Dear Geert, Karen and Jan,

The topic of social safety has been brought up a numerous amount of times this academic year. The University of Amsterdam has had a number of its sexual harassment cases exposed such as the “een acht voor een nacht” at the Faculty of Law and the recently exposed case at the Faculty of Humanities. Even though the CvB declared the behavior at the Faculty of Law inadmissible last year, we are yet again faced with the same problem a year later. Not enough has been done in order to shift the culture surrounding sexual harassment within the university, let alone lack of effort in order to start a fundamental change at the university. The CSR wants to stress the need for this cultural change. However, we believe that avoiding the codependency of cultural change on institutional change, and focusing on cultural change alone will not resolve the many problems the UvA currently faces. A shift in systematic behaviors takes time, too much time. It needs to be accompanied by a restructuring of the institutional/bureaucratic procedures currently in place. In order to create a socially safe culture, the institution needs to cooperate and shape itself accordingly. This advice will therefore not mainly focus on the cultural change that needs to happen, but on the large re-structuring the UvA needs to undergo with its complaints committee and procedures, role of the ombudsperson, and creating new roles in order to help victims of sexual harassment to feel heard and for the perpetrator to receive appropriate sanctions.

Cultural change
A cultural change is a proactive measure. By transforming the culture of UvA, undesirable behavior can be prevented.

The CSR believes that educating staff and students on the topic of social safety and actively engaging in discussions on this topic are essential steps towards a cultural change.

We have identified some practical measures that can be taken to facilitate a cultural change within UvA. The non-profit organization Our Bodies Our Voices (OBOV) and Chief Diversity Officer (CDO) Team provide some very valuable workshops. The main themes of the workshops by OBOV are Boundaries, communication & consent, Bystander Intervention, Active Listening,
Alcohol & Party Culture, Social Safety Training, and Allyship and The CDO team provides implicit bias training and intercultural communication training. The CSR strongly encourages UvA to invest in these workshops and have them provided for teaching assistants, and staff. We believe that all of the measures mentioned above should be mandatory for necessary bodies.

In the IAO with Karen, she expressed that they would like to create a safe space to encourage students/staff to come forward when they have an issue. Our Bodies Our Voices (OBOV) has a branch in our university. We have been reached out by Agathe Cherbit-Langer, who is the chair of OBOV-UvA and social safety file holder of Chief Diversity Officer Team, with the intention of cooperation on a support group project for victims/survivors of sexual violence in the context of UvA, which is an adaptation from their current work namely, CARE Amsterdam. Angela and Anestia are the psychologists of CARE Amsterdam, currently taking place digitally with a mixed group of participants with all kinds of backgrounds. Their idea with OVOB-UvA is to implement the same structure of a non-therapeutic support group, this time specific to students and staff of UvA. By providing a service such as Project Care at the UvA, students/staff can be more comfortable sharing their experience knowing there is a support system available for them. The CSR believes that the implementation of Project Care is a crucial step towards creating a safer environment.

Complaints committee and procedure

The CSR believes that it is imperative for the complaints committee and its hiring process to be reviewed in its entirety. It was impossible for us to find an UvA mail connected to the chair of the complaints committee in order for us to communicate with them and we were unaware that 2 members supposedly representing the CSR should be in this committee. This is a first issue the CSR has found about the complaints committee that should be rectified or made clearer. Moreover, it still remains unclear how the members of the committee are pointed and whether they hold other positions within or outside the university.

Following the year reports of 2017-2018-2019 of the complaints committee, we can see that none of the cases mention sexual harassment or any type of inappropriate behavior (we do not know if they are just not mentioned in the reports or whether they were passed on to other bodies). Looking into the report, a lot of cases are forwarded to faculty complaints coordinator (16 out of 45 in 2017, 25 out of 55 in 2018 and 29 out of 44 in 2019). Out of the 144 complaints that were submitted between 2017 and 2019, only 18 were processed. From these 18, not a single case was deemed as "well-founded", they were all "unfounded", with the exception of 1 being "partly well-founded, partly unfounded". Lastly, the report offers an extremely short overview of the cases handled with no concrete valuable information or evaluation from the complaints committee.

