

# **INTERNAL PROVISIONS and CODE of CONDUCT**

## **complementing the STATUTES of the INTERNATIONAL SOCIETY FOR MILITARY ETHICS in EUROPE (Euro-ISME)**

The internal provisions shall regulate and complement various elements not covered by the statutes, particularly those concerning the internal administration of the association. They are established by the the Executive Director(s) and require approval by the Board of Directors.

### **Article 1 - Secretariat**

- 1.1. The management of the association is coordinated by the Secretary General and/or the Executive Director(s).
- 1.2. The administrative tasks for the Board shall be staffed by several personnel (contracted, interns) by telecommuting.
- 1.3. The email address for contacting the Association's secretariat is admin@euroisme.eu, also available on the Association's website. The address for postal mail can be requested by email.

### **Article 2 - Approval of new members**

- 2.1. **Applications for membership** should be made in writing (using a signed **Application Form**) to the Executive Director(s), who shall present the same to the Board of Directors for its action.
- 2.2. **Members are accredited by the Board of Directors** acting by a majority of all its members. New members may be approved by email vote of the BoD.
- 2.3. **The Managing Board can decide on provisional accreditation** in anticipation of the BoD vote.

### **Article 3 - Membership Fees (As at 1 September 2016)**

- 3.1. **All membership fees are subject to annual review by the BoD.**
- 3.2. Membership of the Society shall be maintained by payment of the annual subscription.
- 3.3. As decided by the General Assembly at the Annual Meeting in 2013, the **annual subscription for individual members is of 40€.**
- 3.4. **A reduced subscription of 20€** is applicable for those members who are under 25 years old and/or still in education or without paid employment.
- 3.5. **For institutional members**, the participation in the workings of the association is based on **a model establishing 3 levels of subscription** : Thus, institutional members can subscribe for 500€, 1500€ or 3000€ per year and then send 1, 2, or 3 (maximum) delegates respectively with voting rights to the AGM.
- 3.6. **Membership shall be terminated** by resignation or by failure to pay the annual subscription. Reinstatement of membership will automatically accompany the payment of annual dues, if this is during the same accounting year.

### **Article 4 - Expenditures**

- 4.1. Only expenditures made in the interest of the organisation are permissible. Expenditures which have not been made in the interest of the organisation, such as private expenditures, are not permissible and will not be refunded.
- 4.2. Unless the Treasurer has explicitly decided otherwise, all expenditures made by or on behalf of the organisation must have received prior approval of the Managing Board.
- 4.3. All declarations of expenditures shall be presented in writing to the Treasurer, together with documentary evidence, to the satisfaction of the Treasurer.
- 4.4. In the case where a person is travelling on behalf of the organisation or at the expense of the organisation, all travel insurance - concerning sickness, theft, cancelling or otherwise - shall be arranged by the person concerned and at his expense.
- 4.5. The Managing Board may set further guidelines on the financial authority of the Executive Director and the Treasurer, subject to approval of the Board of Directors.

## **Article 5 - Election of the Directors**

**5.1.** The **Board of Directors** shall consist of the following members:

- The President,
- Two to three Vice - Presidents,
- The Secretary General,
- The Executive Director(s),
- The Treasurer,
- and not more than 8 other members.

**5.2.** The Directors shall be elected by majority vote of the members present and voting at the Annual General meeting, or who have submitted a postal vote in advance.

**5.2.1** Members of the Board shall be elected for a term of 3 years. One third of the Board will stand for re-election each year. This system will be phased in with effect from the 2017 AGM, when the longest serving one third of the Board will present themselves for re-election.

**5.3.** After completion of his term, a Director may be re-elected [for two other terms. After having completed three terms, a former director can run for new office **only after an interval of at least two years.**]

**5.4.** Members of the BoD who wish to stand for re-election shall notify their availability with a written notification to the Executive Director(s).

