



Local & Regional
Europe

CEMR Code of Conduct

April 2018

*Council of European Municipalities and Regions
Registered in the Register of Interest Representatives
Registration number: 81142561702-61*

I. Introduction

Whereas respectful, courteous and sensitive behaviour is the norm at CEMR events and activities, CEMR recognises that there is a broad range of potential circumstances by which harassment, violence and discrimination may occur.

Harassment, violence and discrimination can be *committed by, towards or between*:

- **CEMR staff**
- **Member association staff**
- **Elected representatives**
- **Third parties**

CEMR has a duty of care and vigilance towards all of the above at its events or external events where members/staff are representing CEMR. For this reason, CEMR has a responsibility to develop a zero-tolerance culture toward harassing, violent or discriminatory behaviours. The CEMR Code of Conduct is tailored to contexts wherein an increased risk has been identified, including – but not limited to – conferences, celebrations and meetings, taking into account that its causes are varied and can be linked to power structures and attitudes.

The CEMR Code of Conduct is a statement of the desired behaviour to be observed by CEMR staff, member association staff, elected representatives and third parties when participating in events or activities organised by CEMR or in which CEMR is represented. It also sets out a procedure for reporting and addressing incidents in situ, investigating reports of alleged breaches of the code, ensuring the protection of individual rights during the course of an investigation, follow-up and possible remedies and/or sanctions.

The CEMR Code of Conduct may be complemented in the future by additional measures to reduce, prevent and mitigate problems of harassment, violence and discrimination.

II. The Code

The Council of European Municipalities and Regions (CEMR) is dedicated to providing a professional environment free from harassment, violence and discrimination for everyone, regardless of: gender, colour, ethnic and social, origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, sexual orientation or socio-economic status.¹

CEMR does not tolerate harassment, violence or discrimination in any form.

Harassment, violence and discrimination can take many forms. It could:

- a) Be physical, psychological, verbal and/or sexual (including deliberate intimidation, stalking, or following, unwelcome photography or recording, inappropriate physical contact);
- b) Be one-off incidents or more systematic patterns of behaviour, by an individual or group;
- c) Originate from the actions or behaviour of CEMR or member associations' personnel, elected representatives, or third parties;
- d) Range from cases of disrespect to more serious threats and physical assault;
- e) Constitute criminal offences which require the intervention of public authorities;
- f) Deeply affect the personality, dignity and integrity of the victim;
- g) Occur at the work place, in the public space or in a private environment and is work-related;
- h) Occur as cyber-bullying/cyber-harassment through a wide range of information and communication technologies (ICT).

Individuals asked to stop any harassing, violent or discriminatory behaviour are expected to comply immediately.

¹ Grounds of discrimination taken from the European Charter for Equality of Women and Men in Local Life, Principle 2 and Article 10.

III. Compliance and procedures

The CEMR Code of Conduct is a public document and it can be adopted and adapted by other organisations who wish to implement a code of conduct. It shall be provided to CEMR staff, member association staff, elected representatives, and third parties participating in CEMR activities or events to ensure that the policy is well-known and understood by all concerned parties.

A small investigative committee shall be created to follow up allegations of misconduct, assess the facts, and propose remedies or sanctions. Allegations of misconduct must be investigated within 30 days of the original report. The investigative committee shall be composed of one senior CEMR staff member, one representative from a CEMR member association and one member of the CEMR Standing Committee for Equality; the group should include at least one man and one woman.

In order to ensure confidentiality and impartiality, should one of the parties to the complaint (injured or accused) be a CEMR staff member, a senior staff member (e.g. Chief Executive) of a member association would replace the CEMR staff member in the investigative committee. Similarly, should the representative of the member association be involved in the complaint, a senior staff of another member association would replace them in the investigative committee.

The investigative committee shall be nominated for each case by the Presidency.

In the event of an alleged breach of the CEMR Code of Conduct the following procedures have been introduced:

A. Requirements regarding reporting of incidents of misconduct (immediate / in situ)

All incidents concerning a breach of the CEMR Code of Conduct shall be reported by the injured party to the CEMR Secretary General, or to a senior CEMR staff member as soon as possible either verbally or by email.

The CEMR Secretary General (or his / her representative) receiving the report in situ shall inform the Chief Executive of the organisation or association(s) concerned (the association of the accused and accusing parties) or his / her representative present at the time and the CEMR Secretary General (or his / her representative) will immediately take action to stop the misconduct using his / her best judgement. The CEMR Secretary General shall subsequently inform, in writing, the Chief Executive of the organisations or associations involved (of the complainant and accused parties) and refer the matter to the investigative committee for review.

B. Requirements regarding investigation of reports of misconduct

During the course of an investigation of a report of misconduct, CEMR will seek to protect individual rights by respecting the following points:

- Individuals who are subject of an investigation must be given all information in regard to the allegations brought against them and an opportunity to respond.
- Any individual who alleges a breach of the code must not be disadvantaged because of such an action. Individuals need to be able to report instances of misconduct in security, without fear of reprisal and with the expectation that confidentiality will be respected.
- All deliberations in regards to the alleged breaches of the code should be conducted in confidence.

Breaches of the code of conduct shall be dealt with internally. In the case that alleged misconduct is illegal behaviour, i.e. situations where other legislation determines hearing/consideration of a matter,

CEMR's Secretary General and the investigative committee will refer the matter to the relevant authorities and inform the Chief Executive of the relevant member association(s).

C. Ensuring compliance

If, following the review and evaluation of the report of misconduct, the investigative committee finds **there was no breach** of the CEMR Code of Conduct, the injured party and the accused party will be informed of the conclusion and a report provided to the CEMR Presidency outlining the date, location, parties involved, complaint and conclusion.

If, following the review and evaluation of the report of misconduct, the investigative committee finds **there was a breach** of the CEMR Code of Conduct, the injured party and the accused party will be informed of the conclusion and, depending on the gravity of the situation, the investigate committee will recommend an appropriate remedy or sanctions, such as:

- When possible, informal conciliation will be privileged (e.g. through an apology or issuance of a warning).
- The investigate committee may recommend, depending on the severity of the breach and if it is a repeat occurrence, to expel the perpetrator from the event and inform the Chief Executive - or in case a politician is involved, the President - of the relevant association by letter asking to take disciplinary action under its own code, including not sending the perpetrator to future meetings.



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About CEMR

The Council of European Municipalities and Regions (CEMR) is the broadest organisation of local and regional authorities in Europe. Its members are over 50 national associations of municipalities and regions from 41 European countries. Together these associations represent some 150 000 local and regional authorities.

CEMR's objectives are twofold: to influence European legislation on behalf of local and regional authorities and to provide a platform for exchange between its member associations and their elected officials and experts.

Moreover, CEMR is the European section of United Cities and Local Governments (UCLG), the worldwide organisation of local government.

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