- (b) Those people unwilling to abide by the policy are required to leave the event.
- (c) A team of at least two ombudspersons will be appointed at the beginning of each event and will be introduced to participants at the beginning of the event. The ombudspersons will be nominated by the organizers of the event and approved by the participants. It is desirable that the ombudspersons have significant counseling experience, cultural sensitivity, and should be of different sex.
- (d) If a sexual harassment claim is made, action will be taken according to this statement.

## 3. EDUCATION AND AWARENESS RISING

As part of this Code of Conduct a permanent process of sensitization and commitment-raising in the EMS will be launched by holding workshops and trainings in the different bodies of the EMS-structure on a regular basis: such as General meeting, Mission council, International Secretariat, women network, youth network.

The aim of these workshops and trainings is to build awareness, to sensitize all members of the EMS family concerning the problem of sexual harassment and to encourage them to deal with it.

## 4. PROCEDURES FOR COMPLAINTS

Speaking up about sexual harassment takes a lot of courage for the affected person. Fear, shame and shock can sometimes prevent a person from reporting an incident immediately after it happened. It is important to build trust that every incident will be taken seriously and the report will be handled in full confidentiality, before further steps are agreed on by the ombudspersons and the affected person(s).

When complaints are made they must be carefully and properly investigated. The ombudsteam has to be aware of this guideline and the following principles.

- (a) Harassment is difficult to prove and it might involve people the team is familiar with and would never expect inappropriate behavior from. It is important to listen to the complaint without offering possible explanations for the behavior of the offender.
- (b) The definition of sexual harassment and personal boundaries are always with the person affected.
- (c) No one will be blamed if they have not been able to confront their harasser.
- (d) Each case should be treated seriously and sensitively, with transparency, fairness and proportionality in procedures.
- (e) In the process of determining what has happened and how it will be handled, every attempt will be made to maintain confidentiality, while at the same time providing for the physical and emotional safety of the sexually harassed person.
- (f) Counselling and support should be available for both parties.
- (g) In no case will the identity of the harassed person be made public – to either the participants of the event, or the home community, as in some cases this could mean undue shame for the harassed person.
- (h) The dignity of the harasser will be respected.

After a claim has been made to a member of the ombudsteam, the following process should be started. The team should be careful to inform the complainant about every step that is being made and get their agreement.

All sexual harassment is to be taken seriously.

Ombudspersons discern the situation and decide possible actions in regard to short term needs (regarding the context of the event) and long term needs (regarding the follow-up after the event).

Some incidents can be resolved informally, through dialogue, without recourse to formal procedures, clearing up misunderstandings or aiding people in more clearly defining personal boundaries. In any case a report must be written by the ombudsteam.

The harasser might be removed from the event and sent home at the earliest possibility. In the case of such action, the meeting may be informed. That person might even be banned from future EMS events or positions in committees.

If the team deems it necessary, the ombudsteam discerns with the leader of the event to consult with an expert office against sexual violence. This office shall receive all reports, outside of the EMS structures (still to be named).

Management Board and Gender Desk must be informed.

If harassment is reported after the event the ombudsteam of the event will deal with the case.

Considering the above guidelines, the ombudsteam is empowered to consult with all parties involved and the leadership of the meeting to reach suitable conclusion.

*Sources: LWF CoC, CCA Policy on Sexual Harassment, WCC 2006*

*Adopted by Mission Council of EMS in November 2019 in Hohenwart/Germany.*