INDEPENDENT COMMISSION OF THE CENTRE FOR SOCIAL STUDIES TO CLARIFY SITUATIONS OF HARASSMENT

FINAL REPORT

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Contents

List of Abbreviations

CES - Center for Social Studies

IC - Independent Commission

CITE - Commission for Equality in Labor and Employment

PC - Penal Code

CPR - Constitution of the Portuguese Republic

LC - Labor Code

FCT - Foundation for Science and Technology

FFMS - Francisco Manuel dos Santos Foundation

HEI - Higher Education Institutions

ILO - International Labor Organization

UN - United Nations Organization

OPP - Portuguese Psychologists Association

UAP - Pedagogical Monitoring Unit

UC - University of Coimbra

UIEA - Internal and External Monitoring Units

UMAR - Women's Union for Alternative and Response

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1. Preamble

Following the publication by *Routledge of* the book "*Sexual Misconduct in Academia: Informing an Ethics of Care in the University*", in March 2023, which included the chapter by Lieselotte Viaene, Catarina Laranjeiro and Miye Nadya Tom, entitled "The walls spoke when no one else would: Autoethnographic notes on sexual-power gatekeeping within avant-garde academia", in the present report referred to as the "Chapter", the Centre for Social Studies (CES) appointed an Independent Commission (IC), external to the institution, to analyze complaints about moral and sexual harassment practices in professional, research or advanced training activities that occurred at CES.

The IC, as an autonomous structure, free and independent of any internal or external influence, began its work on August 1, 2023. The IC's focus was on analyzing and clarifying complaints about possible situations of harassment and abuse that occurred in the context of professional, research or advanced training activities carried out at CES.

The IC did not take on the role of the competent administrative or judicial entities or authorities in assessing conduct that might constitute disciplinary infractions or unprescribed crimes. The IC's objective was to validate, on the basis of evidence produced, such as testimonies or documents, the complaints reported to it and, subsequently, to produce recommendations based on good practices defined in other international academic contexts that contribute to the development and adoption of measures to prevent and raise awareness among members of the CES community about all forms of harassment. In pursuing its mission, the IC has taken impartiality, autonomy, confidentiality and independence as its criteria.

The Constitution of the Portuguese Republic (CPR) enshrines the rules of fundamental rights, dividing them into rights, freedoms and guarantees and economic, social and cultural rights. The CPR proclaims adherence to fundamental principles such as democracy, human dignity and equality, as well as respect for fundamental rights, prioritizing the individual before political and economic organization. According to the principle of equality, all citizens have the same social dignity and are equal before the law, and no one may be privileged, disadvantaged, deprived of any right or exempted from any duty because of their ancestry, sex, race, language, territory of origin, religion, convictions, education, economic situation, social status or sexual orientation. In the same way that it prohibits differences of

treatment without legitimate grounds, it justifies, and in some cases imposes, the adoption of differentiated measures for vulnerable people and groups, groups that need and depend on protection, through policies aimed at combating discrimination and achieving material equality. It should be noted that the 1997 revision of the CPR now includes the right to legal protection against all forms of discrimination (Article 26).

Over the years, laws have been adopted and public policies designed to combat discrimination and promote equality. Under the CPR, everyone has the freedom to learn and teach (Article 43), and the state is responsible for guaranteeing access to education under conditions of equal opportunities for access and success (Article 74). Basic, universal and free education was established in 1976 and, since the constitutional revision of 1982, all levels of education have been progressively made free. State duties also include supporting scientific research and technological development.

In Portugal, after the installation of the democratic regime, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights of the United Nations (UN) came into force. In 1978, the Convention for the Protection of Human Rights and Fundamental Freedoms, approved by the Council of Europe in 1950, came into force. This Convention covers rights such as the right to life and the prohibition of torture, freedom of expression, freedom of conscience, thought and religion, privacy and the right to effective judicial protection. Other international instruments have been adopted over time, such as the UN Conventions on the Elimination of All Forms of Racial Discrimination of 1965, on the Elimination of All Forms of Discrimination against Women of 1979 and on the Rights of the Child of 1989. In the 21st century, the 2006 Rights of Persons with Disabilities and the 2011 Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence were adopted. More recently, Portugal signed up to the Paris Agreement, which sets out the 17 goals of the UN's 2030 Agenda for Sustainable Development. Among these goals are the eradication of poverty and hunger, health and well-being, quality, inclusive and equitable education, gender equality and the empowerment of all women and girls, full and productive employment and decent work for all, the reduction of inequalities within and between countries, climate action and the defense of life on Earth, and the promotion of fair, effective and inclusive institutions - which provide a good argument for reflection on the ways in which the dignity of the human person can be realized.

In addition to recognizing rights, it is essential to have mechanisms to defend and enforce them. In a participatory democracy, people are also called upon to participate in making rights a reality. The protection of fundamental rights is dynamic, open to new challenges and contexts. The diversity of societies requires a complex understanding of equality capable of articulating equal rights with differentiated rights for a common dignity.

A recent European study of more than 42,000 responses from staff and students at academic institutions found that almost two in three respondents (58%) had been victims of gender-based violence and almost one in three had been victims of sexual harassment at their institutions.[1] In a comprehensive analysis of the mapping of laws and policies, the same study only identifies the National Strategy for Equality and Non-Discrimination in Portugal, which includes public Higher Education Institutions (HEIs) (Sales Oliveira, C., 2021).

As this is a recent issue in Portugal, studies on harassment and abuse in academia are still scarce. Nevertheless, several cases of harassment involving students and teachers in higher education have come to light. Likewise, there is no reference to harassment and abuse in the current Legal Framework for Higher Education Institutions (RJIES)[2] or in the Legal Framework for Research and Development Institutions[3] . However, the publication of the chapter mentioned at the beginning of the preamble provoked reactions within academia and government officials, resulting in the creation of a Commission by the Ministry of Science, Technology and Higher Education[4] to analyze the issue and the Portuguese Parliament recommending that the government create codes of conduct in HEIs.[5]

Thus, there are signs of establishing policies to prevent and combat harassment and sexual abuse within the academy. International organizations (UN, 2008; UN, 2019; ILO, 2019) state that the first step towards building a system of prevention and

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[1] *Results from the largest European survey on gender-based violence in academia*, (2022). UniSAFE. https://unisafe-gbv.eu/project-news/results-from-the-largest-european-survey-on-gender-based-violence-in-academia/ [accessed 12. 10. 2023]
[2] Legal Framework for Higher Education Institutions, Law no. 62/2007. https://diariodarepublica.pt/dr/legislacao- consolidada/lei/2007-107985094 [accessed 7.8.2023]
[3] Legal Framework for Research and Development Institutions, Decree-Law no. 63/2019. https://diariodarepublica.pt/dr/legislacao-consolidada/decreto-lei/2019-122312810 (accessed 7.8.2023)
[4] *Government sets up commission to create Strategy to Prevent Harassment in Higher Education Institutions* (2023). https://www.portugal.gov.pt/pt/gc23/comunicacao/comunicado?i=governo-constitui-commission for the creation of a strategy to prevent bullying in higher education institutions [accessed 12. 10. 2023]
[5]*Assembly of the Republic Resolution no. 98/2023*, (2023). https://diariodarepublica.pt/dr/detalhe/resolucao-assembleia-republica/98-2023-216254972 [accessed 12. 10. 2023]

the key to combating harassment in an organization is to ensure the commitment of the institution's management bodies, as this is the first element for the effectiveness of the actions needed to change the culture. They add that the formalization and implementation of the prevention system is crucial, as well as establishing the distinction between behaviours considered desirable and unacceptable in the academic work environment. It is therefore necessary to: draw up, implement and evaluate equality plans in academia; support studies to promote gender equality; promote knowledge in the academic community about the scope and meaning of the principle of equality through proposals for training and institutional policies that translate into affirmative action, remembering that the internal policies of institutions must seek to give effect to neglected rights and/or forgotten rights.

This report presents a diagnosis of the situation, as well as recommendations which, if adopted, will commit the CES governing bodies to combating and preventing harassment and abuse within the institution.

2. A brief overview

In recent years, largely due to the *Me Too* movement that began in the United States and has spread virally since October 2017, there have been more and more reports, especially from women, of situations of sexual harassment in various contexts. These situations and the widespread public discussion around the issue have given special importance to other associated issues such as moral harassment and abuse of power. Another example of a social movement with an impact on academia is *Ni Una Menos*. On June 3, 2015, the first mobilization of this movement took place in Argentina, marking a new emancipatory chapter in the country that would be reflected throughout Latin America. *Ni Una Menos led to* the emergence of various groups in different spaces, including universities.

The World Health Organization has defined violence as "the intentional use of physical force or power, actual or threatened, against oneself, another person, or against a group or community, that results in, or has a high likelihood of resulting in, injury, death, psychological harm, developmental disability or deprivation". (Krug et al., 2002)

In 2019, the General Conference of the International Labor Organization (ILO) adopted Convention 190 on Violence and Harassment, which gave rise to ILO Recommendation 206 on actions to combat violence and harassment at work. According to the ILO, conventions and protocols are international treaties that define minimum rules and standards to be observed and complied with by all countries that ratify them. The ratification of an ILO convention or protocol by any of its 187 member states is a sovereign act and implies its incorporation into the legal, legislative, executive and administrative system of the country in question, and as such is binding (ILO, 2021). Convention 190 aims to combat any and all violence in the workplace; it defines that the term 'violence and harassment' in the world of work refers to a series of unacceptable behaviors and practices, or threats, whether a single occurrence or repeated, that aim at, result in or may result in physical, psychological, sexual or economic harm and includes violence and harassment (MPT, 2019).

The ILO has conceptualized "violence and harassment" as gender, listing the following types: sexual violence, sexual harassment, domestic violence, physical violence, psychological violence, moral harassment, structural violence, organizational harassment, virtual harassment (*cyberbullying*), gender-based violence and gender-based harassment (Santos et al., 2020). The *European Trade Union Confederation* considers moral

harassment and sexual harassment to be types of violence (ETUC, 2007).

Gender-based violence and harassment materialize when a certain sex or gender is disproportionately targeted by violence. The scope is broad, including all types of workers, whether they are hired, in training, apprentices, trainees, the employer themselves and even unemployed people who are looking for a job, applying to the private and public sectors, formal and informal and in urban or rural areas. The concept of the workplace is not limited to the workplace, but includes work-related travel, training, social events, means of communication used at work; in other words, any physical or virtual environment that is linked to work.

ILO Convention 190 presents principles that suggest practices to be adopted by consignee countries, and can also reach public or private organizations: "a) legally prohibiting violence and harassment; b) ensuring that relevant policies address violence and harassment; c) adopting a comprehensive strategy to implement measures to prevent and combat violence and harassment; d) establishing or strengthening inspection and monitoring mechanisms; e) ensuring access to resources and support for victims; f) providing for sanctions.
g) developing tools, guidance, education and training, and raising awareness, in accessible formats as appropriate; and h) ensuring effective means of inspection and investigation of cases of violence and harassment, including by labor inspectorates or other competent bodies" (ILO, 2019).

ILO Recommendation 206, corroborating the principles mentioned above, suggests that member states establish in their own laws and regulations that workers participate in all phases of the construction of the policy on violence and harassment, including design, implementation and monitoring. The following measures are recommended: "a) adopt and implement, in consultation with workers and their representatives, a work policy on violence and harassment; b) take into account violence and harassment and the associated psychosocial risks in the management of occupational safety and health; c) identify hazards and assess the risks of violence and harassment, with the participation of workers and their representatives, and take measures to prevent and control them; and d) provide workers and other persons concerned with information and training, in accessible formats, in the most appropriate way, on the identified hazards and risks of violence and harassment and the associated prevention and protection measures, including the rights and responsibilities of workers and other

persons involved in relation to the policy referred to in paragraph 'a' of this article" (ILO, 2019-2). Such measures can be adopted in the context of public or private companies.

The UN has published two documents containing guidelines on preventing and combating harassment: ST/SGB/2008/5, *"Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority"* (UN, 2008). It establishes definitions of what constitutes harassment, general principles, obligations of leaders, preventive measures, corrective measures and forms of monitoring. ST/SGB/2019/8, "*Addressing discrimination, harassment, including sexual*" (UN, 2019) complements and expands the previous document, presenting more detailed definitions of the policy, preventive actions, preliminary actions when detecting possible cases of harassment, receiving complaints, supporting the victim and compiling the information necessary for the investigation of the case.

2.1. Psycho-legal perspective on the concepts of moral and sexual harassment/abuse and abuse of power

2.1.1. Considerations

All legislation, whether domestic or international conventions, punishes individual or collective behavior that diminishes human dignity. In general terms, harassment and abuse are unwanted behaviors (gestures, words, behaviors) practiced with some degree of repetition with the aim or effect of affecting a person's dignity or creating an intimidating, hostile, degrading, threatening, humiliating or destabilizing environment.

In Portugal, as in the western world, these concepts have been increasingly discussed, prompting recent changes to the Labor Code. These changes were the result of public discussions, but also of the evolution of people's awareness of the promotion of women's rights, the promotion of gender equality and the fight against all forms of violence against people, especially in situations of asymmetry of power and against people with higher levels of fragility.

According to the Commission for Equality in Labor and Employment (CITE), what makes it possible to distinguish harassment, especially moral harassment, from other aspects such as

labor conflict, is the "existence of intent".[6] The same entity states that harassment practices are marked by the existence of "unwanted behavior, practiced with the purpose or effect of affecting the dignity of the person or creating an intimidating, hostile, degrading, humiliating or destabilizing environment, ultimately with an intention on the part of the aggressor to get rid of the victim, as a result of systematic behavior, which does not happen in a mere conflict or when acting impulsively, regardless of the discomfort it may cause and the infraction it may represent (whether disciplinary, criminal or employment-related)."[4] This formulation also presupposes that harassment practices need to be repetitive.

2.1.2. Concept of moral harassment

The revision of the Labor Code (LC) gave rise to Law no. 73/2017, of August 16, published in the Diário da República, with the following wording:

"Moral harassment consists of unwanted behavior, namely that based on discrimination, practiced when accessing employment or in employment, work or vocational training, with the purpose or effect of disturbing or embarrassing the person, affecting their dignity, or creating an intimidating, hostile, degrading, humiliating or destabilizing environment, while sexual harassment consists of unwanted behavior of a sexual nature, in verbal, non-verbal or physical form (paragraphs 1 to 3 of article 29 of the LC)."[7]

According to this formulation, moral harassment is a discriminatory practice that has a specific objective: to harm the person who is the victim. Moral harassment is considered when repeated events affect the physical and moral integrity of the victim, i.e. when the aggressor exposes the victim to humiliating situations, with offenses or threats:

- Vexatious situations: the worker is shouted at and insulted by some or all of their colleagues. Their work is criticized excessively or for no reason;

- Threats: the aggressor sthreatens to fire the victim if they do or fail to do something;

- Overload: in addition to a higher than normal workload, the superior demands unattainable goals;

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[6] *Situations That Should Not Be Confused With Harassment - CITE* (2023). https://cite.gov.pt/situacoes-que-nao- deve-ser-confundidas-com-assedio [accessed 1. 9. 2023]

[7] *Labor Code Law no. 73/2017, of August 16* (2017). https://diariodarepublica.pt/dr/legislacao-consolidated/lei/2009-34546475 [accessed 1. 9. 2023]

- Incompatible activities: the assignment of tasks that have nothing to do with the job, usually within deadlines that are impossible to meet;

- Aggression: not only verbal, but also physical and other violent attitudes;

- Discrimination: the aggressor humiliates the victim because of their ethnicity, gender, race, religion, sexual orientation or physical characteristics, with criticism of their personal life;

- Omission of information: information that could help with the victim's tasks is withheld, misleading the victim;

- Denial of the right to time off: even though it is a worker's right, they are forced to work outside the contracted hours or days;

- Isolation: the worker is unable to communicate with other co-workers or is constantly interrupted in meetings;

- Rumors: the aggressor spreads rumors to hurt the employee's dignity;

- Appropriation of ideas: the harasser claims to be the author of the victim's ideas, projects and proposals.

In general, moral harassment between coworkers can be divided into two categories: vertical and horizontal:

- Vertical moral harassment: this is the most common form of bullying in the workplace. It occurs when a member of staff in a position of power, usually a manager or employee with more time in the company, uses their hierarchy to harass other people. This can take various forms, from assigning excessive tasks to the same individual to threats of dismissal. Because it is based on the organization's hierarchy, this type of harassment is difficult to combat at first, especially for people with little professional experience. Therefore, the responsibility for preventing this type of harassment lies with the organization and senior employees. Less common, although it does exist, is vertical upward moral harassment, which occurs when a subordinate or group of subordinates acts against a hierarchical superior;

- Horizontal or peer-to-peer moral harassment: this happens when a co-worker belittles, humiliates and fabricates rumors so that another doesn't advance their career. Organizational moral harassment, on the other hand, occurs when harassment is part of the company's culture - such as in extremely competitive establishments, where employees are encouraged to compete with each other.

The practice of harassment entitles the victim to compensation for pecuniary and non-pecuniary damage, under the general terms of the law (see Article 29(4) and Article 28, both of the LC), and constitutes a very serious administrative offense, without prejudice to possible criminal liability under the law (see Article 29(5) of the LC). The whistleblower and witnesses cannot be disciplined (unless they are acting intentionally) on the basis of statements or facts contained in the records of judicial or administrative proceedings triggered by harassment, until a final and unappealable decision has been made, without prejudice to the exercise of the right to an adversarial hearing (see Article 29(6) of the LC).

In order to prevent harassment, it is the employer's responsibility to adopt codes of good conduct for preventing and combating harassment at work, whenever the company has seven or more employees, and to initiate disciplinary proceedings whenever it becomes aware of alleged situations of harassment at work (see Article 127(1)(k) and (l) of the LC). The employer is liable for compensation for damage arising from occupational illnesses resulting from harassment (see Article 283(8) of the LC). Finally, dismissal or any other sanction allegedly applied to punish an infringement is presumed to be abusive when it takes place: up to one year after the complaint or other form of exercise of rights relating to equality, non-discrimination and harassment (see Article 331(2)(b) of the LC), and the practice of harassment by the employer or its representative, reported to the department with inspection powers in the labor area (see Article 394(2)(f) of the LC), constitutes just cause for termination of the contract by the employee.

A study carried out in 2019 by the Francisco Manuel dos Santos Foundation (FFMS, 2019) states that 20% of working women have been victims of professional harassment (e.g. their work is systematically undervalued; they are repeatedly set impossible goals and deadlines) and 19% have been victims of moral harassment (e.g. they constantly feel threatened with dismissal; they are systematically subjected to borderline situations aimed at driving them out of control).

The consequences of moral harassment have a significant impact on the organizations in which it occurs (CITE, 2023):

- Higher rates of absenteeism;
- Reduced motivation and commitment among professionals;
- Increased work conflicts between teams;
- Higher levels of competition/less cooperation and solidarity;

- Decreased productivity;

- Degradation of the working environment;

- Decreased job satisfaction;

- Fewer levels of commitment to the employer;

- Decrease in the organization's financial performance;

- Increase in cases at the Labor Court.