**5.5.** Board members [especially those who retire from BoD or can not stand for re-election as defined in 5.3.] are invited to sponsor **one or two candidates who they know** for BoD membership by **making presentations** comprising arguments on why and for what achievements the candidates are proposed. The presentation **must be accompanied by the written consent of the candidate concerned.**

**5.6. Any Individual Member and every Institutional Member** has the legal right, to present himself or any other candidate to the Assembly General until 7 days before the annual meeting.

## **Article 6 - Distribution of the Offices within the Board**

**6.1. The President** shall serve for a term of three years after the adjournment of the Annual Meeting where he was elected.

He shall preside at the Annual Meeting and at the meetings of the Board of Directors, and shall receive, together with the Board, reports from the Secretary General or the Executive Director(s) and shall have and exercise such other powers and duties as may be prescribed by the Board.

The President shall customarily deliver a "Presidential Address" to the membership at the Annual Meeting.

**6.2. The Vice Presidents** shall serve for a term of three years commencing with the adjournment of the Annual Meeting. In the event of the resignation, death, or incapacity of the President, the longest serving (1st) Vice President shall serve as acting President of the Society, and shall perform such presidential duties as the Board of Directors deems appropriate.

**6.3. The Secretary General and the Executive Director(s)** shall have responsibility for all correspondence with members, for preparing the minutes of the meetings of the Board of Directors and of the General Assembly. They shall give or cause to be given notices of all such meetings, shall authenticate records of the Society, and shall see that records and reports are properly kept and filed by the Society. The Secretary General, with the assistance of the Treasurer, shall prepare or oversee the preparation of all reports and filings required by the French Republic, the Financial Supporters (e.g. CLM Foundation), and other government agencies.

**6.4. The Executive Director(s)** shall be appointed by the Board of Directors. In consultation and cooperation, the Management Board and the Conference Programme Committee, shall coordinate the planning and execution of the Annual Meeting and all activities associated with it, including but not limited to the selection of meeting sites, the production of the Annual Meeting Programme, and the provision of materials and facilities needed at the Annual Meeting.

The Executive Director(s) shall have the authority to execute on behalf of the Society any contracts and other legal documents that they reasonably deem necessary to further the successful occurrence of the Annual Meeting and any other regular or special meetings of the Society or its Committees. The Executive Director(s) shall serve ex officio as a member of the Management Board. They may be remunerated for their work, at a rate agreed mutually by the Board of Directors and the Executive Director(s).

They shall have other such duties and powers as designated by the Board of Directors.

**6.5. The Treasurer** shall also be appointed by the Board of Directors. He or she shall be in charge of the Society's financial affairs, books of account, accounting records or procedures, funds, securities and valuable papers, and shall keep full and accurate records thereof. He or she shall render to the Executive Director(s) and to the Board of Directors at their request an account of all transactions by the treasurer and of the financial condition of the Society.

The Treasurer shall assist the Management Board in preparation of all reports and filings required by the French Republic.

The treasurer shall have such other duties and powers as designated by the Board of Directors.

**6.6. The Chief Editor** shall also be appointed by the Board of Directors. He shall assist the Management Board and the Publisher of the Euro-ISME Book Series in the procurement and development of manuscripts and he will review all letters, proposals and draft manuscripts brought to his attention by the Publisher in connection with the Series. He shall assess the suitability for inclusion in the Series of publishing projects on the basis of outlines or completed manuscripts and where necessary advise the Publisher on improvement of the content of these publishing projects, or suggest capable peer reviewers to do so. **6.7.**The chief editor shall, if necessary in consultation with the Series Board of Editors, draft general guidelines concerning proper preparation of a volume for publication. All volume editors shall adhere to these guidelines.

**6.8. For each volume of the Series, a Volume Editor and/or Co-editors**, shall be appointed in consultation with the Editorial Board. They shall be responsible for soliciting and selecting contributions to be included in the respective volume, for overseeing the publication process, for supervising and assisting with promotion of sales, and for delivering papers presented at the Annual Meeting and submitted for publication to the Publisher.