According to the regulations, for a formally correct submission of a complaint the following things must be included:

- The name and address of the complainant
- Date
- Description of the conduct that resulted in the complaint and the name of the body or individual responsible for the conduct
- Signature of the complainant
- The complaint must be written in Dutch, if it isn’t it is the responsibility of the complainant to provide a translation.
- If one of the above-mentioned points are not included, then the notice of complaint shall not be handled.

The CSR strongly believes that forcing a complainant (especially a student dealing with sexual harassment) does not need to include their name and address for the counter party to see. Not allowing for anonymous filling of a complaint in these sensitive cases, it is the student that
suffers greatly until the behavior of the perpetrator is proven. Moreover, the University of Amsterdam is a bilingual university, this means that a complaint needs to be able to be filled in English without burdening the student further in providing a dutch translation. This greatly disadvantages international students who need to bear the costs of translation which means that someone will read their complaint and once again, cannot keep their anonymity if they so wish. This was made explicitly clear in the most recent case at the Humanities faculty whereby a formal procedure could not be filled due to the procedural/bureaucratic blockage of the victim not being able to remain unnamed. Furthermore, any forms of complaints should be taken seriously and properly archived. A student is told to go to their confidential advisors if they have any issues, however this is considered an information complaint according to the UvA’s website. This makes it very unclear and more of a bureaucratic mess when trying to figure out with bodies to go to and if any will listen to a student.

With regards to the information given in the complaints committee report, committee structure and the regulations, the CSR advices of the following:

- To create a possibility for anonymous filling system for confidentiality and protection of the victim (by anonymous filling we mean that a student should be able to have their names known only by the confidential advisors and not publicly known by the perpetrator and others not involved)
- To for now, make it explicitly clear that an informal procedure will not be considered when conducting an investigation.
- In the long run, to ensure all forms of complaints (formal and informal) are properly archived and investigated. This could mean the end of the distinction between formal and informal complaints.
- End the bureaucratic misinformation for students. This means to ensure that it is made very clear to students where they can go when they have complaints, what the procedures are and that their complaint is valid till proven otherwise.
- Every January, evaluate the individuals that are representing the CSR in the committee. It is for now unclear to us how long they are in this position and what their role as representing us is.

Ombudsperson

The CSR received the Ombudsperson profile on June 8th in order to provide input. Many questions and comments arose while reviewing the profile. We understand from the profile that the ombudsperson occupies an independent position within the UvA. Therefore, we believe that the ombudsperson should not answer to the Executive Board and should instead answer to the community. Furthermore, the CSR finds it to be a conflict of interest if the investigation results necessitate a decision-making process and the results are first presented to the Executive Board. This can lead to administration burying the investigation and doing nothing to solve the problem.

The CSR finds it problematic that the interim ombudsperson is supposed to focus on issues that go beyond the individual level and/or may involve a pattern or structural misconduct within the UvA or one of its individual units. This can allow situations of undesirable behavior, such as the one in the Faculty of Law and Humanities, to accumulate for multiple years before something is done. The CSR finds it equally important for the ombudsperson to focus on individual cases in order to put an end to an issue before more students/staff are affected.

One of the duties of the interim ombudsperson was to explore and describe the behavioural culture, to encourage open discussion of this culture and to take action to improve it, and to identify and report any systemic shortcomings in regulations or organisational structure. In the complaints committee and complaints procedure sections we have identified many shortcomings. The interim ombudsperson has held the position for nearly a year, and the CSR questions what has been done throughout this year since we believe the shortcomings we have found are of a very basic nature.
At the moment of writing this advice, the CSR has not had a chance to meet with Jacqueline Schoone and we do not have information on how Jacqueline Schoone went about the situation presented by the NRC article. We are wondering why an external investigation team was hired as one of Jacqueline's responsibilities is to investigate these types of situations. The CSR is curious if this means that the investigation by Jacqueline was not carried out properly and a second opinion was needed. The CSR strongly encourages an evaluation of the position of the interim ombudsperson in order to determine whether it should be extended until January 2021 and whether the position of an ombudsperson is necessary.

Create Ombudstudents in every study

One of the things that these series of incidents proved again is the problems that students have with expressing themselves and experience to current designated positions. As we see in the article, all of the responsible parties fail to take this issue seriously and even suggest that students should shape themselves according to the teacher’s desires. This is truly outrageous as it destroys the existence of any safe space for students within the system. UvA is responsible for making sure that there are safe spaces where students can express themselves without being judged or forced into decisions. The current situation is a manifestation of this enormous void in the system. Hence, the CSR advises immediate implementation of Ombud’s students in every program. This will allow students to have a safe space within the institution to share their concerns and experiences that the current structure is sweeping under the rug.