On an emotional and psychological level, moral harassment has a significant impact on the victim, namely emotional instability, high levels of anxiety, depressive symptoms, suicidal ideation, low expectations for the future, decreased trust in others, difficulties in interpersonal relationships (CITE, 2023). In terms of physical health, victims of moral harassment are more likely to develop various problems and illnesses, including cardiovascular and gastrointestinal problems. According to CITE, "in some cases, people are no longer able to behave normally, either at work or in their daily lives. Harassment can cause post-traumatic stress, loss of self-esteem, anxiety, depression, apathy, irritability, memory disorders, sleep disturbances and digestive problems, and can even lead to suicide."[8]

2.1.3. Concept of sexual harassment

By ratifying the Istanbul Convention/Council of Europe Convention on preventing and combating violence against women and domestic violence in 2013, Portugal is obliged to punish sexual harassment. It is described in Article 40 of the treaty as "any unwanted conduct of a sexual nature, whether verbal, non-verbal or physical, with the intent or effect of violating the dignity of a person, in particular when it creates an intimidating, hostile, degrading, humiliating or offensive environment".[9]

Sexual harassment falls under the crime of sexual harassment, provided for in article 170 of the Portuguese Penal Code (PPC), as conduct that harasses the victim "through exhibitionist acts, formulation of sexual proposals or forcing one to contacts of

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[8] *Some consequences of harassment.* (2023). https://assedio.cite.gov.pt/o-assedio-no-trabalho/algumas-consequencias-do-assedio/ [accessed 1.9.2023]

[9] Council of Europe (2011). *Council of Europe Convention on preventing and combating violence against women and domestic violence,* p.14. https://earhvd.sg.mai.gov.pt/LegislacaoDocumentacao/Documents/Convention%20210%20Portuguese.pdf. [accessed 1.9.2023]

sexual nature", which is "punishable by imprisonment of up to one year or a fine of up to 120 days, if a more serious penalty is not imposed by virtue of another legal provision"[10] .

Thus, the concept of making sexually suggestive proposals, contained in Article 170 of the Portuguese Penal Code, should be interpreted in light of the concept of gender-based violence in the Istanbul Convention, covering unwanted sexual invitations, humiliating and degrading words, comments or expressions about women's bodies or referring to sexual acts desired by the harasser, even if metaphorical or symbolic language is used, but whose sexual meaning is perceived by most people, as well as words or sounds expressed and communicated by the perpetrator such as jocular comments, considerations, questions expressed orally or in writing and expressions or communications that do not involve words or sounds such as facial expressions, movements, among others.

The Portuguese Psychologists' Association (OPP) states that situations of sexual harassment can affect victims differently. It identifies that victims can experience confusion, vulnerability and feel "upset, humiliated, disoriented or anxious". Feelings of guilt and shame are common, as well as doubts about the existence of the behavior and its real intent. Feelings of loneliness are also common, as victims can feel isolated and "living a nightmare" (OPP, 2023).

The FFMS indicates that 13% of women report having been the victim of sexual innuendo/unwanted sexual attention (offensive jokes or comments about their body/appearance, offensive insinuating looks, unwanted sexual proposals). In addition, 7% of women report having been victims of unwanted physical contact (such as touching, groping, kissing). The FFMS, in a study published in 2019, reports that 79% of women say they have experienced sexual harassment at work (FFMS, 2019). In 2015, CITE carried out a study on harassment in a professional context; the results indicate that 6.3% of men and 20% of women have been victims of unwanted physical contact (Torres, A. et al., 2016).

The exploratory study published by the Women's Union of Alternative and Response (UMAR) in 2018 states that men are also victims of sexual violence, especially through "unwanted sexual touching" and "sexual coercion"; in other words, the most serious forms of sexual aggression such as attempted rape and rape, reports from male victims are more residual. (UMAR, 2017).

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[10] Portuguese Penal Code (1995). https://diariodarepublica.pt/dr/legislacao-consolidada/decreto-lei/1995-34437675 [accessed 1.9.2023]

The following are the most common consequences for people who suffer sexual harassment, which are very similar to those described above in relation to moral harassment (CITE, 2023):

- Feelings of social and personal isolation;

- Negative feelings and low self-esteem;

- Depressive and anxiety symptoms;

- Post-Traumatic Stress Symptomatology, namely traumatic re-experiencing of primary events;

- Low expectations for the future/discouragement;

- Feelings of incompetence and personal ineffectiveness;

- Suicidal ideation;

- Physical problems such as headaches, changes in gastrointestinal function, generalized physical pain and musculoskeletal problems, cardiovascular and musculoskeletal changes and respiratory problems;

- Changes in sleep and appetite patterns.

Although these are the most common changes, there are others that are less valued from a clinical point of view, such as brief changes in mood and anxiety, which, if continued over time, can lead to *burnout,* with serious consequences for the victim and impact on their health system.

In addition, both sexual and moral harassment directly interfere with the degree of satisfaction with life and work, damaging quality of life, increasing daily stress and making it difficult to rest and find enjoyment.

The impact of these situations on the victims is related to: personality characteristics, support networks, the presence of other vulnerability factors and the intensity, duration and frequency of the harassment situation.

The impact of these situations is also significant for the workplace, the environment and working relationships. According to the OPP, "sexual harassment at work may not only impact the victims who directly suffer the aggression, but anyone else who witnesses the situation".[11]

2.1.4. Concepts of sexual abuse and abuse of power

Given the scope of IC's work, it is important to define the concepts of abuse of power and sexual abuse, distinguishing them from the concepts of sexual and moral harassment.

Abuse of power refers to behaviors and practices that involve using one's position and/or hierarchically superior position to enforce particular wills. Abuse of power is considered to exist when someone uses their position and rights within an organization in an unlimited way, to the detriment of others who are in a position of subordination or dependence.

Sexual abuse is any physical contact of a sexual nature, or behavior that occurs without the explicit consent of the other person involved, being a physical intrusion (real or threatened) of a sexual nature, through force, or unequal conditions of power or coercion. Fondling without consent is a form of abuse. As provided for in article 164 of the Penal Code, this is a semi-public crime, which depends on a complaint, to be filed within 6 months of the crime occurring, and to be filed by the victim or their legal representative, and is punishable by imprisonment from 1 to 6 or 3 to 10 years. When it comes to minors under the age of 14, any sexual act, regardless of consent, is considered sexual abuse.

The OPP defines sexual abuse as "any type of sexual violence, including rape and other forms of non-consensual sexual contact. It is an act of violence through which a person or group forces another person (or persons) to watch or perform sexual activities, without their wish or consent".[12] The OPP states that sexual abuse happens when a person is not in a physical and/or mental condition to make a choice of their own free will. This happens when the person is in conditions of vulnerability, such as: "the aggressor being older or physically stronger; blackmail or bribery to obtain money or favors; perception, explicit or implicit of

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[11] *Sexual harassment at work.*
https://recursos.ordemdospsicologos.pt/files/artigos/ass_dio_sexual_no_trabalho.pdf
[accessed 1. 9. 2023]

[12] *Let's Talk About Sexual Abuse.*
https://www.ordemdospsicologos.pt/ficheiros/documentos/opp_vamosfalarsobreabusosexual_documento.pdf
[accessed 1. 9. 2023]

loss of love, friendship or material conditions". Sexual abuse can also occur in the context of abuse of power, particularly if there is a vertical and dependent relationship.

With regard to the person who commits the acts of violence, most of the time situations of sexual violence occur between people in close proximity and relationships of trust (UMAR, 2022). Power is an important factor, as people often do not report or reject the existence of sexual behavior for fear of penalties and/or because they are not on an equal footing (in terms of their ability to give consent). Although there may be practices that are not formally considered sexual abuse under the terms of Article 164 of the Portuguese Penal Code, these practices may constitute other crimes typified in the LC and PPC, and are behaviors that have a negative impact on the work environment and interfere with workers' mental health.

2.3. Moral and sexual harassment/abuse and abuse of power in academia

2.3.1. Overview

Scientific literature emphasizes the importance of positive relationships between teachers and students in creating an effective educational environment (Rimm-Kaufman, S., & Sandilos, L., 2011; Zins, J. E., 2004; Bywater, Dallin, 2022).

Researchers generally agree that healthy relationships between teacher and student should be based on:

- Support, without excessive dependency;
- High but realistic expectations;
- Honesty and trust;
- Conflict prevention and resolution;
- The use of student-centered practices;
- Encouraging positive relationships between students;
- Mutual respect.

Although these relational norms are well known, the details of how to develop them to maintain a safe and respectful relationship with students are less understood and applied. In fact, some teacher behaviors that are intended to create a supportive relationship can, in

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practice, create harmful (harassment and abuse) and asymmetrical situations.

Four risk factors for unhealthy teatcher-student relationships were identified:

- Imbalance of power in the relationship;
- Poor definition of boundaries;
- Role confusion;
- Close interaction.[13]

The imbalance of power is inherent in a relationship between teacher and student. A teacher is, by nature, an adult in a position of power and students are young adults, or adults, in a hierarchically inferior position. There is therefore an obvious power asymmetry which also translates into a communication asymmetry.

The poor definition of boundaries can occur due to the transitory nature of life on the campus/small course community. Professional boundaries are limits that, in a relationship of this nature, protect the space between the power of the professional and the vulnerability of the student. There are various personal factors that can increase the likelihood of poor boundary setting. For example, teachers and students often don't have extended family nearby, creating an emotional void that can lead them to seek emotional support in these relationships.

Role confusion occurs when individuals find themselves in an environment where personal and professional life often overlap. For a teacher in a small community, the lines between educator, friend and/or other identities can be blurred, and their social circle and professional circle can overlap considerably. The confusion of roles results from the confusion of these identities.

Finally, the close interaction (and familiarity) between teacher and student in different places on and off campus can be a risk factor.

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[13] LIMIT - A Model for Understanding Healthy Teacher-Student Relationships. Bywater, Dallin, (2022)

2.3.2. Portuguese context

A study carried out in 2019 (Melo, C., 2019), with the aim of understanding how situations of sexual harassment were processed in the Portuguese university context and what the impact was on the victims, concluded that the vast majority of respondents felt guilt, shame and fear of being discredited. They also felt that the experience of harassment had influenced their lives and considered that the support of a mental health professional would be beneficial in dealing with the experience. The students who took part in the study used avoidance to deal with the situation, as is often the case in these situations. Avoidance is the most commonly used strategy in situations of sexual and moral abuse and harassment, also identified in the Report of the Independent Commission for the Study of Sexual Abuse of Children in the Portuguese Catholic Church.

The author of "O assédio sexual no contexto universitário português: a experiência de ser assediado dentro da faculdade" (Sexual harassment in the Portuguese university context: the experience of being harassed at university) (Melo, C. 2019) also mentions other strategies used to put an end to situations of sexual harassment, which were identified in her literature review. Thus, changing course, dropping out of a course or leaving the HEI are the strategies most often used by victims to end situations of sexual harassment. The author also points out that reporting the aggressor is the behavior least used to put an end to situations of this nature, confirming other studies (Quina & Carlson, 1989; Benson & Thompson, 1982; McKinney, Olson, & Satterfield, 1988; Reilly, Lott, & Gallogly, 1986).

Thus, according to the author, the people being harassed may see no alternative but to give in to the demands made of them by the person in a hierarchically superior position, and this situation may lead to them dropping out or even changing their career plans. (Melo, C. 2019)

The same author also states that students and staff at HEIs "can be considered vulnerable groups, since they may be subjected to constant physical contact by someone who is their hierarchical superior and are forced to deal with these behaviors as peacefully as possible, as if nothing had happened." (Melo, C. 2019, p.15)

In 2017, UMAR published the results of an exploratory study on the occurrence of this type of violence in an academic context, which included more than 500 respondents, including teachers, students and other staff from the University of Coimbra and the Polytechnic Institute of Coimbra.

In this study, the results obtained indicate that 91.4% of the female respondents say they have been sexually harassed, with 18.3% reporting sexual coercion in contexts directly related to academia (academic rituals, cultural and sports groups, student communities, among others). Of these, 1.8% identify teachers as responsible for perpetrating the abuse and 4.7% say they have been the target of this type of behavior by hierarchical superiors or colleagues. (UMAR, 2017)

Although there are not enough studies in Portugal to draw reliable conclusions, these results seem to show that this is a situation that occurs with a high prevalence but is still under-reported, possibly for the reasons described above, i.e. because the victims of this type of behavior prefer to avoid it rather than report the people responsible for the harassment.

The public discussion in Portugal around the issues of sexual abuse and harassment in an academic context intensified after the publication, at the end of March 2023, of the Chapter in which, using forms of anonymization, it became clear, from public statements and from some individuals, that the allegation of moral and sexual harassment practices referred to the Centre for Social Studies.

Even before this publication, reports of harassment at other Portuguese academic institutions, such as the University of Porto,[14] in June 2022, and the University of Lisbon Law School,[15] in April of the same year, came to light. More recently, more than a hundred complaints of sexual and moral harassment, discrimination or violence in Portuguese higher education institutions have been made public.

Although this subject is not new, it has attracted increasing attention and is currently a topic of interest for scientific research.

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[14] *Universidade do Porto regista quatro processos relacionados com assédio sexual*. Diário de Notícias. Available at https://www.dnoticias.pt/2022/4/5/304975-universidade-do-porto-regista-quatro-processos-relacionados-com-assedio-sexual/ [accessed 25. 8. 2023]

[15] *Cinquenta queixas de assédio moral e sexual na Faculdade Direito da universidade de Lisboa*. PÚBLICO. Available at https://www.publico.pt/2022/04/04/sociedade/noticia/cinquenta-queixas-assedio-moral-sexual-faculdade-direito-universidade-lisboa-2001269 [accessed on 25. 8. 2023]

3. Methodology

3.1. Ethical issues

3.1.1. Impartiality and Neutrality

According to the Terms of Reference (Annex 1) for the IC's work, it was set up with the aim of analyzing the situations described in the Chapter "as well as complaints that may be submitted through the channels established for this purpose". The same document states that in the "pursuit of its mission, the Commission will be guided by criteria of impartiality, autonomy and independence." It also states that the "Commission is an autonomous structure, free and independent of any internal or external influence".

Thus, the criteria of impartiality and neutrality were a central ethical concern from the outset of the IC's creation, and this was a core working criterion in the planning and organization of the work.

3.1.2. Exemption and independence

Impartiality and independence were guiding principles of the work carried out by the IC. From the outset, it was defined that the IC would remain free of value judgments and moral criticism in relation to the information collected, and independent of external or internal influences.

The work to be carried out focused on analyzing and understanding possible functional patterns and the existence of situations that embodied behaviors identified in the literature that could constitute situations of harassment and/or abuse.

The members of the IC decided from the outset that to produce rigorous work they would lead an impartial, careful analysis that respected ethical principles.

The analysis was thus centered on robust theoretical principles, with a bibliographical and theoretical review at the start of the work carried out by IC.

3.1.3. Defining the scope of the work to be done

Another important issue to determin was the scope of the work to be carried out.

This issue was widely discussed during the drafting of the Terms of Reference, namely because the chapter *The walls spoke when no one else would. Autoethnographic notes on sexual-power gatekeeping within avant-garde academia*, denounced situations of moral and sexual harassment and sexual abuse, situations of intellectual extractivism and infractions of the labor code and related legislation.

Each of these questions is very complex in its own right, so it would be an almost intangible task to answer them all in the timeframe defined and explained below.

The concept of intellectual extractivism is wide-ranging and has many different nuances, which is why it was felt that it would be very difficult and complex for the IC to analyze all the information that would probably come its way if it decided to analyze the occurrence of this specific phenomenon.

The same can be said for issues related to violations of the CT and other labor legislation. It was therefore considered that these issues should be analyzed in other instances.

It was decided that the IC's work would focus on analyzing issues directly related to victimization processes, namely harassment and abuse. It was considered that these issues would be the most sensitive, difficult to access by other entities and/or action mechanisms, and those which, if practiced, needed prevention mechanisms to be put in place. It was defined in the Terms of Reference (Annex 1) that the "Independent Commission will also be responsible for drawing on good practices already defined in other international academic contexts to produce recommendations for the development and adoption of measures to prevent and raise awareness of moral and sexual harassment among members of the CES community. The Independent Commission will carry out a diagnosis of the situation, subsequently recommending normative and pedagogical measures to be analyzed by CES bodies." Subsequently, and during the bibliographical and theoretical review, it emerged that the abuse of power would necessarily be an issue to consider, since it is at the root of all other forms of harassment and abuse. This motivated the inclusion of this category in the analysis of the communications received.

3.1.4. Definition of deadlines for collecting complaints, processing data and drawing up the final report

The deadlines for collecting complaints, processing the information, hearing the people involved (complainants and those denounced), analyzing the documentation and producing the final report were defined by the urgency felt to respond to the issues raised by the Chapter.

When the IC was set up and began operating, it was considered that the people who had been the target of possible harassment and/or abuse had already had a period of time between the publication of the article and the setting up of the IC to reflect on their desire and/or need to file complaints. It was therefore considered that two months would be enough time to submit the complaints, not least because if they proved to be insufficient in terms of the information they contained, or if they raised doubts or questions, there would then be time for clarification at the hearings to be held and through requests for additional information to be requested by the IC.

As mentioned in the Terms of Reference (Annex 1), the IC's objective has always been to "carry out a diagnosis of the situation", through indicative validation to be carried out "on the basis of evidence to be produced, such as testimonies or documents, the complaints that come to be reported to it", with the aim of "producing recommendations", namely "normative and pedagogical measures to be analyzed by the CES bodies".

3.1.5. Protecting whistleblowers

The protection of whistleblowers and of their anonymity and confidentiality in relation to the content of communications was a central concern of this IC.

As we shall see, because the methodology adopted focuses on people who have potentially suffered victimization, it was essential to define ethical procedures to prevent re-victimization processes.

Protecting the anonymity of whistleblowers and the confidentiality of information would be the only way to guarantee the trust of the people who made up, or had made up in the past, the CES community and who may have suffered situations of harassment and abuse.

This question was considered essential in order to increase the likelihood of receiving complaints, in a short space of time, that could contribute to clarifying the situations that constituted the scope of the IC's work.

3.1.6. Signaling and referral of worrying situations

Taking into account the centrality of people who had potentially suffered harassment and abuse in the context of their "professional, research or advanced training activities carried out at the Centre for Social Studies" (Annex 1 - Terms of Reference), and the impact of victimization situations on the people giving their testimony to the IC, concern for their emotional health was taken into account by the IC. The concern about the impact of these situations on the mental health of all those involved also extended to the people who were denounced.

It was therefore decided that the members of the IC would be prepared to be able to refer and signal to the appropriate entities any situations that might be identified as worrying, in accordance with the wishes of the people involved and from a perspective of respect.

3.1.7. Treatment and storage of data and information collected

Since guaranteeing the anonymity and confidentiality of the information obtained by the IC was a major concern in the work, the way in which the data collected would be processed and stored was discussed at length.

This was also a concern shown by a significant number of whistleblowers, so it was necessary to implement strategies for processing and storing data that would offer confidence to people considering making complaints and guarantee the accuracy of the work carried out.

This issue was particularly sensitive because it was necessary to continue protecting information after the end of the IC's work and its articulation with CES. It was therefore a sensitive issue and required many hours of work and meetings between the members of the IC and between them and the Ombudsperson and Board of Directors at CES.

3.1.8. Coordination with CES

Defining the form and procedures for liaising with the CES was also an issue that proved fundamental to guaranteeing impartiality and neutrality.

It was therefore decided that the IC would liaise whenever necessary with the CES Ombudsperson, due to its legal nature, which would arrange for all the documentation required by the IC and the necessary clarifications to be sent.

There was also a need to liaise with CES to deal with logistical matters, and it was decided that these contacts would be restricted to the bare minimum and only to deal with necessary matters.

3.1.9. The Media

Since the Chapter and the situations reported in it have taken on media importance, it was necessary to discuss and define the rules of internal and external communication from the outset, in order to guarantee the neutrality and serenity of the work.

It was agreed that the members of the IC, individually or on behalf of the IC, would refrain from providing any information and from any contact with the media on this subject.