**6.9.** If circumstances necessitate such interventions, the **chief editor may dismiss a volume editor** and/or shall consult the Executive Director and/or the Treasurer if expenditures need to be made, or, respectively, if the preparation of a given volume touches upon the general management or reputation of the organisation. The chief editor shall report to the Board of Directors

## **Article 7 - Code of Conduct**

**7.1.** In pursuance of the articles 9.3 and 11.3 of the Statutes of Euro-ISME and in order to ensure high standards of conduct for all activities taking place under the auspices of Euro-ISME or by representatives of Euro-ISME, the Internal Rules hereby establish a **Code of Conduct & Complaint Procedure (CC&CP)**. The text of the Code of conduct & complaint procedure is **enshrined in an appendix to these Internal Rules** and shall be regarded as an integral part thereof.

## **Article 8 - Amendments**

**8.1. These Internal Provisions may be amended by vote of the majority of the members of the Board of Directors.** In the event that the Board of Directors exercises this power, it shall **provide notice of the amendment and its rationale to the General Assembly** in its Annual Meeting.



## **Appendix to the Internal Rules – code of conduct and complaints procedure as adopted by the BoD in February 2017; amended in February 2019**

### **Preamble**

The main purpose of EuroISME is to promote research, training and dialogue concerning military ethics. This includes analyses of various ethical traditions as well as the relation between military ethics and related subjects, such as international humanitarian law, human rights, etc. Aware of the potentially emotive nature of the issues involved, EuroISME strives to promote a continuous, proficient dialogue and to provide a community of discourse for those who are professionally engaged in the fields mentioned. Military officers, scholars and politicians are welcome to join the dialogue, based on a free, rigorous and honest enquiry of the issues involved, and with mutual respect for different points of view. Likewise, analyses and discussions of military ethics will respect the dignity of the professionals whose behaviour is being studied. The aim is to promote respect for military ethics, humanitarian law, human rights as well as a mutual understanding between the participants, and to promote a proper position of the military in a democratic society. The provisions below aim to safeguard the atmosphere of safety and collegiality in which such a dialogue can flourish.

### **Art. 1 Material scope of application**

**Art. 1.1 Specification of the material scope of application.** The code of conduct and complaint procedure applies to all cases of sexual harassment, obscenities, insulting behaviour, discrimination, bullying, intimidation, plagiarism, copyright infringement, dishonourable conduct, corruption, financial impropriety, dereliction of duty or a violation of EuroISME's Internal Rules and/or its Statutes, if:

- a) the alleged act has taken place during a conference, meeting, work shop, etc, which has taken place under the auspices of EuroISME or during the organisation thereof;
- b) the alleged act has taken place in a published form such as an article, monograph, book, etc, which is published under the auspices of EuroISME or during the preparation thereof;
- c) the alleged act has taken place by a representative of EuroISME, elected or appointed, during the exercise of his/her duties.
- d) the alleged act is of such gravity that, even though it did not take place in the circumstances listed at a to c above, EuroISME's Managing Board feels it necessary to investigate the circumstances and consider what further action it might take.

**Art. 1.2 Chatham House Rule** The participants of EuroISME's conferences, meetings, workshops, etc, will comply with instructions given by the Board of Directors of EuroISME aimed at ensuring a safe and fair exchange of views at such conferences, meetings, etc. Thus, and in addition to the cases mentioned in Article 1 paragraph 1, the code of conduct and complaint procedure applies to any violation of such instructions.

Unless stated or clearly implied by the Board of Directors of EuroISME, Chatham House Rule applies to its conferences, workshops, meetings, etc. and an infraction thereof will be regarded as an infraction of the current code.

**Art. 1.3 Regulations of EuroISME's thesis prize.** Complaints concerning a violation of the regulations of EuroISME's prize for the best thesis against the author of a submission or against his/her sponsoring institution, shall be dealt with by the jury of the said prize. In conformity with the said regulations, the jury may decide on a sanction specified therein, including disqualification.

