

Complaints procedure in the event of violence and prohibited discrimination¹ for students, members and scholarship holders of the University of Bremen

This is a translation of the "Beschwerdeverfahren der Universität Bremen im Falle von Gewaltanwendungen, verbotener Benachteiligungen und Diskriminierungen für Studierende, Angehörige und Stipendiatinnen, Stipendiaten der Universität Bremen" from 10.04.2009, which is the official version. Only the official German version is legally valid.²

According to section 9 of the Basic Regulations of the University of Bremen, the regulations of the General Act on Equal Treatment apply to students, members of the University according to section 5 article 4 of the BremHG³ and scholarship holders.

The use of violence, direct and indirect discrimination, in particular on grounds of ethnic origin, gender, religion or belief, disability, age or sexual identity are prohibited.

These Rules of Procedure regulate the handling of complaints in the event of violation of these rules within the University of Bremen.

Section 1 Duties of the University

The University of Bremen is obliged to ensure that students, other members of the University and scholarship holders are neither directly nor indirectly discriminated against. The university is obliged to protect these groups from acts of violence and discrimination by other members or guests of the university.

The use of violence or discrimination, in particular on the grounds of ethnic origin, gender, religion or belief, disability, age or sexual identity, shall be prosecuted by the University of Bremen.

Section 2 Duties of students, scholarship holders, other members of the University of Bremen

Students, members and scholarship holders of the University of Bremen are not allowed to use violence or to discriminate against other members or guests of the University for any of the reasons mentioned above.

1 A note concerning the translation of the term "discrimination": The German version uses the terms "disadvantaging and discrimination" (in German "Benachteiligung und Diskriminierung"). According to the General Act on Equal Treatment (AGG) the English translation of the term "Benachteiligung" is "discrimination", therefore this English version uses only the term "discrimination".

2 This English complaint procedure has been translated by the ADE (Advisory & Information Centre against Discrimination & Violence).

3 BremHG stands for Bremisches Hochschulgesetz, the Bremen Higher Education Law.

Section 3 Rights to file a complaint

Students, members, scholarship holders of the University of Bremen who feel discriminated against by officials or units of the University of Bremen, by other members or guests of the University of Bremen, in particular on grounds of the reasons mentioned above, or who have experienced violence, have the right to file a complaint. They may not be discriminated against as a result of exercising this right of complaint.

Section 4 Confidential counselling and support

Both those affected and those involved can turn to counselling and advisory services. Advisory services, e.g. the Advisory & Information Centre against Discrimination & Violence – Expertise & Conflict Counselling (ADE) or advocacy groups such as the department's women's representative (Dezentrale Frauenbeauftragte) or the General Student Committee (ASTA) are available for this purpose.

The counselling and advisory services and advocacy groups offer confidential support regarding own possibilities for protection and action, e.g. also regarding the decision whether those affected, those involved or observers wish to file a complaint.

Section 5 Complaints procedure

(1) The written complaint has to be addressed to the Legal Department of the University of Bremen.

(2) The written complaint must describe the as discriminatory perceived events. Witnesses and if necessary evidence – if available - shall be provided. The complaint shall state which other individuals have already been informed of the incidents and whether measures have already been taken.

3) After receiving the complaint, the complainant shall be informed in a first interview of his/her rights, duties and the further procedure. He/ she shall be informed of support measures offered by advocacy groups and counselling and advisory centers⁴.

(4) The Legal Department may involve the supervisors in the departments concerned. This applies in particular when immediate measures to prevent violence, discrimination are necessary.

(5) The Legal Department shall ask the accused person to make a written statement on the complaint. On this basis, the Legal Department shall within 10 days hold a personal interview with the accused person.

4 You can find information on counselling and advisory services for students online here: https://www.uni-bremen.de/de/universitaet/campus/beratung/?sword_list%5B0%5D=beratung&sword_list%5B1%5D=studierende&no_cache=1

(6) The Legal Department shall question witnesses and examine evidence, if it has been possible to nominate and / or identify them. The Legal Department informs the University President of the result of the examination and proposes further action.

(7) The Legal Department shall inform both parties of the outcome of the interviews and investigations.

(8) The University President shall decide on further measures and possible consequences according to section 6 of this regulation.

(9) All hearings and findings shall be documented.

Section 6 Consequences

(1) If students, members, scholarship holders discriminate against other members, or guests of the University of Bremen or use violence, the University President may initiate an arbitration process, issue instructions and/or impose sanctions.

(2) Sanctions against students include, for example, exclusion from courses or the removal from the student register according to section 42 paragraph 4 sentence 2 of the Bremen Higher Education Law (Brem HG).

(3) In serious cases (e.g. criminal offences), the University of Bremen is obliged to react with a house ban and, if necessary, a criminal complaint.

(4) If students, members, scholarship holders are discriminated against, or experience violence by employees of the University of Bremen, consequences will be initiated in accordance with the Rules of Procedure for Employees.

(5) If a claim for compensation is made against the university due to discrimination or violence by or of students, members, or scholarship holders, the university may claim within the framework of the statutory provisions compensation from the accused person due to a breach of contractual or official obligations and/or obligations under university law.

Section 7 Final clauses

These Rules of Procedure of the University of Bremen come into force with the approval of the University President.

Approved by the University President on: 10.04.2009