The relationship with the content of the news and reports on these issues was also discussed, and the members of the IC decided that they would keep themselves informed, but that the news on the subject would have no impact on the IC's actions, analysis of the situations and production of the final conclusions. The production of the report would be the result of the information contained in the chapter and in the communications received, as well as the hearings held with all the elements that the IC considered relevant to hear. The criteria on the basis of the decision of whom to hear is presented further ahead.

3.2. Timetable defined for the work to be done

At the start of its work, the IC determined the action schedule that organized the pace of the work and which is described briefly below:

- August 2023: constitution of the IC and kickoff work ; set up of the channels for receiving communications; definition of terms of reference.

- August and September 2023: definition of the methodology to be used; bibliographical and theoretical review;

- September and October 2023: analysis of the communications received and decision about the people to be heard, as well as specific methodology for conducting the hearings and processing the data;

- October, November and December 2023: hearings and preparation of minutes;

- December 2023: analysis of the hearings, formalization of conclusions and drafting of the final report.

However, contrary to what was originally planned, as explained later in point 3.3.11, it was not possible to meet the deadlines and schedule initially set.

3.3. Specific Methodological Aspects

3.3.1. Central methodological question

As mentioned above, the IC decided to opt for an approach focused on people who had potentially suffered situations of harassment and/or abuse in the "context of professional, research or advanced training activities carried out at the Center for Social Studies" (Annex 1 - Terms of Reference).

The IC took as the basis of its work the view that the testimonies of whistleblowers deserved attention, from a perspective of respect and care for the individual experiences of victimization that were reported.

The validation of testimonies would not be made by way of confronting whistleblowers, but by analyzing various documents, hearing witnesses, comparing testimonies and identifying patterns, and hearing the reported persons.

This methodological option was in line with what is recommended in theories on victimization and its main objective was to prevent experiences of re-victimization, both for potential whistleblowers and those reported, and to respect people who may have potentially suffered experiences of harassment and abuse or any other experience of trauma (CIG, 2016).

3.3.2. Object of work

In line with the above, the object of the IC's work was the analysis of possible harassment and abuse practices/behavior on the part of the people reported.

Thus, in the work it planned to carry out, the IC did not aim, nor could it have, to discover the truth from a judicial perspective, of analyzing evidence, establishing responsibility and accusing guilty parties, because this proved to be a complex task to carry out, considering

the time and resources available, and which, above all, is the responsibility of bodies and entities with specific competencies in this area.

The IC therefore chose to focus its analysis on identifying practices, procedures and behavioral and functional patterns that may appear to be problematic and/or out of step with current times, identifying their factors and causes. In accordance with the terms of reference (Annex 1), the final objective was to produce conclusions and "recommendations for the development and adoption of measures to prevent and raise awareness of moral and sexual harassment among members of the CES community".

Also, as previously mentioned, it was decided not to specifically address issues related to intellectual extractivism, due to the scope of the phenomenon, which is difficult to characterize, and due to issues related to the operationalization of the IC, namely timing and limited resources. Furthermore, dealing with this issue is part of the remit of the CES Ethics Committee, as highlighted on the institution's website.

3.3.3. Terminology and concepts

Considering the aim of the IC's work, as well as the ethical and methodological assumptions that guided it, it was necessary to define some issues related to the terminology to be adopted.

Therefore, in order to meet IC's needs, the following terms were defined:

- Communication/Communications - All reports, complaints, testimonies and forms of contact made with the IC, through the channels defined for this purpose;
- Whistleblowers - Any person who contacts the IC to report a situation that falls within the scope of the IC's work;
- Persons reported - All persons who are mentioned in the communications as having committed acts of harassment and/or moral and sexual abuse and/or who have been aware of the occurrence of the situations described above and who have not acted on them, due to attempted cover-up and/or negligence;
- Center for Social Studies (CES) - Entity represented by its board members;

- Other persons of interest - All those considered relevant to better understand the situations reported and all those considered important in the scope of the work.

In this conceptualization, three degrees of responsibility are defined from the outset in relation to the people denounced:

- Responsibility for the act;
- Responsibility for attempted cover-up;
- Responsibility for negligence.

The IC considered this definition of terminology to be fundamental, above all because it felt the need to remove any kind of evaluative or judgmental character in relation to the persons reported.

With regard to the concepts used, discussed at length in the Framework, to define the practices identified, the following definitions were considered in summary:

- Moral harassment - a set of repeated behaviors aimed at harming or in some way damaging the worker to whom it is directed;

- Sexual harassment - a single incident or a pattern of repeated behavior, or unwanted words with a sexual connotation that embarrass or disturb a person, affect their physical or psychological integrity or create an intimidating, hostile, humiliating and destabilizing environment;

- Sexual abuse - any act or attempt at a sexual act, sexual advance or sexual comment, made against a person without their free will or consent;

- Abuse of power - a broader concept that refers to behaviours and practices that involve the use of one's position and/or hierarchically superior position to assert private wills; abuse of power is considered to exist when someone uses their position within an organization and the rights inherent to it in an unlimited manner, to the detriment of others who are in a position of subordination or dependence.

It should be noted that the definition and clarification of the issues associated with the terminology used throughout the work carried out makes it clear and transparent how the issues were addressed and allows for a better understanding of the outcome of the conclusions drawn.

3.3.4. Type of sample

Bearing in mind the IC's object of work, the sample on which the collection of data for analysis would be based would not be an intentional sample, since the elements selected for the sample would not depend on the criteria established by the IC, but rather on those that emerged through the communications received.

This is an accidental sample of the "*respondent-driven sample*" type (Heckathorn, 1997), as it is considered suitable for studying events in populations/people who prefer to remain anonymous or who do not want their testimonies to be made public. This type of sampling is identified as the most effective for studying the occurrence of a phenomenon in populations that tend to remain silent.

3.3.5. Procedures and channels for receiving communications

In order to receive communications from people interested in this process, whether complainants, defendants or other people relevant to the matter under analysis, two means were defined:

- FaceUp platform;

- Email address - comissaoindependenteces@comindependente.pt

The FaceUp platform is an international platform designed to receive reports of irregularities anonymously and securely. It allows reports to be issued, situations to be monitored and communication to be exchanged with complainants, always anonymously. Each communication is assigned a code which is made known to the person responsible for the report, allowing them to add information without it being counted as a new communication. It works online and is available for use on cell phones and computers. The IC considered that this was a platform that met the necessary requirements for collecting communications as part of its work, and proposed the acquisition of this platform to CES, which proceeded accordingly.

The email address mentioned was created specifically for the work of the IC. It was activated by the members of the IC when it was set up, and an access password was created that is only known to the IC members. It is therefore an extremely secure means of communication and has served to exchange information between IC members by storing various documents on this email platform. This email address serves as a platform for storing data and documents, as will be explained later.

We would point out that when the deadlines for receiving complaints were set, the IC warned of the need for communication channels to remain open after the IC's work is completed.

3.3.6. Type of approach

From the outset, and taking into account the subject and objective of the work to be carried out, it was decided that the approach to be used would be qualitative and would focus on the analysis of the communications and documentation that arrived by the means defined, as well as the results of the interviews conducted during the hearings with whistleblowers and with reported persons, and all those who seemed important for understanding the situations reported, the associated dynamics and the functioning of the institution CES.

3.3.7. Methodological strategies

In addition to the working meetings between IC members, which took place mostly online, with the necessary regularity and duration, according to the objectives to be achieved, other strategies and working tools were used.

Three main methodological strategies were defined:

- Content analysis of the communications received;
- Documentary analysis;
- Hearings.

With regard to the content analysis of the complaints received and the material collected at the hearings, it should be noted that these were carried out by creating specific tables for this purpose, to help identify practices and patterns. Statistical data resulting from the analysis of the data collected will be presented below in a specific section. As far as document analysis is concerned, it is important to note that we received hundreds of pages of diverse and complex documents, in addition to the information requested from the ESC, which contributed to the length of the process, as explained in point 3.3.11. Lastly, as far as the procedures and issues relating to the hearings are concerned, these will be described in detail below.

It is important to note that initially, as stated in the Terms of Reference (Appendix 1), consideration was given to applying a diagnostic tool with the aim of mapping the occurrence and prevalence of situations of harassment and abuse within the CES community. This proved to be an impossible task, given the timing and resources available. It is considered that this is an important diagnostic procedure that will be an integral part of the recommendations to be produced by the IC regarding future procedures to be considered for implementation by CES.

3.3.8. Hearings

In addition to the content analysis of the communications received and the documentary analysis of relevant material, it was established that hearings would be held with whistleblowers and persons reported in the communications, as well as other people of interest identified by the IC.

When the terms of reference were drawn up (Annex 1), certain procedures were defined for conducting the hearings, namely:

"The Commission will hold a series of hearings (face-to-face or virtual) with all the people it considers relevant in the context of the complaints made.

The hearings must always include at least two members of the Independent Commission, who are responsible for conducting the interviews and recording the respective minutes, and are preceded by the signing of an informed consent form, which must regulate how the people heard are identified or anonymized. The decision to maintain anonymity, and the ways in which the minutes of the hearings will be anonymized, thus depend on the expressed will of the people heard, which will be absolutely respected.

The minutes will be sent to those involved within four (4) working days, and they will have

the same amount of time to comment on them. If there is no response within this timeframe, the minutes shall be deemed to have been approved. The minutes are confidential and shall be kept secret from all those involved, under penalty of prosecution if they are disclosed."

The aim of the hearings was to allow whistleblowers to clarify potential doubts about the work to be carried out and how it was conducted, to provide a safe space for painful and sensitive information to be received, and to better explain the events described in the reports, in the event that more detailed and/or complete reports were not possible.

The purpose of the hearings was to give the persons reported the chance to be heard about their perspective on the events, about the Chapter and about what they felt was important and relevant.

The procedures involved in holding the hearings required the members of the IC to maintain an appropriate attitude towards the people being heard, particularly with regard to exemption and impartiality. Therefore, in order to avoid contaminating information and, above all, interfering with emotional and relational variables and factors, and respecting the guidelines (CIG, 2016) for listening to and intervening with people who have suffered harassment and abuse and those who have practiced it, the IC decided to split into two groups: i) one group to hear whistleblowers and ii) another group to hear persons reported and other people of interest.

This working methodology was defined after the communications were received and it was considered that it would promote exemption and impartiality, reduce the possibility of emotional factors interfering, and bring logistical and practical advantages, particularly in terms of improving efficiency and avoiding waste of resources. The IC members were divided according to their basic professional training, work experience and gender.

3.3.8.1. Criteria for the selection of people to participate in hearings

It should be noted that when the work began and the channels for receiving the communications were opened, there was no estimate of the number of communications and the type of content the IC could receive.

It was therefore initially decided that the criteria for selecting the people to be heard would depend on the number and content of the complaints and would be defined after the deadline for receiving them had passed.

It was also initially decided that, if there was a possibility, both in terms of time and logistics, all the people would be heard, preferably in person, and a neutral location belonging to a private institution in the Portuguese capital was even defined where these hearings could take place. Another of the issues that was defined was that an attempt would be made to hear all the people denounced, with the main objectives mentioned above.

After the period of receiving and analyzing the communications was over, the following factors were found to be relevant for defining the people to be heard at the hearings:

- A large number of communications;

- The communications were highly complex and wide-ranging, with the majority containing various types of harassment and abuse;

- The existence, in the same communication, of several people denounced;

- There were people who appeared in communications as having suffered harassment and abuse and in other reports as having colluded, either by attempting to cover it up or by negligence.

It was therefore first necessary to establish criteria to define which people would be heard in the group of whistleblowers and those who had been reported. The criteria used for this distribution were simple and related to whether or not they had filed a complaint, the type of complaint filed and the degree of responsibility and number of times they had been reported.

Secondly, with regard to the specific group of whistleblowers, it was necessary to select the people to be heard, given the large number of reports received and their complexity.

Thus, after careful analysis of the communications and various discussions between the members of the IC, it was decided that hearings would be held with the people who had complained about at least one of the following conditions:

- The presence of incomplete and/or doubtful communications;

- The presence of communications that presented facts contradicting other communications received;

- Need for clarification of specific issues contained in the communications;

- That IC considered to be in possession of inside information or information that could shed more light on the workings of certain individuals, working groups and formal and informal internal practices;

- The need to better understand the impact and damage caused by the situations reported, as well as to explore suggestions regarding changes to be made and forms of reparation.

We think it's important to note that all the hearings were held via telematic means. The ZOOM platform was used, with access restricted to IC members, who were the only ones with access credentials.

Although some whistleblowers had requested that the hearing be held in person, and this had been planned, it was not possible to meet this request due to constraints related to the logistics and schedules of the various people involved in the hearings. The IC is made up of people from different countries, in different time zones and with other professional functions and occupations. It would therefore be a time-consuming and demanding process to reconcile the schedules, travel arrangements and availability of everyone involved. Once again, in order to reduce time and make efficient use of resources, it was decided to use telematic means to hold all the hearings.

3.3.8.2. Informed Consent

In order to safeguard the rights and protect all the people to be heard at the hearings, the IC considered essential that before the interview took place, the people to be heard signed an informed consent form.

The Informed Consent form was formulated in two versions (Annexes 2 and 3), one for the group of whistleblowers and the other for the group of persons reported/other persons of interest to be heard. Whenever necessary, versions adapted to the mother tongue of the people being heard were used.

Informed consent was intended, more specifically, to guarantee that all the people to be heard by the IC were collaborating in a voluntary, free and informed manner. It was also intended that people would have access to a space to clarify any doubts they might have in relation to

the hearings and their process, as well as ensuring that they were in possession of all the information relevant to the hearing process and the work to be carried out by the IC.

By signing the informed consent form, the aim was to collect consent to take written notes, with the subsequent aim of drawing up the minutes.

3.3.8.3. Methodology for conducting the hearings

Throughout this report, we have reported on some relevant issues related to the methodology used to conduct the hearings. However, in order to summarize the procedure adopted, it should be noted that:

- Once the people to be heard had been defined and chosen, they were contacted through the same channel used for the communications. In the case of persons reported, they were contacted via IC's official email;

- During the contact, a brief note was sent explaining the procedure, the form and platform used to hold the hearing and identifying the members of the IC who would be present. In most of the initial contacts, informed consent was also sent (in some cases this was sent later), and two dates for the hearing were suggested;

- In some situations there was a need to clarify doubts raised by the people to be heard and/or their legal representatives, and to provide information on procedures relating to hearings, information processing and the storage of minutes. This clarification was not always straightforward and required several exchanges of communication. Once again, the same platform initially used by the whistleblowers was used to establish contact;

- Before the hearings took place, the IC defined the questions it considered important to clarify/address. In general, scripts were drawn up for the interviews (Annex 4 and 5);

- Criteria for validating the testimonies and criteria for checking the validity of the interviews were also defined in accordance with the literature (Appendix 6);

- The allotted audition time was 90 minutes, which could be extended to a maximum of 120 minutes. However, several auditions far exceeded the allotted time, with some lasting around 150 minutes.

- It was decided that the hearings would be conducted in a calm manner, that there would be an initial space to welcome the person to be heard, in which they could clarify doubts, express needs or even speak openly about the events, if they so wished;

- IC's aim was for the people being heard to feel safe, respected and entitled to manage the space according to their needs, as long as they didn't jeopardize the good course and respect for others;

- Whenever possible, which was in practically every situation, people were heard in their mother tongue, or in another language they felt comfortable with;

- It was agreed that the IC members present at the hearing could intervene and ask questions, but that one of the IC members would focus mainly on conducting the hearing and interacting with the person being heard; the other IC member (if there were two) would focus more on taking written notes for the purposes of drawing up the minutes;

- Most of the hearings held were attended by two members of the IC, one whistleblower was heard by three members of the IC and one person reported was heard by all members of the IC, although only two asked questions. These specific cases were decided on because of the need to effectively understand the information transmitted and ensure that it was properly recorded and interpreted, as well as to allow a greater number of IC members to discuss the results of the hearing;

- Finally, the minutes were drawn up and sent to the people heard for correction and approval.

The procedure described was defined unanimously, as it was considered to be in line with the objectives of the work, to reduce the possibility of re-victimization and to be based on criteria of respect, exemption and impartiality.

3.3.8.4. Hearings' scripts

Before the hearings were held, the objectives were defined, as well as the information that was to be gathered.

It was intended that the people being heard would initially have an open space in which to speak freely, followed by a space in which to ask questions that had been previously defined according to the information that was considered relevant to the work, following a semi-

semi-structured interview structure.

Although each hearing was specific and had particular objectives, guidelines were defined in order to guarantee the presence of a homogeneous thread, and scripts were created to conduct the interviews.

Two different scripts were defined, one to be used by the group of whistleblowers and the other for the group of persons reported. It is important to stress that these scripts were not used rigidly, but only served as a basis, structure and guideline for conducting the hearings, and in the case of other persons of interest, the interview script was adapted from the predefined scripts. In summary, the hearings took place according to the following structure:

- Presentation of the members of the IC and the subject of the analysis;
- Confirmation of receipt of previously signed informed consent;
- Space for questions and clarifications from those present at the hearing;
- Space for free speech or open questions;
- Semi-structured interviews to be carried out by the members of the IC, according to previously constructed scripts;
- Space for questions/doubts/corrections;
- Termination of the interview/referral of whistleblowers if the need arose.

This work methodology is considered to have met the proposed assumptions and objectives.

3.3.8.5. Criteria for validating testimonies and criteria for checking the validity of the interview

In order to guarantee the robustness and rigor of the work carried out, it was considered important to define criteria for validating the interviews. The main aim of drawing up these criteria was to provide a working tool to eliminate testimonies that did not meet the requirements and could jeopardize the soundness of the final conclusions.

It was decided that it would be important to establish internal criteria for validating the interviews (Appendix 6), in order to guarantee the consistency of the conclusions to be presented in the final report.

In summary, we present the main criteria used to validate the testimonies and the interview.

a) The *Criteria-Based* Content Analysis technique will be used to validate the testimonies, and the following interview validation criteria have been defined, according to the theoretical organization carried out by Machado (Machado, 2014):

- Narrative consistency - "Consistency requires that the account contains no contradictions and follows the laws of nature. The statement must meet the basic requirements to be considered credible. It refers to the account as a whole (free narrative and interview)" (Machado, 2014, p. 26);

- Unstructured production - events may or may not be reported in chronological order. However, even when events are reported in a disorganized way, the main details fit together properly and consistently;

- Richness of detail - during the speech, enough detail is provided spontaneously or when asked, to situate the event in space and time and to characterize it in terms of the information you want to obtain;

- Contextual fit - the stories must refer to situational factors that make it possible to situate the event and understand the context in which it took place;

- Description of interactions - There must be a description of interactions between various actors, even if they are not relevant to the main theme (even if they are only extras in the main plot);

- Reproduction of verbalizations - the content of the interview will be more valid if there is a reproduction of the content of interactions that took place during the situation(s) described;

- Occurrence of complications/unexpected situations during the incident - If this type of situation arises during the hearing, the credibility of the testimony tends to increase;

- Presence of unusual realistic details - the presence of this type of detail, facts that were not expected, but which fit in a way that is consistent with the situation described, serves to increase the validity of the testimony;

- Superfluous details - the presence of superfluous and irrelevant details during the description of events is important to punctuate the validation of the speech;

- Related external associations - details that are not part of the event, but are linked to it. This criterion is met if the witness reports, for example, talking to another person who was the victim of a similar experience. "This account resembles the core of the event in question. However, these interactions would have been experienced at a time other than the main event. The intertwining of the act reported with the conversation reported is the key to this criterion. It is particularly useful for testing the hypothesis of knowledge of other experiences being transferred to the accused" (Machado, 2014, p. 27);

- Presence of allusions to the subjective mental and/or emotional state - when the person heard reports thoughts or emotions that occurred at the time of the event or even the presence of physical symptoms or reactions;

- Presence of spontaneous corrections - testimonies acquire greater validity when the person heard spontaneously corrects themselves or presents a critical perspective on their account. Spontaneous corrections add detail and content and are therefore fundamental in validating testimonies;

- Recognition of a lack of memory, especially if accompanied by concern - if during the hearing, spontaneously or following a question from the interviewer, the person interviewed recognizes a lack of memory and expresses concern about it, this situation scores points in the validation of the testimony;

- Presence of self-criticism in relation to their actions - when in the interview the person shows shame, guilt or criticism about the behavior adopted in the event, this situation serves to point in favor of the credibility of the testimony;

- Justification of the behavior of the person denounced - when during the speech the witness tends to justify the behavior of the person reported or at least avoid further blaming, this is also a criterion for validating the testimony;

- Secondary gains - when the accusation does not bring any kind of secondary gain and/or if, on the contrary, the accusation could lead to disadvantages for the person making the accusation, this is a factor that tends to score in favor of the credibility of the testimony:

- Presence of characteristic details of the event - this criterion is met if the witnesses report characteristic details of the event that could only be known to the person who experienced them;

b) With regard to the criteria defined for analyzing the validity control criteria of the interview, the following were defined:

- Characteristics of the person interviewed:

    1. Language and behavior displayed during the interview - maintaining appropriate eye contact and others;

    2. Adequate emotional resonance - adequate affection for the facts reported;

    3. Presence or absence of a reaction to suggestibility - if there is any kind of suggestion on the part of the interviewer, whether the person interviewed either assumes it to be true or denies it from the outset.