Ombudsstudents should be chosen by the program committees of their programs before beginning of the upcoming academic year. Every Ombud’s student has to be provided with training in implicit bias and intercultural communication as equal treatment of all minoritized groups is guaranteed. The central contact body of the Ombud’s students will be temporarily assigned as the social safety commission. The communication will be taken over by the ombudsperson and complaints committee after the positions have been revised and reformed.

Social safety commission (implementation and investigation)

Analysis of CSR clearly suggests that the current structure with complaints, especially on the topic of social safety, is not able to meet the necessary conditions for students to feel comfortable and protected to take the necessary steps with their complaints. All of the involved bodies have proved to be incapable of performing the crucial change needed within the period of a year after the sexual harassment case of the Law professor. It is nothing but heartbreaking that our students found a national newspaper, profiting off their pain more reliable than the current system of complaints at UvA.

The CSR considers the situation as more than urgent and believes that UvA should respond to the discomfort and critiques of the academic community through announcement of drastic changes at the university. Considering the loss of trust to the system and current administrative bodies, The CSR strongly urges CvB to implement a social safety commission at UvA in order to seek a permanent change at the university before the beginning of the next academic year (2020-2021). This body will be responsible from implementation of the current advice from CSR and social safety part of the ‘Let’s Do Diversity’ Report (2016), in order to ensure an institutional change at UvA as much as a cultural one.

Alongside its role in implementation of respective points, the commission will be responsible from holding an investigation into social safety of UvA at all faculties, specifically starting from Faculty of Law and Faculty of Humanities. It will be at the decision of the commission to research what is needed for a successful investigation. The commission will be expected to provide short weekly updates to stakeholders as well as providing more detailed monthly updates to the academic community.
An independent supervisory committee to keep an eye on the process with Social Safety

The CSR believes that one of the reasons that have been instrumental in insufficiency of the investments into social safety, is lack of supervision over the administration and process with social safety. After Geert's speech at the opening of the academic year, social safety lost its visibility in the academic community as number one priority of the university. It is common knowledge that 100.000 euros from the budget was spared for the social safety taskforce. However, the taskforce was not able to address the problems with the system, even though it mainly focused on sexual harassment at UvA. The inherent contradiction of ombudsperson reporting to the executive board, which is part of the UvA bodies that needs to be observed, was not pointed out by any of the groups looking into social safety. Lack of supervision and different perspectives seem to be the reason for the failure on social safety last academic year.

In conclusion, the CSR suggests implementation of a supervisory committee on social safety, which will be composed of different stakeholders on social safety, both within and outside of UvA. This supervisory committee will include a member of Raad van Toezicht, 1 member of Our Bodies Our Voices NPO, 1 member of Diversity Forum, 1 student and 1 staff member. The student will be nominated by CSR and the staff member will be nominated by COR. The formation of the committee needs to be simultaneous to the formation of the social safety commission.

Immediate changes

The CSR would like the changes in this section to be implemented as soon as possible. Upon reviewing the complaints committee page on the UvA website, it was very difficult to find the contact information of the complaints committee members. Therefore, the CSR suggests listing these members as an UvA employee, so their information can be found via the UvA staff database, or have their contact information provided on the UvA complaints page.

The CSR is aware that an external investigation concerning the misconduct in the faculty of humanities is in process and that the professor in question is still active. The CSR asks for the professor to be suspended until the investigation is complete and the decision is announced. The CSR asks to ensure that the students of this professor are not faced with a study delay.

Long-term demands

To summarize, all the long-term suggestions provided by the CSR in this advice:

- Cultural change by investing more in organizations/workshops and implementing support groups for students/staff.
- Review the existing complaints committee and assess the quality.
- Improve the complaints procedure by allow anonymous complaints and complaints in English
- Correct for contradictions and conflict of interest in Ombudsperson Profile and evaluate whether the position should be extended and whether it is necessary.
- Introduce Ombudsstudent within each faculty and eventually each program
We look forward to your reply.

Bedankt en sterkte in deze tijd namens de gehele Centrale Studentenraad

Met vriendelijke groet,

Pjotr van der Jagt
Voorzitter CSR 19|20