- Interview characteristics

    1. Presence of excessive suggestibility or a coercive interview model, inducing responses;

    2. The occurrence of factors during the interview that make it unviable (for example, the interviewer not informing the person being interviewed that he or she has common relations with them)

- Motivations behind communication/complaints

    1. Presence of questionable motives for reporting (for example, presence of a history of previous disagreements/relational difficulties between the person reporting and the person reported);

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2. Context of disclosure and/or denunciation - for example, the whistleblower is making secondary gains from the denunciation; because they want to get revenge or retaliate against the other person;

3. Existence of indications that lead to a highly reliable suspicion of the presence of coercion to report.

- Questions related to the analysis *per se*:

    1. Inconsistency with common sense (for example, reports of situations that are impossible to happen or that happen frequently for other reasons);

    2. Inconsistency with other accounts (e.g. presence of contradictory statements, where the other version has a higher level of credibility);

    3. Inconsistency with other evidence (for example, the facts reported are not proven by the documentary analysis carried out or by other types of evidence - messages, videos, among others).

Establishing these criteria proved extremely useful in supporting the testimonies gathered through the hearings. Since there were no criteria that invalidated the testimonies collected and the interviews conducted, it was possible to draw information from all the hearings for the final conclusions.

3.3.8.6 Written notes and drawing up minutes

A procedure defined from the outset was to take minutes of the hearings.

This document was considered fundamental because it was a way of holding all those involved accountable for the information produced and collected at the hearings.

It was also considered that this was a document that would make it possible to substantiate the elements that contributed to the formulation of the final conclusions, the contributions of the parties and the thoroughness of the work carried out. The minutes were compiled from notes taken during the hearings, specifically for this purpose, which were destroyed after the minutes had been drawn up. They were drawn up jointly by the IC members present at the hearings and sent to the people heard within four working days. They

had the same period of time to analyze them and make suggestions for changes. The final versions of the minutes were approved by all those involved.

3.3.9. Document analysis

The documentary analysis, in accordance with the Terms of Reference, would cover, in addition to the content of the Chapter, news and other publications that could have been published in the media, if they appeared to be important for clarifying the facts to be analyzed.

Documentary analysis was also carried out on the statutes, organization and internal documents of the CES, which were considered relevant for a more comprehensive understanding of the functioning of this institution and its power dynamics.

Lastly, it was decided that all the documentation provided *a posteriori* by the people who were heard and which could contribute to understanding the situation and producing conclusions and recommendations would be analyzed.

As a result, hundreds of pages of various documents were sent by the people heard, including emails exchanged between the whistleblowers and the persons reported; printscreens of mobile phone, Whatsapp, Messenger and Facebook messages; photos and videos of various events and gatherings between students and teachers; written testimonies from different people (friends, students, colleagues and others), for different purposes (to confirm the reports made by both the whistleblowers and the persons reported, to confirm the conduct and functioning of the persons reported and others); book chapters; unpublished scientific texts; various documents related to disciplinary proceedings and a host of other documents.

In the course of its work, the IC decided to request various documents from the CES bodies, to the persons reported and to the whistleblowers in addition to what was originally planned. Various information was also requested from external entities related to CES.

It should be noted that analyzing this documentation proved to be time-consuming and complex. It was necessary to situate the documentation in defined time intervals and compare them, and sometimes the contents of the documentation provided by different elements were taken out of context, appeared contradictory and sometimes only provided information that was of little relevance to clarifying and understanding the object of the IC analysis.

3.3.10. Data processing and storage

With regard to the procedure defined for processing and storing data, and after a number of ethical and practical issues were raised and discussed, it was defined that:

- All the information made available to the IC is processed only and exclusively by the members of the IC and for the purposes of producing the report;

- All information is duly protected with its own password, known only to the IC;

- The information is archived in the IC email, a platform that also serves to exchange confidential communication between IC members;

- At the end of the work, the information will continue to be stored in IC's email for a period of one year;

- For double security, safeguarding against the possibility of problems with the email, all the information will be stored on password-protected *hardware* that is only available to IC members, and will be stored inside a safe that is password-protected and known only to IC members.

During the course of their work, IC members were always very concerned about data security and processing, taking various precautions such as not accessing email and FaceUp on public networks and/or without proper protection guarantees, holding meetings in private places, among others.

The information obtained during the work was discussed exclusively with the other members of the IC, safeguarding all fundamental ethical issues.

All these strategies have helped to ensure that the data obtained is properly processed and that it is stored in highly secure and protected conditions.

3.3.11. Problems, constraints and solutions found

Several constraints were encountered during the course of the work.

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Firstly, the logistical constraints inherent in the fact that the team consisted of five members with other professional activities and responsibilities and from different geographical areas. These issues made it difficult to schedule meetings, mainly due to the presence of different time zones and demands related to personal agendas. However, this difficulty was overcome through the flexibility and goodwill of all the team members. Meetings were held on a regular, frequent and systematic basis.

Secondly, the constraints inherent in the complexity and sensitivity of the topics covered, which required a serious and sustained methodology to be defined beforehand. A concern felt from the outset was respect for the people involved, the need, as already mentioned, to avoid procedures that would contribute to the occurrence of re-victimization processes, as well as avoiding procedures that would disrespect the rights of the people denounced, in terms of their presumption of innocence and in relation to the impact that the denunciations and this whole situation has on their personal and professional lives.

It is therefore important to stress that it was with an immense sense of responsibility and ethics that these issues were dealt with and the conclusions reached.

The need to provide various clarifications to the people heard and the difficulty of reconciling the schedules of the various parties involved meant that the hearings were only concluded in the first week of December. Subsequently, the minutes still had to be drawn up and sent out and approved.

Following the hearings, various documents were provided, some containing dozens of pages, which had to be analyzed, contextualized, compared and discussed. This was an arduous and time-consuming task which significantly and decisively interfered with meeting the deadlines initially set. Drafting this report also proved to be a more complex task than anticipated, due to the amount of information to be analyzed and its complexity. The joint and integrated analysis of all the elements (communications, documents and hearings) was essential for drawing up the conclusions and recommendations.

It was considered that extending the time would have a significant impact on the emotional stability and mental health of both the whistleblowers and the reported persons, so it was always IC's goal to complete the report by December 31, 2023. However, due to the

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constraints described above this was not possible. This led to the need to request a postponement of the deadline for submitting the final report, a possibility that had been formally agreed between the members of the IC and the CES board from the outset.

4. Analysis of CES organization

In an institution like CES, the presence of mechanisms to prevent abuse of power can help mitigate interpersonal and intra-institutional conflicts. For IC's work, it was important to understand how the CES works, its mechanisms and various interactions.

4.1. Mechanisms and tools for dealing with harassment and abuse

Graph 1 identifies some of the bodies/tools that CES has implemented over time to be able to act, and/or used, in solving problems that occur in interpersonal contexts.

GRAPH 1 - SOME CES BODIES/INSTRUMENTS
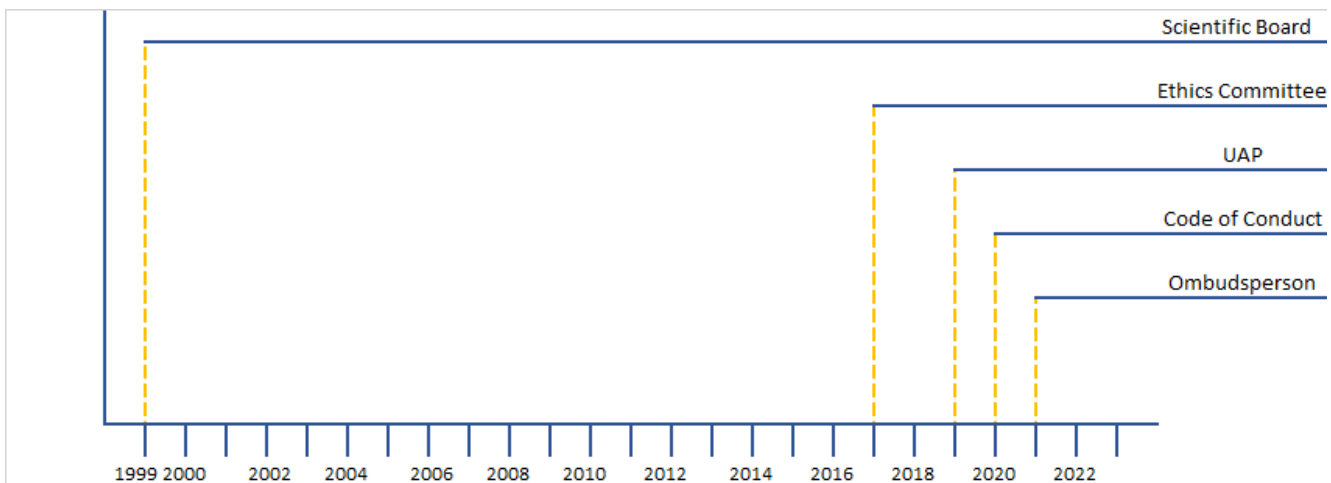
The CES provides extensive regulations for the different bodies and professional categories. An analysis of this documentation shows that the Scientific Board is entrusted with research and consultancy competencies on various issues, but that it is not specifically responsible for dealing with situations of harassment and abuse (CES, 2021). The Ethics Committee ensures that "within the scope of CES research, teaching and extension activities, dignity and non-discrimination are safeguarded; and that the principles of autonomy, responsibility, intellectual freedom, integrity, transparency and accountability are observed."[16] , however, it does not have a clear competence to deal with situations that are the object of the IC's scope. The Ombudsperson's office, which, despite having its actions delimited by its own regulations, is a body to which people from CES, regardless of their category, may resort to (CES, 2021). The Code of Conduct (CES, 2020) is a reference

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[16] Regulation of the Ethics Committee of the Center for Social Studies of the University of Coimbra. At https://www.ces.uc.pt/ces/ces/pdf/Regulamento_Comissao_de_etica_CES-UC.pdf [accessed on 5. 8. 2023]

(CES, 2021). The Code of Conduct (CES, 2020) is a reference tool for the entire community, although it places special responsibility on internal bodies. The Pedagogical Monitoring Unit (UAP) was the only body identified at CES that includes PhD students with full representative participation (i.e. voting rights) and an equal number of CES researchers (CES, 2021). Other bodies such as the Internal and External Monitoring Units (UIEA) do not include students (CES, 2021). Disciplinary power, i.e. the possibility of initiating disciplinary proceedings to investigate specific situations, lies with the board of directors, which, like the supervisory board and the general assembly, has existed since CES was founded in 1978.

TABLE 1 - POSSIBILITY OF EFFECTIVE PARTICIPATION (VOTING RIGHTS) OF THE COMMUNITY BY BODY IN THE ESC

Organ	Associate Researchers	Other researchers[17]	Doctoral students	Technical staff	External personalities
Management	X				
Audit Committee	X				
General Assembly	X				
Ethics Committee	X				
Scientific Committee	X				
UAP	X		X		
UEIA	X				X
Ombudsperson	X				

4.2. Interactions with other institutions

In its relations with other institutions, CES is identified by the Faculty of Economics of the UC as an "integrated or associated center"[18] . Several protocols have been established between CES and the UC on various subjects (pedagogical, scientific)[19] .

An analysis of CES activity reports and accounts reveals the important impact that the relationship with the Foundation for Science and Technology (FCT), established since 2002, has had. Although CES is a Private Non-Profit Association, with public utility status, it is subject to private law, under which it concludes employment contracts, but because it is mainly

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[17] According to the CES statutes, researchers without the status of associate can have the following categories: Researcher, Collaborating Researcher, Visiting Researcher, Postdoctoral Researcher, Junior Researcher.

[18] Coimbra, U. (2023). Statutes of the Faculty of Economics of the University of Coimbra. https://www.uc.pt/regulamentos/ga/feuc/documentos_vigentes/estatutos_feuc.pdf (accessed on 5.8.2023)

[19] Information provided by the CES management.

funded by the FCT, in the hiring of researchers, it is governed by the instruments defined by the tutelage.

As can be seen in Graph 2, the number of people working at CES has increased substantially. In addition to researchers hired on a permanent basis, through open-ended employment contracts with the same status as the Scientific Research Career Statute, over time CES has had a multiplicity of employment relationships with different terms that have contributed to expanding the community.

Although the challenges are expected to grow with the growth of the institution, this has not been the case with the creation of independent conflict resolution mechanisms (Ombudsperson regulations approved in December 2020).

In 2022, of the 800 or so people who made up the CES community, more than 50% were PhD students. Whereas in 2007, the CES community was made up of just over 250 people, with doctoral students representing the most prevalent category.

Of the doctoral students who come to CES, the majority are students on programs at the University of Coimbra (UC). These students can benefit from UC structures that deal with issues of harassment and abuse, such as the UC Student Ombudsman[20] or the Coimbra Academic Association's reporting channel[21] . It should be noted that between 2018 and 2023, the UC Student Ombudsman was a CES researcher.

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[20] Coimbra, U. (2023). *Student Ombudsman*. At https://www.uc.pt/provedor/ (accessed 5.8.2023)
[21] AAC. (2023). *Anonymous Reports. At* https://academica.pt/aac/denuncias-anonimas/ (accessed 5.8.2023)

GRAPH 2 - DISTRIBUTION OF PEOPLE BY CATEGORY AND YEAR[23]
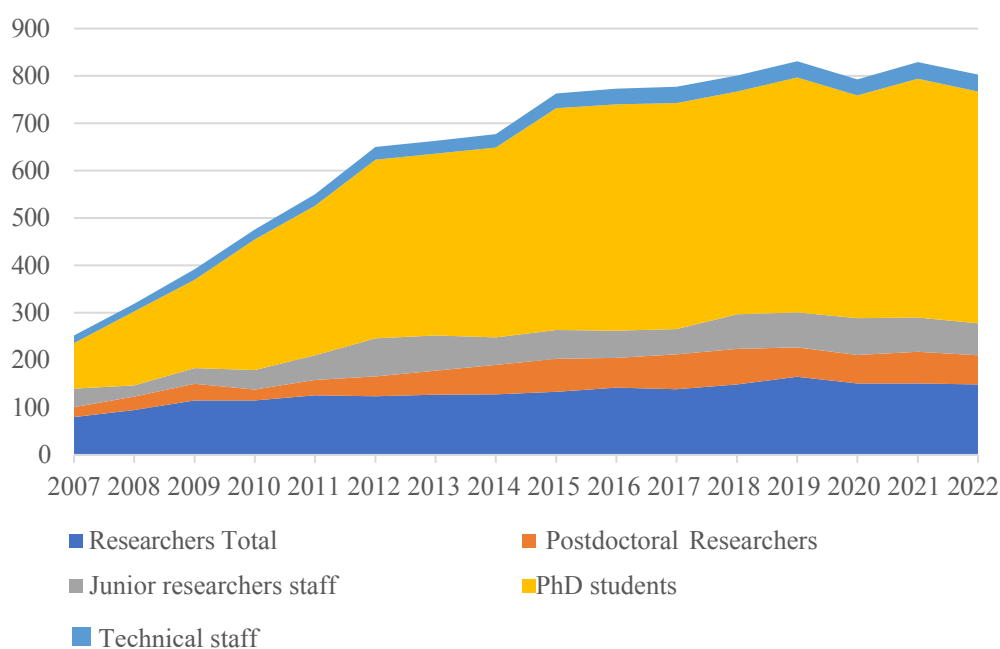
GRAPH 3 - DISTRIBUTION OF PEOPLE BY SEX AND CATEGORY IN 2022[23]
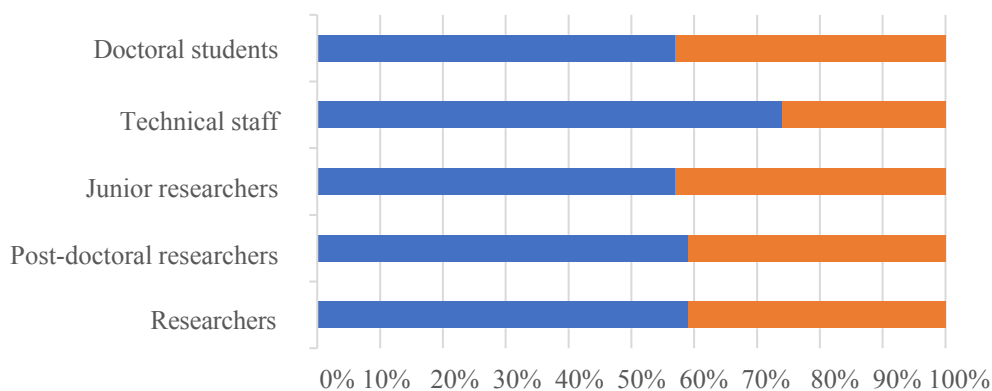
	Researchers	Post-doctoral Researchers	Junior researchers	Technical staff	Doctoral students
■ Female	59%	59%	57%	74%	57%
■ Male	41%	41%	43%	26%	43%

4.3. Participation in CES bodies

A careful analysis of participation in the CES bodies (Board of Directors, Audit Committee, General Assembly, Scientific Council, Ethics Committee, Ombudsperson's Office) revealed that the majority of management positions were held by women, but

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men held them for longer[23] . Table 2 shows the number of years per number of people in office on CES bodies.

Documentary analysis of CES regulations has shown that the potential for effective student participation is low, even though students have made up the majority of the CES community over the years. The participation of doctoral students, through representatives, in the CES pedagogical body is common practice in the *European Higher Education Area*, with students playing a more consultative role after the Bologna process than in the construction and implementation of institutional policies (ESU, 2020; Klemecic, 2023). These students also have the possibility of participating in the UC's bodies (pedagogical council/s, others).

Currently, the decision-making ecosystem is mostly made up of associate researchers.

TABLE 2 - NUMBER OF YEARS BY NUMBER OF PEOPLE WORKING IN ESC BODIES[24]

Number of years	Number of people
1-2	10-20
3-4	10-20
>5	5-10

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[23] This analysis was based on data provided by CES

[24] Bodies analyzed: Board of Directors, General Assembly, Audit Committee, Ethics Committee, Scientific Board (management positions only), Ombudsperson's Office.

5. Descriptive Summary

This section presents data on the work carried out by the IC, namely meetings, analysis of communications, analysis of documentation received and hearings. The data concerns complaints received by the IC and the persons reported in them, and not the whole population of CES.

Data are presented as percentage, to safeguard the anonimity of people involved. Nonetheless, in situations where whole numbers are presented, and results are residual, also to safeguard anonimity, the IC has opted to show the data in an interval from 1 to 5.

5.1. Meetings

TABLE 3 - DATES OF FORMAL IC MEETINGS WITH ALL ITS MEMBERS

Month	Day
July	29
	31
August	3
	11
	17
	19
	29
September	3
	7
	13
	22
	29
October	1
	5
	6
	13
	15
	18
	20
	28
November	3
	10
	19
	26
December	3
	7
	8
	9
	10
	17
January	3
	13
	21
	26
February	4
	8
	11
	18
	22
	25
	28

In addition to the meetings listed above, there were many other meetings between IC members, namely to prepare for hearings, analyze them and draw up the minutes.

The IC met in person and virtually, most of the time by ZOOM due to the geographical dispersion and time zones in which its members were located.

5.2. Communications with the IC

Flowchart - contacts received by the IC by route and type

```
                    ┌──────────────┐
                    │  Contacts    │
                    │  received    │
                    └──────────────┘
                      /          \
                     /            \
          ┌──────────────┐    ┌──────────┐
          │  Complaints  │    │  Others  │
          └──────────────┘    └──────────┘
            |        |             |
      ┌─────────┐ ┌────────┐  ┌────────────────────────────────┐
      │ Face Up │ │ e-mail │  │ Request for clarification on the│
      └─────────┘ └────────┘  │ functioning of the IC;          │
          |          |        │ Self-willingness to be heard;   │
      ┌──────┐   ┌──────┐     │ Media;                          │
      │  17  │   │  6   │     │ Other matters.                  │
      └──────┘   └──────┘     └────────────────────────────────┘
```
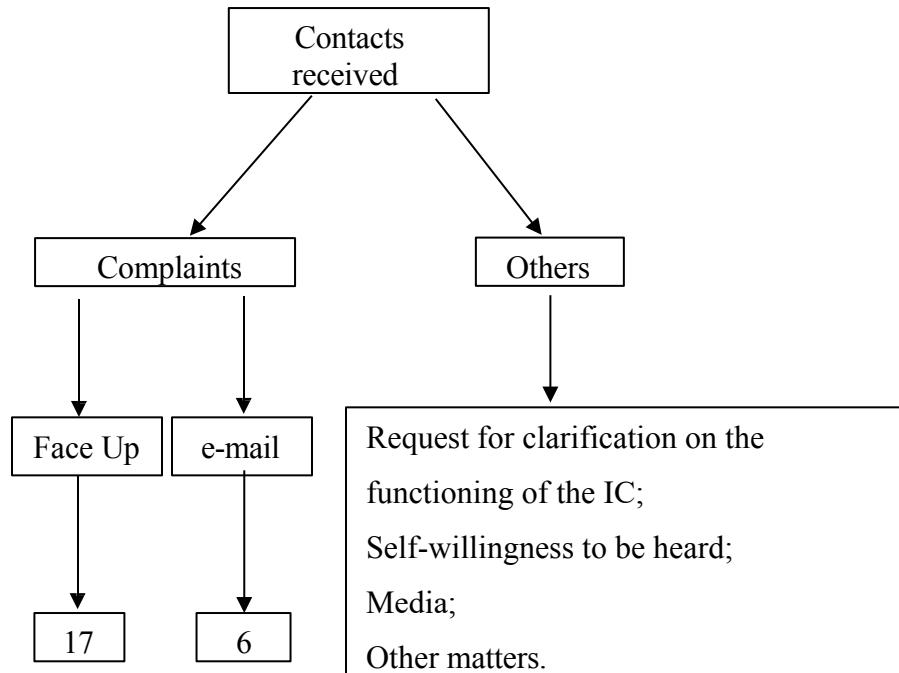
The flowchart shows the contacts received by the IC, and the complaints were both individual and collective. As a result, the number of whistleblowers is higher than the number of communications (table 4).

5.3. General Data

Table 4 - Total data on whistleblowers, persons reported and other persons of interest

Type	Number
No. of persons reported	14
No. of whistleblowers	32
No. of other persons of interest identified	1-5
No. of people categorized as reported persons and whistleblowers	1-5
No. of times identified (cumulative total)	78
No. of hearings	20

As described in the methodology, which refers to the criteria for selecting the people to be invited to hearings, 19 people were heard. Of these, all the persons reported were heard.

A vast amount of documentation was also received, both from the whistleblowers (around 300 pages) and from the persons reported (around 750 pages), including correspondence, testimonies and other documents that the people felt were relevant to send.

5.3. On Whistleblowers

GRAPH 4 - DISTRIBUTION, IN PERCENTAGE, OF WHISTLEBLOWERS BY GENDER

Female Male Unidentified
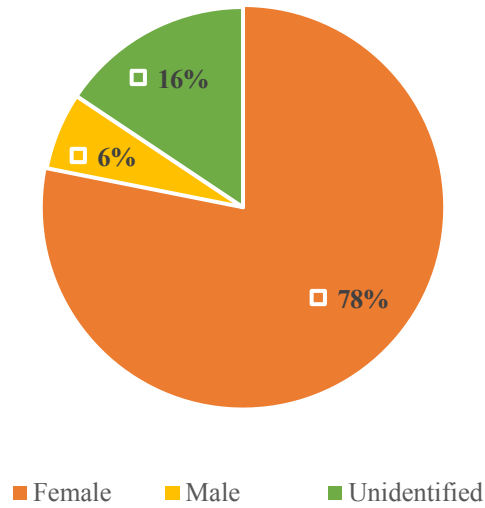
Graph 4 shows the gender distribution of whistleblowers. It was not possible to identify the gender of anonymous whistleblowers.

GRAPH 5 - DISTRIBUTION BY CATEGORY IN WHICH PEOPLE CAME FORWARD

Victims Witnesses Practitioners Other Categories

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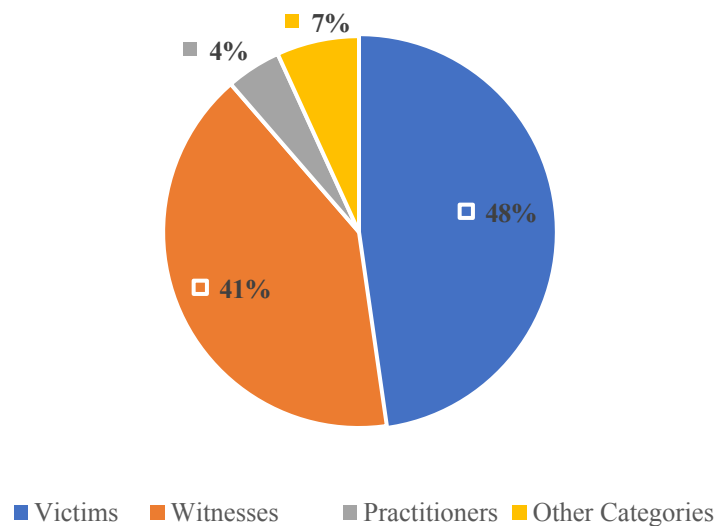
The people who communicated with the IC as whistleblowers identified themselves in the categories shown in Graph 5, with some of them in more than one category.

The people identified as persons reported are those who, as well as being whistleblowers, also claimed to have been negligent when observing situations of harassment.

GRAPH 6 - DISTRIBUTION OF THE CATEGORY IN WHICH PEOPLE RELATED TO CES
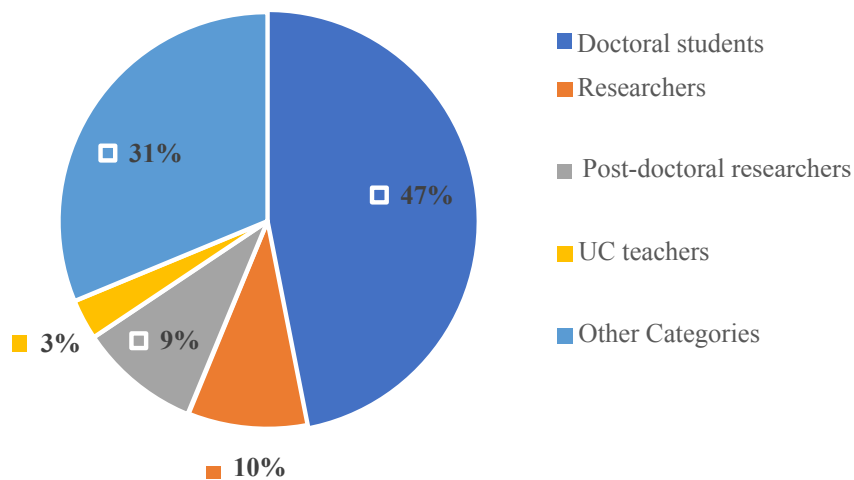
The whistleblowers identified the category in which they were working at CES at the time of the situation(s) reported. It should be noted that doctoral students and post-doctoral researchers account for more than 50% of the whistleblowers.

GRAPH 7 - DISTRIBUTION OF PEOPLE BY ORIGIN/NATIONALITY

■ Portugal ■ Europe ■ America ■ Not identified
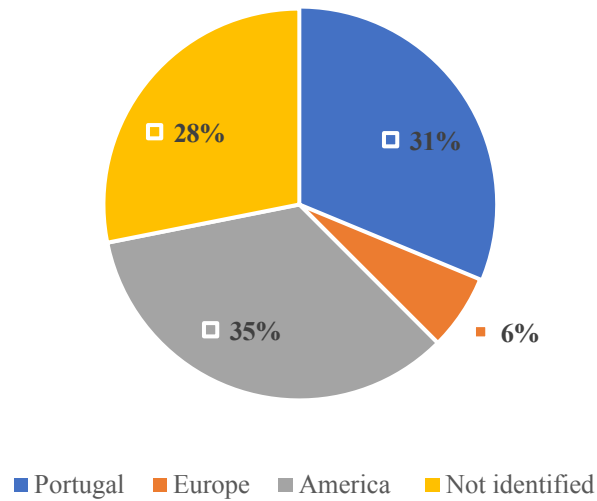
Most people have identified their nationality. However, there are a considerable number of people whose nationality could not be ascertained. Whenever people with two nationalities were identified, only one of them was considered for this analysis. The *Europe* group does not include people from Portugal.

GRAPH 8 - DISTRIBUTION , IN PERCENTAGE, OF TYPE OF MISCONDUCT

■ Moral Harassment/Abuse ■ Sexual Harassment/Abuse ■ Abuse of Power ■ Other
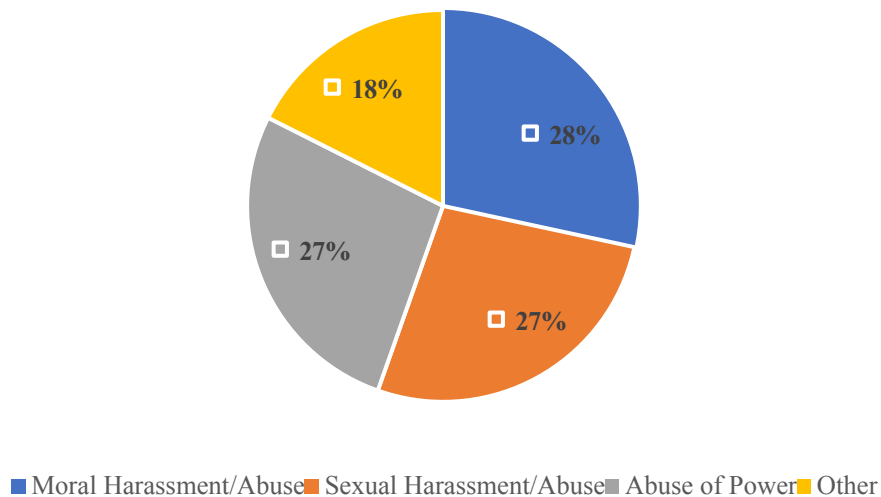
Whistleblowers identified some of the people reported as having engaged in different forms of harassment and/or abuse. Situations of cover-up or negligence are not included in this analysis.

The category "Other" includes intellectual extractivism which, as mentioned above, is considered to be a form of moral harassment. However, as there is no specific focus on intellectual extractivism, it was decided to group this type of conduct in the category of other. This category also includes complaints for gender violence and defamation.

GRAPH 9 - DISTRIBUTION OF RESPONSIBILITIES ASSIGNED BY PEOPLE

Legend:
- Practitioners of misconduct
- CES bodies
- Lack of adequate guidelines CES
- culture and dynamics
- University of Coimbra
- Portuguese culture
- Anachronistic reading of events CES
- hierarchical organization/statutes
- Others
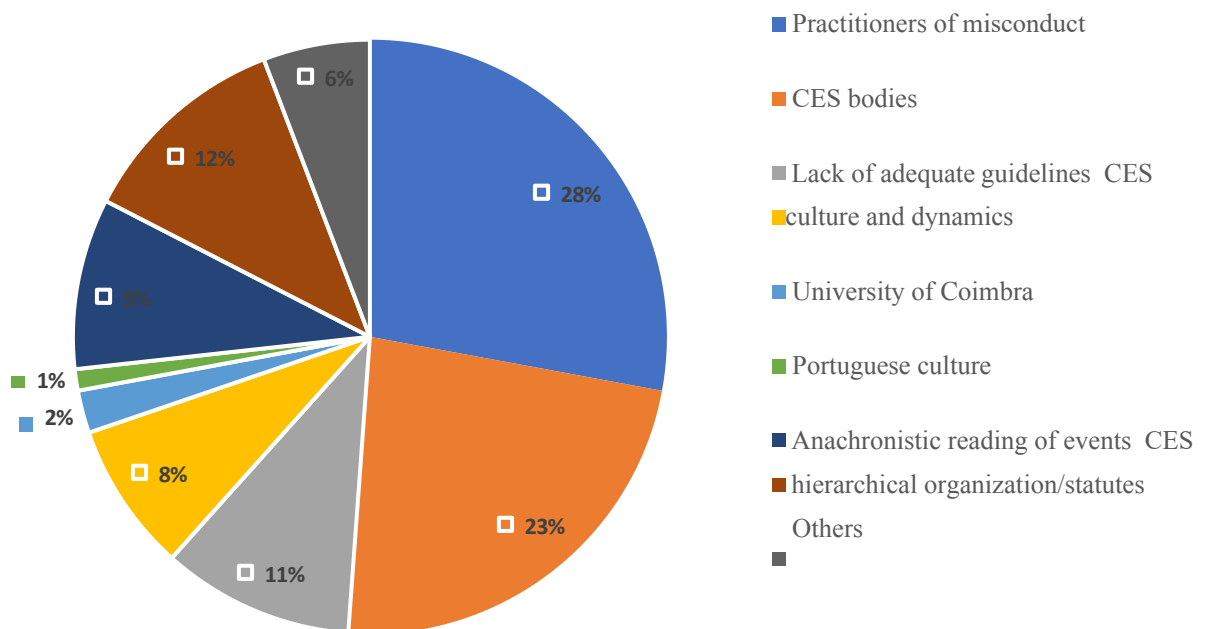
Different responsibilities were attributed by the people who communicated with IC for the situations they reported. Several people attributed more than one responsibility for the occurrence of situations of harassment and abuse, i.e. they considered it to be individual responsibility (persons reported for misconduct), institutional (e.g. CES management bodies) or other (e.g. Portuguese culture).

GRAPH 10 - DISTRIBUTION OF DAMAGE IDENTIFIED BY WHISTLEBLOWERS

- Mental Health
- Physical Health
- Economic
- Other
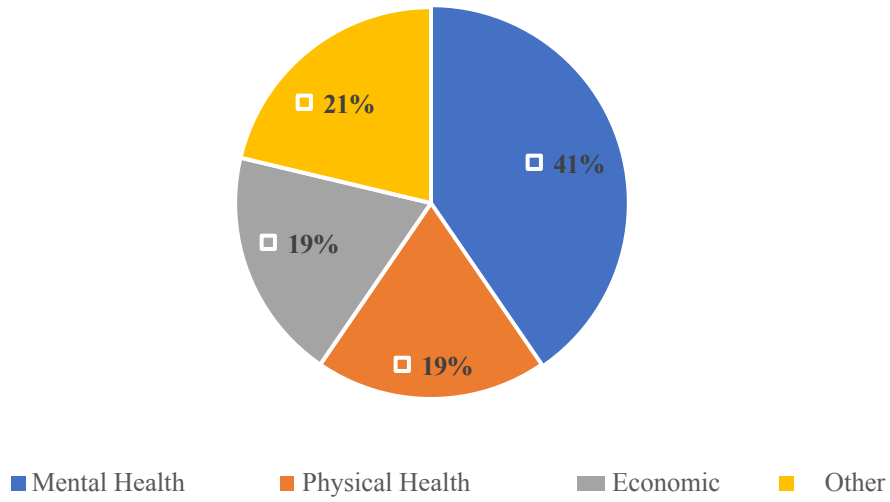
The "Other" category identifies damage to academic and/or professional careers. Some people identified more than one type of damage.

GRAPH 11 - DISTRIBUTION OF FORMS OF REPARATION AND OTHER SUGGESTIONS

- Private apology
- Public apology
- Financial compensation
- Amendment of the ESC statutes
- Creation of a permanent Independent Commission
- Creation of a Victims' Ombudsman and Support Office outside the ESC
- Creation of specific guidelines for the protection and prevention of misconduct
- Creation of a reception code for foreign students and researchers
- Institution of disciplinary proceedings and/or suspension of those responsible for misconduct
- Other

Different forms of reparation were identified by people. There were people who identified more than one form, others, on the other hand, did not identify any form of redress nor suggested changes to CES.

5.5. On reported persons

GRAPH 12 - DISTRIBUTION OF PERSONS REPORTED, BY GENDER
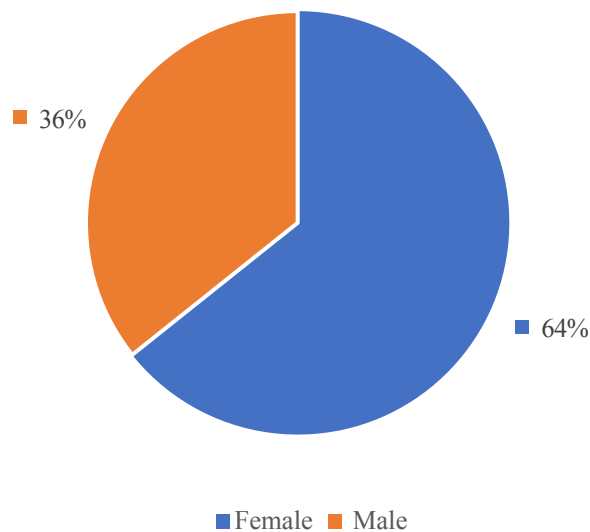
Female ■ Male

Among the persons reported, 64% were female and 36% male. Some of these people were identified by the whistleblowers as having different degrees of responsibility and as having committed more than one type of conduct.

GRAPH 13 - DISTRIBUTION OF PERSONS REPORTED, BY CATEGORY
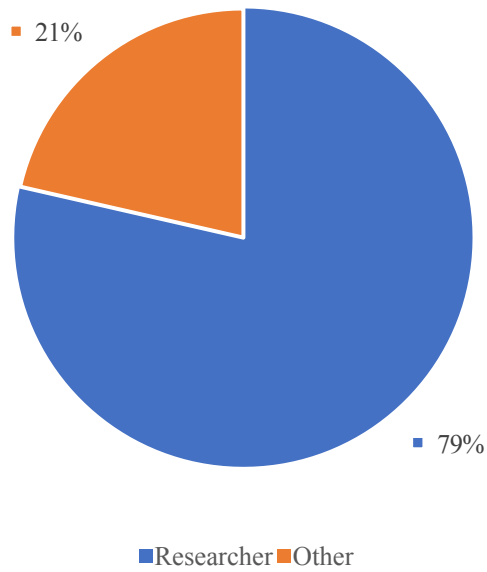
The "Other" category includes students and former doctoral students.

GRAPH 14 - DISTRIBUTION OF PERSONS REPORTED, BY TYPE OF CONDUCT
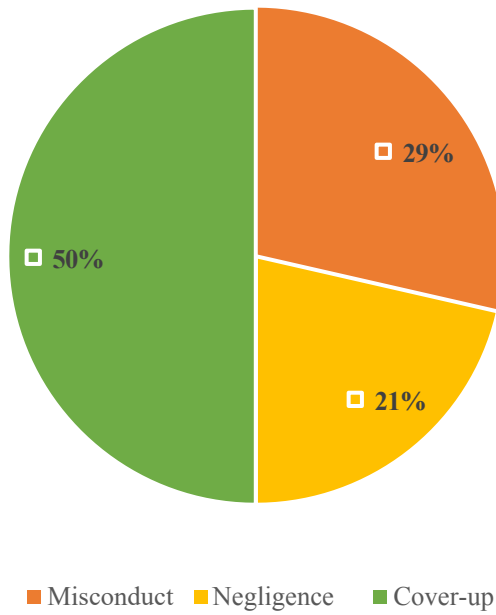
Among the persons reported, 50% were reported for covering up, 21% for negligence and 29% for moral and/or sexual harassment/abuse or abuse of power. When a person was reported for more than one type of conduct, the most prevalent was considered for this analysis.

Graph 15 - Distribution of the number of years in which the persons reported held management positions in CES bodies

0-4 years   5-9 years   10-14 years   ≥15 years
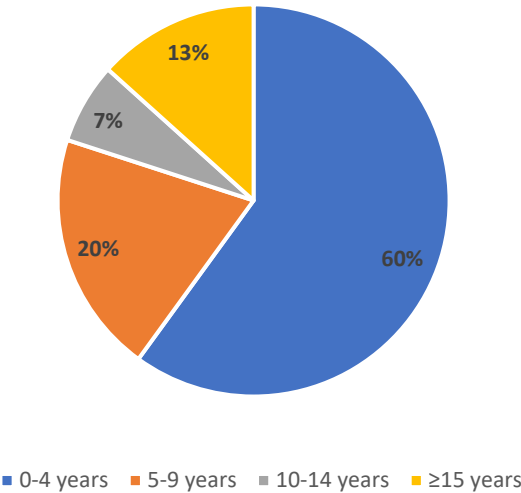
This analysis includes the following bodies: the General Assembly, the Board of Directors, the Audit Committee, the Scientific Board, the Ethics Committee and the Ombudsperson.

Graph 16 - Distribution, in percentage, of the number of times that reported persons were identified in the complaints

■ 1 to 5 ■ 5 to 10 ■ 10 to 15 ■ >15
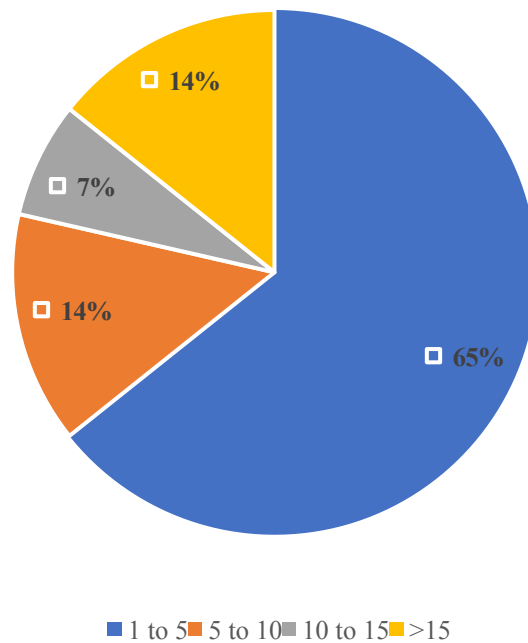
GRAPH 17 - DISTRIBUTION OF FACTORS PRESENTED TO JUSTIFY PUBLIC DENUNCIATIONS

■ Ideology/Political Interests

■ Precariousness

■ Personal and/or CES attacks

■ Performance evaluation

■ Power Relations

■ Anachronistic analysis of events
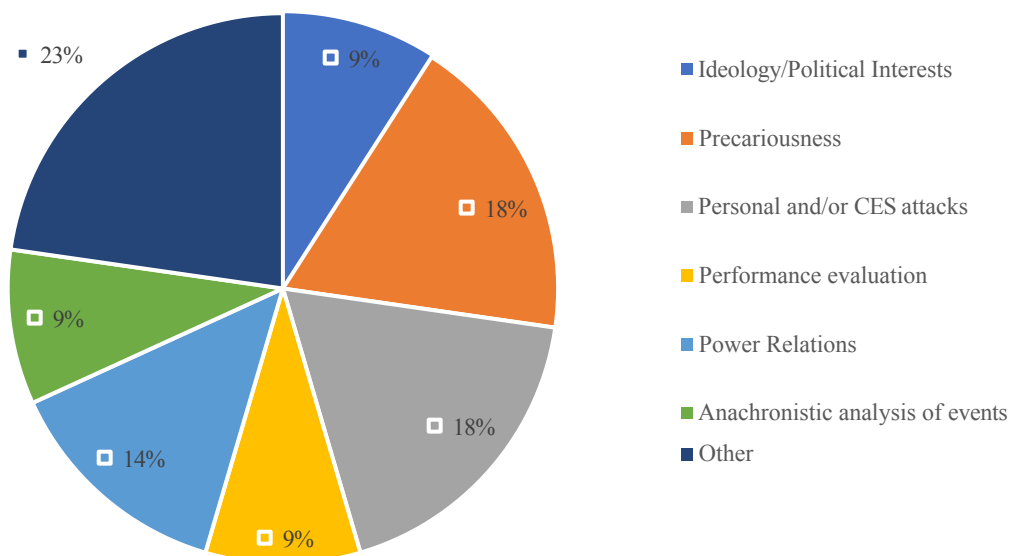
■ Other

Various factors were identified by the persons reported as justification for the public denunciations. The "Other" category includes racism, feminist movement/s, among others.

6. Final considerations

6.1. Whistleblowers

The majority of whistleblowers said that CES, as a research institution and in terms of scientific theory, defends an ideology of collaboration, tolerance, participatory and collegial decision-making and horizontal relations. However, in practice, in some research projects, relations are strongly hierarchical, with the majority of power/decision-making and leadership positions held by a small number of people who exercise an authoritarian style of leadership and neglect communication with the community. Whistleblowers described that criticism of formal and organizational decisions and of the intellectual ideas of the principal investigators and their immediate group was not accepted or not taken into account. Voices that criticized or did not fully support institutional and personal decisions felt socially excluded or even punished with excessive and inappropriate criticism, institutional intimidation, public humiliation, rejection of their work and removal from research and ongoing work.

According to the testimonies of the whistleblowers, relations at CES were characterized by the presence of formal, hierarchical power, with decisions always being made by the same "decision-making group", which excluded the other members of the governing bodies from important decisions. Several people heard as whistleblowers independently indicated that decision-making power at CES remained for years with the same people who were part of the "power group". There were other people who were invited to join the management bodies, but in their view this was only formal and not effective. These people were not always informed of important meetings.

The whistleblowers claimed to experience insecurity, a cognitive confusion that intensified their vulnerability, the fragility of the environment and which maintains the power structure, due to a repeated pattern of conduct that occurs in a vertical and hierarchical manner. It was reported that those who questioned the behaviors, decisions and alleged theories defended by several of the people denounced, as well as those who questioned and criticized practices they considered wrong, in other words, who did not dress, behave or assume personal positions appreciated by some of the people denounced, were removed from the "decision-making group" and some of them reported having been victims of bullying in the workplace.

From the analysis of the complaints and the content of the hearings of the whistleblowers, three groups of people with different degrees of responsibility were identified:

1) Responsibility for committing the act: people who directly abused power (the circle of factual power) or who were complicit in situations of abuse of power and who took decisions to protect the persons reported, to allow them to continue their activities and to use institutional and human resources according to their wishes and motives. The aim of the measures taken was to protect certain people in hierarchical positions of power (formal or informal) by covering up problematic situations, silencing or even resorting to intimidation of "problematic" people in hierarchically inferior positions.

2) Attempted cover-up: people who unconditionally supported some of the people denounced and contributed to their demands of various kinds, without questioning or complaining, having the opportunity to be part of the smallest nucleus of those who were in the lead, either formally or informally.

3) Negligence: people who didn't oppose or criticize, but defended the boundaries and stayed away, didn't act to become part of the smaller group, i.e. those who stayed in the neutral zone without visibility;

From the perspective of the whistleblowers, the abuse of power manifested itself both as moral abuse and, in some reports, as sexual abuse, with an associated gender dimension.

According to the whistleblowers, the "relatively small circle" of people who made up the CES leadership, whether in official positions or in positions of informal power, was in stark contrast to the proclaimed democratic and horizontal organization of the CES. Written and oral testimonies consistently state that it was very typical for some members of CES not to have any boundaries between work and private life. Whistleblowers, in the position of former doctoral students, stressed that the appearance of a lack of hierarchy seemed nice at first, but over time they began to feel that they were in a no-win situation and were confronted with feelings of confusion at the fact that professors/supervisors did not preserve healthy boundaries in their relations with students and even did not respect students' efforts to maintain these boundaries. What's more, this effort on the part of students who, *a priori,* were in a significantly weaker position was referred to as very difficult.

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For the whistleblowers, the fact that working relationships were precarious and unstable, and that the environment was extremely competitive, fostered rivalry between colleagues and loyalty to those in power.

Whistleblowers, including former PhD students, acknowledged at the hearings that they wanted to be part of the "special circle", i.e. close to those who held de facto (albeit informal) power within CES, not only because of the status (prestige) this brought, but also because of the better opportunities in terms of keeping their jobs and creating new funding opportunities and maintaining financial stability. This constant insecurity and rivalry also contributed, in the view of the whistleblowers, to internal struggles that fostered abuses of power and moral harassment at work. Specifically, the following types of abusive behavior were mentioned in oral and written complaints: verbal abuse, disqualification and usurpation of work, multiple and overlapping tasks and demands, imposing the performance of several different and sometimes incompatible roles and functions, the use of people to satisfy personal needs and the performance of work for personal gain by people in a hierarchically superior position.

The absence of Codes of Conduct and the delineation of precise rules, albeit informal, between teachers/principal investigators and students/other researchers, as well as the excessive informality and familiarity, also facilitated, from the perspective of the whistleblowers, the breaking down of boundaries and the difficulty of assigning appropriate meanings to various ambiguous situations, which facilitated the naturalization of abusive situations.

In the words of the whistleblowers, the proclamatory defense of the idea of equality at CES and the absence of barriers between different levels of power, such as between teachers/supervisors and students, was fertile ground for the spread of moral and in some cases sexual abuse. According to these people who reported having direct experience of harassment and abuse, these situations often occurred outside the workplace (in restaurants, bars, sometimes in teachers'/advisors' private homes), in after-work hours, after drinking alcohol, reinforcing the lack of safe boundaries between the professional and private spheres. The complainants also added that they felt obliged to take part in integration activities (dinners, for example) which created situations of discomfort and mistrust.

Some whistleblowers said that they had informed people within CES about situations of harassment and abuse, adding that they normalized the situations and said that these were private matters between adults.

For the whistleblowers, the continuous practice of abuse of power, particularly when there was a relationship of hierarchical superiority and friendship between the whistleblowers and them, led them to create personal defense mechanisms and individual survival instincts in order to be able to deal with the alleged "abusers" with sympathy and cordiality and to maintain close relations with them, in order to avoid being excluded and/or having their jobs destroyed. They also said they feared damage to their reputations and, above all, the negative impact of these situations on their mental and physical health.

The whistleblowers stressed that these situations were extremely demanding from a psychological point of view and, in some cases, lasted several years. Many of them say that these situations have caused serious damage to their mental and physical health.

There are several testimonies/complaints made by whistleblowers of sexual harassment and abuse (in the sense of sexualized, unwanted and unauthorized physical contact) by people in positions of power/leadership or hierarchically superior in relation to people directly dependent on them and/or who were in vulnerable groups, such as foreigners, especially women.

Several whistleblowers describe, either as whistleblowers or as witnesses, the same and/or similar situations of bullying, sexual harassment and abuse of power.

In summary, among the situations reported by whistleblowers are the following examples:

i. Related to moral harassment:

- Aggressive and systematic humiliation and disqualification by certain researchers and/or professors in relation to the work produced;

- Isolation of researchers on the basis of intrigue and rumors, without due assessment of the situation itself, leading to injustices and weakening some members of the group in relation to others;

- Excessive and inappropriate demands in terms of prioritizing tasks and respect for the rest and family life of students and non-principal researchers;

- Contact with students and researchers at inappropriate times (sometimes during the early hours of the morning) to deal with non-urgent matters (which could be resolved during normal working hours) and sometimes to satisfy personal needs and whims (such as requests to buy products for the principal investigators' and/or professors' own consumption);

- Requiring tasks that were not in keeping with the researchers' professional roles and categories, such as requiring them to provide care, purchase products for their own personal consumption, dealing with matters relating to accommodation / travel and almost exclusively administrative tasks, a situation which significantly limited the time available for activities directly related to research and/or the production of of intellectual tasks;

- The existence of derogatory comments about the clothing worn by students and researchers, the color of their nails and others;

- Rejection and excessive criticism of intellectual work produced by by students/researchers that was later used for publications on behalf of the coordinators and/or principal investigators;

- Demanding that the principal investigators' work be cited and reprisals against the students when this was not done.

ii. Related to sexual harassment:

- Erotic gestures and behavior on the part of some principal researchers/teachers in their relationship with the researchers/students;

- Excessive closeness and bodily contact, unauthorized and inappropriate according to the relationship/degree of intimacy between teachers/researchers and students - wet, lingering kisses, lustful looks;

- Proposals, more or less subtle, for intimate relationships, suggesting or not, secondary gains and academic benefits in return;

- Repeated sexually harassing behavior, such as comments about the body, invitations, making oneself available for relationships with people in lower hierarchical positions or in positions of vulnerability, and attempts to control the sexual lives of female students by asking direct questions about their intimate lives;

- Insistence on alcohol consumption by female students/researchers/visitors, with the aim of sexual contact.

iii. Related to sexual abuse:

- Unwanted and non-consensual touching of body parts such as thighs, buttocks and genital areas; hugs that were too long and tight;

- Maintaining sexual relations with people in lower hierarchical positions and/or in vulnerable positions, while they were under the influence of substances (e.g: alcohol) and unable to fully give free and informed consent;

- Maintaining sexual relations with female students/researchers whose evaluation was directly dependent on the people who sought them out.

iv. Related to Abuse of power:

- Use of institutional human, financial and logistical resources for personal ends;

- Lack of boundaries between the personal and the professional, both in terms of relationships, and spaces;

- Disrespect for institutional norms and rules;

- Systematic confusion between personal and professional roles;

- Use of the position of power occupied to obtain benefits and avoid sanctions or penalties.

6.2. Persons reported

Many of the persons reported outright rejected the accusations described in the Chapter and/or made public, pointing to political, ideological, personal and academic reasons for their existence. In their testimonies, they were peremptory in their rejection of the publicly known facts, recounting the environment which was and is lived at CES, the way they acted and act, and the reasons they found for being the target of the accusations to which they were subjected. Others, on the other hand, confirmed various facts alleged in the complaints submitted by the people who had made the accusations.

It should be noted that none of the persons reported are aware of the complaint(s) sent to the IC about themselves.

The hearings of the persons reported were extremely thorough, focusing on the situations that they considered most important and that most revolted them for being the target of complaints. They handed over numerous documents that they considered important and relevant for analyzing and understanding the various contexts.

Several of the persons reported interviewed denied having any knowledge of situations of abuse or harassment within CES. Many of them justified the questions raised by the Chapter, as well as the publicly known accusations, as an attack on CES, on the members of its governing bodies, namely its founders, by feminist and self-interested groups. Some said that, apart from occasional cases that had nothing to do with those that had come to light, they had been aware of a very small number of cases of harassment, knowing that they had been dealt with promptly.

It was mentioned by some of the persons reported that there were some "corridor conversations" about these issues, but they were unaware of their veracity. They also pointed out that formally there had been no reports to CES bodies about acts of harassment or abuse over the years, saying that if they had been aware of formal complaints they would have taken action. On the other hand, some of the persons reported said that "everyone knew" about the harassment.

Many of the persons reported felt that informal socializing was healthy and that the governing bodies should not interfere in the personal lives of CES community members. They added that they distinguished between the professional and private spheres and that they considered intimate relationships between CES members, even between people in different hierarchical positions, to be in the personal sphere. What's more, they recognize intimate, polygamous and varied relationships between members of the CES community, considering it to be part of each person's personal life.

It was also mentioned by some of the persons reported that the organization of research projects, especially funded ones, obeyed rules that concentrated power in a few people, which inevitably led to tensions at times.

Working relationships were precarious and unstable and the environment was extremely competitive, which, as acknowledged by several of the persons reported, would have led to rivalry between colleagues and the misconception by many that they were victims of moral harassment.

Several of the people reported said that CES promotes the participation and debate of ideas and issues, while some of the people reported believed that interpersonal conflicts should be resolved directly and informally by the parties to the dispute. With regard to participation in the governing bodies, it was mentioned that several people had joined the CES bodies over the years, but that it was difficult to recruit new people interested in participating.

Regarding the graffiti that CES was the target of, which exposed serious public accusations of harassment and abuse for the first time in 2017, some of the people denounced felt that they would be in favor of CES pressing criminal charges today. They said that the boards that dealt with the matter decided not to do so, despite being concerned about the allegations made.

Some persons reported believe that CES has been the target of a "coup d'état" and that there is an ongoing war against CES, thus justifying the accusations that have come to light.

6.3. Conclusions

As mentioned in the terms of reference, "The Commission does not intend to and will not be able to substitute itself for the competent administrative or judicial bodies or authorities for the assessment of conduct that may constitute disciplinary offenses or criminal offenses. The Commission's objective is solely to validate, on the basis of evidence to be produced, such as testimonies or documents, the complaints that may be reported to it."

On the basis of the complaints received through the channels provided, the vast documentation received, the hearings held with the whistleblowers, the persons reported and other persons of interest considered relevant by the IC, as well as the analysis of documentation requested from CES, it was possible to give space and voice to both those who presented claims and those who were denounced about the existence of possible situations of moral, sexual and power harassment/abuse that occurred within the CES community, the IC concluded that:

1. Most of the testimonies and complaints submitted by whistleblowers are lengthy, with precise and detailed information, situated in space and time, describing in detail work meetings, conversations, social situations and so on, and most of them are consistent with each other and internally coherent;

2. In the hearings with the persons reported, most of their accounts were consistent and in some cases coherent with each other;

3. The documentation provided by some of the persons reported and some of the whistleblowers reveals detailed information that includes exchanges of correspondence and other documents, situated in space and time, which are consistent and coherent with their accounts; most of the people heard, both complainants and those denounced, recognized CES as an institution of international reference, which "opened many doors" to those who attended it and worked with certain people;

4. The CES's hierarchical structure has generated profound power imbalances and distrust among students towards the people who have held management positions in its bodies over the years;

5. The lack of effective participation by the entire community, particularly doctoral students, has allowed decision-making power to be concentrated in just one group of people (around 1/5 of the entire community);

6. Of the people with a contract with CES (researchers and technical staff), only researchers could participate in its governing bodies;

7. A small number of people (5-10) have held management positions in CES bodies for a high number of years (>15);

8. There were funded projects that were assigned to researchers and that concentrated on these people the decision-making power on how to manage their development (for example, setting objectives, deadlines to be met, hiring and choosing people for management roles);

9. The lack of precise instruments and guidelines may have led to abuses of power and their repetition has generated inappropriate patterns of conduct in the academic context;

10. The lack of formal, clear and inclusive communication has increased the asymmetry of power;

11. The CES implemented instruments to deal with situations of harassment and abuse in 2020 (Code of Conduct, Ombudsperson's Office), but these do not include sanctions for breaches of the prescribed conduct;

12. These instruments have not been effective in the situations in question, since most of the complaints predate their implementation;

13. Over the years , despite the fact that our analysis showed they had signs of less adequate relations between members of the CES community, different management teams at CES underestimated them and may thus have contributed to their possible perpetuation. Specifically, the way in which they dealt with the "Graffiti", which began in 2017, ignoring and failing to act administratively and judicially, indicates a frivolous way of acting on alleged behavior that should, on the part of an executive body, be taken very seriously, namely through an internal investigation;

14. There were signs of negligence in the way certain issues were dealt with on the part of some people who held positions on the CES governing bodies, as well as people who were hierarchically in disparate positions (for example, in the supervisor - student relationship);

15. These situations occurred vertically in the pyramidal hierarchy of the organization, both "top down" and "bottom up", with the greatest responsibility for interaction within academia lying with those who are effectively in power, i.e. "above";

16. These situations generated processes of familiarity and may have led to preferential relationships between people, with a lack of distinction between what was professional and what was personal;

17. The existence of meetings in private spaces between people in different hierarchical and dependent positions is not in line with good and responsible academic practice;

18. The "confusion" between the professional and private spheres, on the part of both the whistleblowers and the reported persons, indicates that it has led to situations of conflict of interest, harassment and abuse of power;

19. There was evidence that informal integration activities (e.g. dinners, socializing outside CES) generated situations that were inappropriate to the academic context, as well as evidence of the absence of an institutional and formal welcoming policy that would encourage the community to get to know CES;

20. Situations were identified (e.g. communication in a non-native language, different cultural habits) in which students and researchers from abroad were the most vulnerable groups to possible abuses of power and harassment;

21. Disproportionate work demands, precarious professional relationships and high competitiveness may have contributed to situations of favoritism and bias, compromising the integrity expected of an academic and training institution.

In short:

22. It was found that the versions presented by various whistleblowers and various persons reported were in many cases incompatible with each other, making it impracticable to verify their evidence;

23. The documentation presented and the hearings held, both with the whistleblowers and with the persons reported, did not allow to clarify beyond doubt whether or not all the situations reported to the IC occurred, namely the behaviors refering to the examples listed in section 6.2. However, the analysis of all the information received, and the hearings of whistleblowers and persons reported that were compatible between them, indicate patterns of conduct involving abuse of power and harassment on the part of some people who held senior positions in the CES hierarchy.

7. Recommendations

Based on the analysis carried out by the IC, as well as international best practices for preventing and combating harassment and abuse (Annex 7), we present the recommendations that we believe are relevant to CES.

In our opinion, it is essential to regulate, implement and promote an institutional policy to prevent and combat harassment and abuse. In order to develop and implement this policy, there are bodies and structural mechanisms that are essential to strengthen. Furthermore, we recommend specific measures for mapping, preventing and intervening in complaints and practices of harassment and abuse.

7.1. Institutional Policy to Prevent and Combat Harassment and Abuse

To build this policy, there are several relevant **elements** to consider:

- Human rights as the guiding principle of this policy;
- The victim-centered approach and prevention of secondary victimization, especially when it comes to an environment where there is an imbalance of power and, consequently, the risk of abuse by people in hierarchically superior positions;
- Improving the management of institutional conflicts in order to increase the likelihood of strengthening internal democracy, be it representative democracy or participatory democracy;
- The direct participation of all members of the CES community (students, researchers, technical staff), the reason for the institution's existence, in decision-making about its purposes and their application.

This Policy for Preventing and Combating Harassment and Abuse must take into account the following **values**:

- **Diversity, Accessibility and Inclusion**: promoting inclusion, enabling individual autonomy and self-determination, giving each person the right to build their own story and decide which path to take;
- **Democracy and social responsibility**: guaranteeing the full exercise of fundamental rights, acting ethically and committed to a humanized, efficient and truly democratic institution;

- **Respect, Compassion and Empathy**: recognizing and developing empathetic listening and a compassionate attitude between the individual and the institution, in order to respect and welcome the rights, differences and uniqueness of each person.

Some of the **principles** that should be taken into account when building a Policy to Prevent and Combat Harassment and Abuse are:

- **Respect** for **human dignity and integrity**: people involved in processes to analyze situations of harassment or abuse must be treated with respect for their human dignity, with priority given to physical, psychological, emotional and moral integrity;
- **Equality**: the institutional policy to prevent and combat harassment and abuse must be applied to the entire community of the institution;
- **Reasonableness**: procedures must be agile, without extending over time, observing the constitutional principle of the reasonable duration of the process;
- **Confidentiality**: ensuring the secrecy of the information provided and involving as few people as possible in order to preserve people's privacy;
- **Immunity**: whistleblowers and witnesses will not be exposed to reprisals of any kind;

7.2. Structural Mechanisms

7.2.1. Ombudsperson

The ombudsperson's offices are considered to be constituent organs of citizenship that value the *res publica,* enabling participation, a necessary condition for the formation of a citizen's conscience, aimed at the whole community.

Ombudspersons are guided by the following principles: accessibility[25] , autonomy, confidentiality, impartiality, independence, informality and neutrality. These principles are fundamental to creating a culture of trust and security that strengthens and broadens community access and participation.

What's more, ombudsperson offices are instruments of transparency and, as such, indispensable for guaranteeing the fairness, impersonality, efficiency and effectiveness of the exercise of their function, by promoting access to information, the right to demonstrate

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[25] With regard to this principle, the possibility of lodging a formal or anonymous complaint must be guaranteed and the necessary mechanisms adopted to make this possible (see paragraph 7.3.3(d)).

and the right to express one's thoughts.

Because of their nature and functions, ombudspersons should promote academic rights and human rights, contributing to an awareness of social responsibility throughout the community in terms of rights and duties.

In short, ombudspersons have to be the guarantor of the rights of all those who seek them, as well as ensuring that these rights, if violated, are restored. What's more, ombudspersons must take into account the possibility of people filing a complaint *a posteriori,* with whistleblowers being given the choice of when they are willing to talk about events.

According to the Institution's Statutes, the CES Ombudsperson is an "independent body whose mission is to defend and promote the rights and legitimate interests of the members of the CES community".[26] However, the ombudsperson is appointed by the Director, after receiving a favorable opinion from the Scientific Board and after hearing the Ethics Committee, and the ombudsperson is a member of the community.

In order to fully exercise the activity of ombudsperson, it is essential that:

- The person performing the function has knowledge of the workings of CES or similar institutions;
- The ombudsperson is elected by all the categories that make up CES (students, researchers, technical staff) and thus participate in the decision (for example through a specific committee).

Two models that have been identified and can be applied to research institutions such as CES are:

- The role of ombudsperson should be carried out by a person from the academic community, elected directly by the members of the institution (students, researchers, technical staff). This model can guarantee, a *priori*, a greater degree of trust on the part of the person from the community;
- The role of ombudsperson/should be carried out by a person from outside the academic community with knowledge of the way the institution operates, who is

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[26] *Statutes of the Centre for Social Studies - CES (2021).*
https://www.ces.uc.pt/ces/ces/pdf/CES_Estatutos_2021_PT.pdf [accessed 5. 8. 2023]

elected by a committee made up of representatives of the CES community (students, researchers, technical staff).

7.2.2. Effective participation of community members in ESC bodies

Currently, participation in several of the CES bodies is ensured through representation and does not include all categories. For example, students cannot participate effectively in the Scientific Boar, nor do they have voting representation in deliberative bodies.

Giving space and a voice to any member of the community is fundamental. This guarantees accessibility and cultural and professional diversity that is representative of the community. It is therefore essential that CES establishes mechanisms to enable effective community participation in its bodies and daily life. This can be achieved by including voting representation from each category of the membership.

In this sense, and considering that approximately half of the whistleblowers are former CES students (graph 6), it is recommended that students have effective representation on the Scientific Board, the Ethics Committee and other bodies where the issues discussed directly or indirectly concern them.

These observations are in line with the concept of co-management and governance, which enables greater community participation in the construction of internal policies and decision-making.

7.3. Specific mapping, prevention and intervention measures

7.3.1. Mapping

The promotion and continuous improvement of procedures and processes for dealing with any kind of harassment or abuse will certainly contribute to the development of a more responsible institutional culture, more aware of the problems arising from such conduct.

Prevalence analysis is a fundamental tool for detecting cases of harassment and abuse, as well as for assessing the immediate impact of the measures taken. It should have a pedagogical and preventive dimension, while also reinforcing the institution's transparency and integrity mechanisms.

This analysis can be done through an internal questionnaire in an anonymized form. For this purpose, a specific group involving representatives of the CES community (students, researchers, technicians) and the Ombudsperson's Office could be set up to develop, implement and evaluate the results of the questionnaire.

7.3.2. Prevention

Prevention actions are designed to achieve humane and peaceful solutions with a view to preventing the emergence and/or worsening of situations of harassment and abuse.

We therefore recommend the adoption of staff training actions and an integrity plan.

a) Community empowerment actions

The following relevant actions have been identified in the context of CES:

- Emotional intelligence training for managers, coordinators and teams, with the aim of humanizing the institutional environment and, where necessary, promoting changes in methods, procedures and internal processes;
- Ongoing awareness-raising campaigns (including themes on unwanted behavior and the concept of consent);
- Biannual initiatives on deontology and ethics for the community.

b) Integrity Plan

It was identified that the current CES Code of Conduct, despite meeting the legal requirements regarding harassment and abuse, is insufficient to meet the needs of the community, namely because it is unknown to them. It is therefore recommended that it form part of the initial documentation to be given to anyone, regardless of their category, when they join the CES institution.

Furthermore, in order to cultivate a strong, independent and autonomous institution, whose structure and ethical project are attentive and willing to respond, not only to individual demands, but also to collective ones beyond the Institutional Policy, it is recommended that

o CES develops an Integrity Plan, which could be a fundamental device for strengthening a culture of ethics within the institution.

In developing this plan, it is important to consider:

- guiding the control and evaluation of the Institution's administrative acts and those of its agents, with a view to preventing and mitigating any vulnerabilities that may be identified;
- establishing guidelines for monitoring possible risks, the functioning of internal controls and compliance with audit and ombudsperson recommendations, as well as accountability procedures, in order to prevent, detect and combat the occurrence of harmful acts within the institution;
- promoting active transparency and access to correct information;
- acting to deal with conflicts of interest, favoritism and nepotism, with a view to promoting agile and up-to-date solutions to the demands presented.

7.3.3. Intervention

With regard to measures to intervene in situations of harassment and abuse at the institutional level, we have identified the need to implement the measures described below.

a) Protocol for action in situations of harassment and abuse

Action protocols as tools that standardize action procedures for a specific situation, in a specific area of its occurrence, help to predict and streamline flows and the development of their stages.

The adoption of a practical guide in simple and accessible language, with information ranging from the process of recognizing the conduct of harassment and abuse, to guidelines for the development of actions, including, in this context, the set of protective measures for people who report in good faith and witnesses.

It is important to consider when developing the protocol:

- Clarification of how the confidentiality of those who report and those who are reported is handled;

- Existence of mechanisms that, without violating confidentiality, can help to promote clarification of reported situations;
- Introduction and practical guidance on specific procedures for complaints received and support for people reporting problematic situations, including whistleblowers, intermediaries and witnesses
- Regular review of established procedures.

The protective measures to be included must be activated:

- For all kinds of harmful behavior;
- As soon as the institution becomes aware of a (potentially) harmful situation;
- Even if no formal complaint has been lodged or in the case of an anonymous report.

The appropriate measure must be applied to the incident that occurs:

- On the organization's campus/facilities (e.g. library, classrooms, parking lots);
- In an online environment (e.g. email, work groups or online meetings, social networks, learning platforms);
- Off-campus, as long as it is related to activities within the Institution or events involving the student community (e.g. conferences, fieldwork, dinners and other social events).

Cooperation and collaboration with CES-related institutions can be strategic for the development and implementation of this type of protocol.

Considering that the University of Coimbra is an important partner in the CES dynamic, and that both have ombudspersons, the respective ombudspersons could be the agents to promote the effectiveness of protocols.

b) Support services

Support services for community members aim to meet their needs.

A number of services have been identified that can be important in the event of harassment and abuse:

- Active information and transparency service for community members;
- Psychological support and counseling;
- Administrative and legal guidance and support.

c) Regulations and Disciplinary Committee

For people who have a contract with the institution, the Labor Code applies in the event of disciplinary proceedings, but for those who don't (e.g. doctoral students) there is a gap that must be filled.

We therefore recommend the creation of disciplinary regulations that should be widely disseminated within the community.

Furthermore, it is recommended that a disciplinary committee integrates different groups in the community (students, researchers, technical staff) to deal with any disciplinary proceedings.

As well as dealing with disciplinary proceedings, this committee must guarantee:

- The establishment of proportionate, appropriate and fair sanctions as a result of any disciplinary proceedings;
- The procedures will continue even if the whistleblower and/or the alleged perpetrator of the misconduct has left the organization, recognizing the importance of serving justice and institutional learning;
- The conclusions and recommendations of the disciplinary process are fully implemented and put into practice, and in cases where implementation is not feasible, clear justifications for the decision are provided;
- The anonymity of whistleblowers and witnesses will be maintained, as far as possible, when communicating the conclusions and recommendations of the disciplinary process.

d) Creation of an anonymous reporting channel

Whistleblowers must be able to choose how to lodge a formal or anonymous complaint.

In order to guarantee broad access to the bodies that deal with reports of harassment and abuse, it is important to allow people to choose between identification and anonymity. There are communication platforms that allow the whistleblower to identify themselves or remain anonymous, as well as to stay in contact with the body in the chosen way.

Anonymous reports deserve attention and should not be neglected.

It is therefore recommended that a specific reporting channel be set up to allow anonymous reporting, with the CES Ombudsperson's Office as the receiving body.

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Annexes

Annex 1: Terms of Reference

Mission

The focus of the work of the Independent Commission (IC) is the analysis and clarification of complaints about possible situations of sexual and moral abuse and harassment occurred in the context of professional, research or advanced training activities carried out at the Centre for Social Studies. The Commission will analyse the situations described in the chapter "The walls spoke when no one else would. Autoethnographic notes on sexual-power gatekeeping within avant-garde academia", in a book published by Routledge, as well as complaints that may be submitted through the channels established for this purpose, until 30 September 2023.

The Commission does not intend and shall not replace the competent administrative or judicial bodies or authorities for the assessment of conduct that may constitute disciplinary offences or non-prescribed crimes.

The Commission's sole objective is to indicatively validate, on the basis of evidence to be produced, such as testimony or documents, the complaints reported to it.

In pursuing its mission, the Commission will be guided by criteria of impartiality, autonomy and independence. The Commission will organise a series of hearings (face-to-face or virtual) with all the people who, within the scope of the IC's work, wish to be heard or whom the Commission considers relevant.

Drawing on good practices already established in other international academic contexts, the Independent Commission will also be responsible for producing recommendations for the development and adoption of measures to prevent and sensitise members of the CES community to moral and sexual harassment. The Independent Commission will carry out a diagnosis of the situation, subsequently recommending normative and pedagogical measures to be analysed by CES bodies.

The Commission is an autonomous structure, free and independent of any influence, internal or external, and will begin its work as soon as it is appointed, presenting its report by the end of 2023. Complaints submitted by 30 September 2023 through the contact channels provided for this purpose will be considered.

Complaints and reports

The Independent Commission has established the following contact channels to receive complaints, ancillary documentation or other additional information exclusively on the matters being analysed:

E-mail: comissaoindependenteces@comindependente.pt

Anonymous reporting mechanism via the Faceup platform, www.faceup.com/c/v5jx9k3e

The platform and e-mail address indicated as means of contact are located on servers external to CES and are accessed exclusively by the members of the Commission.

The Commission will not consider any contact through these channels when it is not related to a complaint. Documents and other evidence supporting the complaint may be attached. The Commission will have full autonomy to assess the relevance of the complaints, in light of what is set out in these Terms of Reference, and must acknowledge receipt of all complaints within three (3) working days. Should the IC consider that a particular complaint is not relevant in this context, it must inform the complainant, indicating another recipient, if deemed relevant.

Working methodology

The Commission will organise a series of hearings (face-to-face or virtual) with all the people it considers relevant in the context of the complaints made.

The hearings must always include, at least, two members of the Independent Commission, who will be responsible for conducting the interviews and drafting the respective minutes. Before any hearing, an informed consent form regulating how the people heard will be identified or anonymised, will be signed. The decision to maintain anonymity, and the methods elected to anonymise the minutes of the hearings, thus depend on the express wishes of the people heard, which will be fully respected.

The minutes will be sent to those involved within four (4) working days, and they will have the same period to comment on them. If there is no response within this period, the minutes will be deemed approved. The minutes are confidential and will be kept undisclosed by all those involved, under penalty of criminal prosecution in the event of its disclosure.

The Independent Commission, if it sees fit, may apply a diagnostic tool, anonymously, among the CES community with the aim of mapping the prevalence of situations of harassment and/or abuse of power in the institution.

CES will make available to the Commission all documents deemed relevant to characterise the functioning of the institution (namely Statutes, Code of Conduct, Ombudsperson Regulations, Ethics Committee Regulations). The Commission may request any information it wishes from CES, which will be promptly made available.

The Ombudsperson will be the Commission's preferred contact. The CES governing bodies, namely the Board of Directors and the Presidency of the Scientific Board, will be available to receive any request from the Commission with a view to better pursuing the work to be carried out.

Communicating the results

The Independent Commission will draw up a report with its conclusions, which it will send to the Board of Directors and the CES Ombudsperson. A public presentation of the report will be made by CES and the Commission, and a version with wording ensuring the anonymisation or pseudonymisation of the personal data of those involved will be made publicly available.

The CES Board of Directors is obliged to maintain the confidentiality of any documents handed to it by the Independent Commission that contain confidential and/or personal data, with the exception of their use for disciplinary and/or judicial purposes.

The Commission, or any of its individual members, will not make any public statements until the work has been completed.

Material resources

CES will provide the material resources needed to carry out the Commission's duties, namely the implementation of complaint channels, means of communication, the existence of a face-to-face meeting space in independent premises, the provision of a laptop computer and the corresponding information management system, with exclusive access for Commission members.

CES will also cover the costs associated with the Independent Commission's operation, namely travel and subsistence expenses, as well as fees.

Conflicts of interest

The members of the Commission declare that they have no Conflict of Interest (CoI) arising from previous relations with CES or with persons identified in the context of the complaints already made public. They also declare that they have no knowledge of situations that could be the subject of a complaint in this scope.

The members of the Commission are obliged to declare, to the other members as well as to the CES Ombudsperson, the existence of any Conflict of Interest in relation to eventual complaints that may arise in the course of their work. Should a Conflict of Interest arise, the Ombudsperson, together with the other members of the Commission, will assess the situation and the protective measures to be taken.

Duty of secrecy and anonymity

Without prejudice to the production of the final report, the members of the Commission are bound by a duty of secrecy with regard to the content of the work and its internal discussions, and will not speak publicly about any person involved in the enquiries, documents, data and information obtained in result of its work.

They are also obliged to guarantee the anonymity of the people who may be the object of this work. This obligation does not conflict with the identification, in the Report to be sent to the CES Board and the CES Ombudsperson, of the existence of objective evidence that could, with a high degree of probability, indicate any type of offence.

Annex 2: Informed Consent for Whistleblowers

This Independent Commission (IC) was set up after suspicions of sexual and moral harassment were made public. The focus of the IC is the analysis and clarification of complaints about possible situations of harassment that have occurred in the context of professional, research or advanced training activities carried out at the Center for Social Studies of the University of Coimbra.

The IC is governed by criteria of iexemption, impartiality, autonomy and independence, and takes as fundamental premises of its work the consultation of all parties with the absolute guarantee of secrecy and confidentiality. Its members maintain the duty to treat any information received with total reserve, both during the working period and after it has ended.

In this context, I declare that:

1. my collaboration with the IC is the result of my free, spontaneous and informed will;
2. I have taken note of the objectives, functions and limitations of the IC, described in the terms of reference available on the CES website (https://ces.uc.pt/pt/ agenda-noticias/comissao- independent), namely that the IC does not intend to and cannot replacethe competent administrative or judicial entities or authorities in their duties;
3. I was given the opportunity to clarify all the questions regarding my hearing and the IC's functioning;
4. I authorize the taking of written notes, which will be kept under the responsibility of the members of the IC, which will be used only for the purpose of drawing up minutes and destroyed once they have been drawn up. These minutes will be completed and approved no later than 8 working days after the hearing;
5. I have learned that the minutes taken after my hearing, approved by all the speakers, will be stored in the e-mail and on encrypted hardware placed in a safe, all of which will be accessible exclusively to the members of the IC;
6. I have been informed that IC is obliged to keep my identity anonymous and that it is responsible for not including in the aforementioned minutes any information that could identify me;

7. I have been informed that, in accordance with the law, the judicial bodies may request information regarding the report, as well as the minutes of the hearing, which will be anonymized as mentioned in paragraph 6.

_____, _____of _____of 2023

_____

(Manual or Digital Signature)

Annex 3: Informed Consent for Whistleblowers/Other Persons of Interest

This Independent Commission (IC) was set up after suspicions of sexual and moral harassment were made public. The focus of the IC is the analysis and clarification of complaints about possible situations of harassment that have occurred in the context of professional, research or advanced training activities carried out at the Center for Social Studies of the University of Coimbra.

The IC is governed by criteria of exemption, impartiality, autonomy and independence, and takes as fundamental premises of its work the consultation of all parties with the absolute guarantee of secrecy and confidentiality. Its members maintain the duty to treat any information received with total reserve, both during the working period and after it has ended.

In this context, I declare that:

8. my collaboration with IC is the result of my free, spontaneous and informed will;
9. I have taken note of the objectives, functions and limitations of the IC, described in the terms of reference available on the CES website (https://ces.uc.pt/pt/ agenda-noticias/comissao- independent), namely that the IC does not intend to and cannot replace competent administrative or judicial entities or authorities;
10. I was given the opportunity to clarify all the questions regarding my hearing and the IC's functioning;
11. I authorize the taking of written notes, which will be kept under the responsibility of the members of the IC, which will be used only for the purpose of drawing up minutes and destroyed once they have been drawn up. These minutes will be completed and approved no later than 8 working days after the hearing;
12. I have learned that the minutes taken after my hearing, approved by all the interveners, will be stored in the e-mail and on encrypted hardware placed in a safe, all of which will be exclusively accessible to IC members;
13. I have been informed that, in accordance with the law, the judicial bodies may request information on the report, as well as the minutes of the hearing.

_____, _____of _____of 2023

_____

(Manual or Digital Signature)

Annex 4: Whistleblowers Guide

1. Presentation of the IC members present at the hearing

2. Information on the creation of the IC, objectives, focus of action, performance, independence and impartiality and obligation to maintain anonymity, if this is the wish of the person present at the hearing

3. Space for questions and clarifications to the person taking part in the hearing

4. Signed informed consent form

5. Questions (open-ended - which will have to be adapted according to the specificity of the situation):

   a) From the fact that you contacted us, we know that you suffered or were aware of moral and sexual harassment practices at the Center for Social Studies of the University of Coimbra (CES)?

   b) How did you find out about it (directly or indirectly)?

   c) Which (Specify)

   d) When did they happen? (situate in time, if possible organize chronologically)

   e) Where did they take place? (locate in space)

   f) At the time the situations occurred, did you discuss them informally with someone you trust? Is that person available to talk to this IC?

   g) Are you aware that these or similar situations may have occurred with other people? If so, can you identify the person(s)?

   h) Can you provide any other type of evidence that demonstrates the events described, which can be added to the testimony you are now giving us?

   i) What consequences did these situations/behaviors have for you?
      - Health (physical, emotional)
      - Other

   j) Have you needed formal follow-up as a result?
      - What kind of interventions did you use?

   k) Apart from those already described, did you experience any other consequences?

   l) In what way(s) would you like to see the damage caused repaired?

   m) When the situations described occurred, or afterwards, did you report them to any formal element or entity?

n) If so, can you identify the people or entities to whom you reported the situation?

o) What are their responses to the situation(s) reported?

p) Were these answers as expected, or not?

- What other responses/actions do you think should have been taken in response to the situations reported?

- If not, what reasons can you give as to why these actions should not have been implemented?

- How did you feel as a result of the answers you got?

- What impact did these answers had on you?

q) At the time of the events described, do you think that CES had adequate channels in place to receive reports of possible practices of the kind discussed?

r) Can you think of any reasons why this might not have happened?

s) What suggestions would you like to give us for appropriate practices to be taken by CES to avoid this type of situation?

t) What other suggestions would you like to make about how CES should deal with these issues?

u) What else would you like to say to this IC?

Annex 5: Guide for Reported Persons

1. Presentation of the IC members present at the hearing
2. Information on the creation of the IC, objectives, focus of action, performance, independence and exemption and obligation to maintain anonymity, if this is the wish of the person present at the hearing
3. Space for questions and clarifications to the person taking part in the hearing
4. Signed informed consent form
5. Questions (open-ended, to be adapted according to the specificity of the situation):
   a) Are you aware or have you been aware of practices of moral and sexual harassment at the Center for Social Studies of the University of Coimbra (CES)?
   b) How did you find out about it (directly or indirectly)?
   c) Which (Specify)
   d) When did they happen? (situate in time, if possible organize chronologically)
   e) Where did they take place? (locate in space)
   f) Are you aware that these or similar situations may have occurred with other people? If so, can you identify the person(s)?
   g) Have you been accused or targeted of any responsibility in relation to the situations described above?
   h) Are any of these accusations true? Which ones?
   i) What behaviors/practices would you like to have avoided?
   j) Are you aware of having been accused or targeted in any way in relation to other situations or practices of sexual or moral harassment/abuse that have occurred in the context of CES academic activities?
   k) How do you justify these accusations against you?
   l) How did you feel about these accusations?
      • Do you think they have had an impact on your well-being/health (physically, psychologically and emotionally)?
      • Which ones?
   m) Have you needed formal follow-up as a result?
      • What kind of intervention?
   n) What other consequences did you feel?
   o) Do you think these accusations have had a significant impact on your life? In what way?

p) In what way(s) would you like to see the damage caused repaired?

q) Do you think that CES had implemented adequate practices to prevent situations of sexual harassment or abuse at the time the authors of the article attended that institution?

r) If not, what are the reasons?

s) Had the CES implemented adequate channels to receive reports of possible practices of the kind discussed?

t) Can you think of any reasons why this might not have happened?

u) What suggestions would you like to give us for appropriate practices to be taken by CES to avoid this type of situation?

v) What other suggestions would you like to make about how CES should deal with these issues?

w) What else would you like to say to this IC?

Annex 6: Testimonial Validation Criteria

<u>Table of validation criteria for hearings</u>

Subject coding: _____

Type: (whistleblower/witness/other person of interest)

Date of hearing: _____/_____/_____ Subject's hearing no:_____

Duration of hearing: _____

	Hearing validation criteria	Present	Absent	Doubt	Observations/comments
General Features	1 Logical structure				
	2. Coherence				
	3. Chronological organization				
	4. Amount of detail				
Characteristics related to the specific contents reported	5. Suitability to the context				
	6. Description of interactions with another person or third party				
	7. Reproduction of verbalizations of themselves or others				
	8. Allusion to complications or unexpected events ocurred during the events reported				
	9. presence of unusual details, but fitting to the context				
	10. The presence of superfluous details, but which relate to the incident and help to understand it.				

	11. presence of external associations related			
	12. Spontaneous allusions to the state the person's own emotions			
	13. Spontaneous allusions to the emotional state of the other person/s involved in the event			
Motivation-related content	14. Presence of spontaneous corrections accompanied by appropriate emotional resonance			
	15. recognizing flaws in the explanation of certain aspects of the event, using appropriate and credible arguments in light of common sense			
	16. doubts arise about their own testimony and i t s credibility, but appropriate to the context			
	17 Presence of adequate criticism of one's own behavior and/or suggestion of behavioral alternative in the present			
	18.Evidence that the main purpose of communication is not to access secondary gains			

non-essencial specific contects	19. Presence of other details characteristic of the event that would hardly be known to the person if they did not experience the event reported				

	Interview quality control criteria	Adequate	Inadequate	Not relevant	
Related to the person interviewed	20. Use of language, appropriate voice tone and eye contact				
	21. Adequate emotional expression				
	22. Negative reaction to possible suggestionbility				
Interview characteristics	23. Inexistence of suggestionability on the part of the interviwer				
	24. Inexistence of factors that make the interview viable				
Motivations behind communication/complaints	25. No evidence of the existence of questionable motives for the complaint				
	26 Context of revelation and/or complaint is adequate				
	27. Absence of indications that give rise to a highly reliable suspicion of the presence of coercion to report				

Related questions	28.There is no inconsistency with common sense				

	29. No inconsistency with other reports				
	30. No inconsistency with other evidence				

Relevant comments and observations:

Signature of interviewers:

_____

Date: _____/_____/_____

_____

Date: _____/_____/_____

Interview reading grid - Whistleblower version

Subject coding: —————————————— Typology: _____

Date of hearing: _____ Subject's hearing no: _____

Duration of hearing: _____

	Question to be answered	Satisfactory answer	Unsatisfactory answer	No answer	Comments
How the harassment/abuse situation(s) unfolded	1. How it started				
	2. Which behaviors/incorrect practices - cataloging the inappropriate practices that occurred				
	3. How many times this type of situation has happened.				
	4. How they dealt with the facts described				
	5. If you have tried to put an end to the situations described, in what way(s) and what were the consequences?				
	6. What dis the persons reported say before, during and after the situation.				
Impact - Type and Duration	7. Emotional				
	8. Family				
	9. Labor				
	10. Social				
	11. At the time it took place				
	12. In the following weeks				
	13. In the following months				
	14. Currently				
Responsib ilities	15. Who is responsible for the situation(s) reported?				

Revelation	16. If there has been previous revelation(s)				
	17. To whom and what reactions were received				
	What is the reason(s) for not disclosing the situation beforehand?				
	What is the reason(s) for the current disclosure/present communication with the IC?				
Results/ Repairing the damage	What results do you hope to achieve with the current communication				
	How they feel after communicating with the IC				
	14. How would you like to see damage repaired, if it is found to have occurred				

Suggestions, comments and relevant observations:

_____

_____

_____

Signature of interviewers:

_____   Date: ___/ /_____

_____   Date: / /_____

Interview reading grid - Reported persons version

Subject coding: _____   Typology: _____

Date of hearing: _____   Subject's hearing no: _____

Duration of hearing: _____

	Question to be answered	Satisfactory answer	Unsatisfactory answer	No reply	Comments
Perspective	1. What is their perspective on the accusation/reporting they receive?				
Validity	2. What do you consider to be true and not true about the content of the reports you have been made aware of				
Self-criticism	3. What behaviors do you currently consider inappropriate from a critical and self-analytical perspective?				
	4. Why they occurred				
	5. How would you proceed now in a similar situation?				
Impact	6. Emotional, work, social and labor) of these complaints				
	7. Family				
	8. Labor				
	9. Social				
Responsibility	10. To whom do you attribute responsibility(s) for the situation(s) reported?				
Repairing the damage	11. How do you think the damage can be repaired if it is found to have occurred?				

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Suggestions, comments and relevant observations:

_____
_____
_____

Signature of interviewers:

_____

Date: _____/_____/_____

_____

Date: _____/_____/_____

Annex 7: List of International Best Practices

Codes of Conduct and Integrity Plans

Campus Code of Conduct - University of Helsinki, Finland

https://www.helsinki.fi/en/faculty-science/faculty/kumpula-campus-code-conduct

Code of Conduct - Delft University of Technology, Netherlands

https://unisafe-toolkit.eu/wp-content/uploads/2023/09/COC-EN.pdf

Student Code of Conduct - Virginia Tech University, USA

https://unisafe-toolkit.eu/wp-content/uploads/2023/09/CodeOfConduct-Fall2021.pdf

Integrity Plan of the University of Brasilia, Brazil

dpo.unb.br/images/phocadownload/gestaoriscosintegridade/Plano_de_Integridade_Universid ade_de_Braslia_2022-2026.pdf

Integrity Plan of the Federal University of Rio de Janeiro, Brazil

https://www.ouvidoria.ufrj.br/images/stories/Ouvidoria/Informativo/plano_de_integridade_uf rj_2022.pdf

Preventing harassment and abuse in the gym

EVISU App - Information on Combating Sexual Violence against Women -
Federal University of Rio de Janeiro & University of Fortaleza https://linktr.ee/appevisu

Breaking the Silence - Preventing Harassment and Sexual Misconduct - University of Cambridge, United Kingdom

https://www.breakingthesilence.cam.ac.uk/

Don't turn a blind eye Guide / Sexual Harassment: learn, prevent, protect - University of Geneva, Switzerland

https://unisafe-toolkit.eu/wp-content/uploads/2023/09/Guide_uniunie_ENG_2019.pdf

Guide to preventing and recognizing harassment - Universidade Estadual Paulista

https://educadiversidade.unesp.br/guia-de-prevencao-e-identificacao-do-assedio-sexual-sexist-by-sexual-orientation-by-identity-or-expression-of-gender/

Never OK Campaign and SafeZone App - University of Manchester, Manchester Metropolitan University and University of Salford, United Kingdom

https://www.staffnet.manchester.ac.uk/news/display/?id=28958

Together Consent - Trinity College Dublin, Ireland

https://www.tcd.ie/Student_Counselling/consent/what-we-do/

Protocols and other intervention instruments

Central European University Policy on Harassment

The Central European University Policy on Harassment | Official Documents (ceu.edu)

Combat Harassment Tool (CHAT) - KU Leuven, Belgium

https://www.kuleuven.be/chat/

Disciplinary Procedure - University of Cape Town, South Africa

https://unisafe-toolkit.eu/wp-content/uploads/2023/09/Disciplinary_Procedure_for_Sexual_Misconduct_2021.pdf

Guide for first responders - Central European University, Austria

https://unisafe-toolkit.eu/wp-content/uploads/2023/09/CEU_emergency_response.pdf

Help desk against gender-based violence - University of Bologna, Italy

https://www.unibo.it/en/university/who-we-are/equity-diversity-and-inclusion/helpdesk-against-gender-based-violence

UniSAFE toolkit

https://unisafe-toolkit.eu/

Protocolo para la Prevención, Atención, Sanción y Erradicación del Hostigamiento, Acoso Sexual y Violencia de Género - Universidad Autónoma de San Luis Potosí, Mexico

https://www.uaslp.mx/Defensoria/Paginas/Protocolo/2588#gsc.tab=0

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Ombudsman

Standards of Practice - International Ombuds Association, USA

https://ioa.memberclicks.net/assets/docs/SOP-COE/IOA_Standards_of_Practice_English.pdf

Standards of Practice - Association of Canadian College and University Ombudspersons, Canada

https://accuo.ca/wp-content/uploads/2019/06/SoP.pdf

Values and Principles - European Network of Ombuds in Higher Education, Austria

https://enohe.net/2023/06/enohe-values-and-principles-document-approved/

Support Services

Atención Psicológica - Universidad Nacional Autónoma de Mexico, Mexico

https://www.defensoria.unam.mx/web/atencion-psicologica

Biographical Notes

Catarina Isabel Reis Neves

Graduated in Cognitive-Behavioral Clinical Psychology from the University of Coimbra in 1999. Master's Degree in Psychology of Deviant Behavior: Victimology Branch from the University of Porto in 2006. Postgraduate in Mental Health from the Faculty of Medical Sciences of the Nova University of Lisbon and the Lisbon Institute of Global Mental Health. Specialist in Clinical and Health Psychology by the Portuguese Psychologists' Association. She has worked for more than 20 years in the social, domestic violence, victimology and justice psychology fields, and was responsible for setting up the Victim Information and Stabilization Office at the Águeda DIAP. She is currently a Victim Support Technician and Technical Director of a shelter for male victims of domestic violence.

Cristina Ayoub Riche

President of the *Instituto Latinoamericano del Ombudsman - Defensorias del Pueblo* (ILO), from 2019 to November 2023, former *Ombudswoman of the* Federal University of Rio de Janeiro (UFRJ), professor and retired researcher at the Center for Public Policy Studies in Human Rights at UFRJ. She has a postgraduate degree in Arabic language and literature, a Master's and PhD in History of Sciences and Techniques and Epistemology (UFRJ). She is a lawyer, registered with the OAB/RJ, and a conflict mediator, with a postgraduate degree in Civil Law and Civil Procedure. She created the Ombudsperson's Office of the National Bank for Economic and Social Development (BNDES), as well as the General Ombudsperson's Office of the Federal University of Rio de Janeiro (UFRJ). She was president/coordinator of the Executive Committee of the Ibero-American Network of University Ombudsperson (RIdDU), of which she is a founding member.

Jorge António Ribeiro Pereira

Member of the Board of the European Network of Ombuds in Higher Education, he was Student Ombudsman at the University of Beira Interior (UBI) between 2021 and 2023. He holds a Master's degree in Medicine from UBI, where he was a student representative on institutional bodies such as the UBI General Council and the Pedagogical and Faculty Councils of the Faculty of Health Sciences. He was involved in the UBI Academic Association, having, among other roles, been vice-president of the Board of Directors and president of the Board of the General Student Assembly. He is a member of the Advisory Board of the International Student Participation Network. He is fluent in Portuguese, English and Spanish.

Maria Eduarda Proença de Carvalho

She began her career in 1991 as a lawyer at the law firm of Daniel Proença de Carvalho. In 2009, she became a partner at Proença de Carvalho e Associados, and joined Uría Menéndez-Proença de Carvalho in 2010 when the two firms merged. Her practice focuses on Litigation, Criminal, Family and Succession Law, in which she specializes, having created the aforementioned department at UM-PC. She was a permanent member of the Portuguese Association of Women Jurists and the Brazilian Association of Women Jurists. She was a member of the Lisbon District Council of the Portuguese Bar Association for three terms and its treasurer. She was vice-president of the board of Special Olympics Portugal.

Michaela Antonín Malaníková

Student Ombudsperson at the Faculty of Arts, Palacky University, Czech Republic, since November 2020. She is a Professor of Medieval History at the Department of History, Palacky University, with research in urban social history, family history and gender history. She collaborated for several years with a human rights NGO campaigning for women's rights, and is currently a member of the Czech Chamber of Gender Experts. She is a board member of the European Network of Ombuds in Higher Education, and a committee member of the Platform of School Ombudsmen in the Czech Republic. She is fluent in Portuguese.

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IC members,

Catarina Isabel Reis Neves

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