**Art 1.4 Criminality.** Complaints which allege serious criminality must be reported to the Managing Board immediately. The Managing Board must consider the facts at the earliest opportunity and decide whether the allegations are of such a serious nature that they must be reported to the relevant local law enforcement agencies. If the alleged violation is, in the view of the Managing Board, insufficiently serious, the complaint shall be forwarded to the complaint commission for further handling.

**Art. 1.4.1 Quorum.** If the alleged violation took place at a conference, meeting, work shop, etc, a quorum of three members of the Managing Board is sufficient to assess whether the complaint is of sufficient gravity to be forwarded to local law enforcement authorities; failing the quorum, such an assessment will have to be done by correspondence between the members of the Managing Board.

## **Art. 2 Personal scope of application**

The code of conduct of EuroISME applies to transgressions of individuals as well as institutions, regardless of the question whether they are members or EuroISME or not.

## **Art. 3 Temporal scope of application**

Any complaint concerning an alleged violation of EuroISME's code of conduct shall be made within six months of the alleged act. Complaints received after that date shall be declared inadmissible. Complaints concerning alleged violations which have taken place before the adoption of the current code of conduct are inadmissible.

## **Art. 4 Definitions**

**4.1. Complaint.** A complaint is a written or oral statement alleging a violation of article 1.1 of the current code of conduct & complaint procedure. If possible the, complaint shall be supported by evidence, such as documents, photos, the name of the respondent, etc. Anonymous complaints shall be declared inadmissible.

**4.2 Complainant.** A complainant is an individual or institution, or duly authorised representative thereof, who files a complaint. A complainant may be either a victim or the alleged violation, a witness thereof, or both.

**4.3 Respondent.** A respondent is a person or institution against whom a complaint has been filed under EuroISME's code of conduct.

**4.4 Violation.** A violation of Article 1.1 or Article 5 of the current code, regardless of the question whether the violation is alleged, or has been determined to be well-founded by a competent authority under the current code.

**4.5 Complaint commission.** A complaint commission is an authority designated by EuroISME's Managing Board to investigate complaints under the current code. The complaint commission consists of a sole person in the case of oral complaints, and of three persons in the case of written complaints. If the complaint commission consists of a sole person, he/she may advise the complainant to make the complaint in writing if the gravity of the violation or its complexity merits an assessment of the complaint by the full complaint commission.

**4.5.1** Members of the complaints commission must be full members of EuroISME. If a member of the complaint commission is materially involved in a complaint, either as a complainant or as a respondent, he/she cannot take cognisance of the complaint in his/her capacity as a member of the complaint commission; in that case, the President of EuroISME will designate a member of the Board of Directors as an alternate member of the complaint commission on an *ad hoc* basis.

**4.5.2.** Members of EuroISME's Managing Board cannot be a member of the complaint commission, except when acting as an alternate member of the complaint commission on an *ad hoc* basis under Article 4.5.1 or Article 6.1.

**4.6 Complaint procedure.** A complaint procedure is an internal procedure used by EuroISME to resolve complaints made to the complaint commission.

**4.7 Appeal.** An appeal is a written request made by a party to a decision made by the complaints commission. EuroISME's Managing Board will serve as appeals commission. No member of the Managing Board who investigated the original complaint can be a member of the appeal commission. Its decision is final, unless Article 10.1b, 10.1e or Article 11.3 of the current complaint procedure apply.

#### **Art. 5 Confidentiality and non-retaliation**

Complaints shall be handled in a confidential manner with a respect to the privacy of all parties, to the fullest extent possible, notwithstanding Article 1.3, Article 10.1 paragraphs b and e, and Article 11.3. The complaint commission or the appeals commission will make every effort to limit the distribution of pertinent information to those persons with a need to know, within the constraints of the investigative process by. EuroISME positively prohibits any retaliation in any form for filing a complaint. The confidentiality and non-retaliation requirements extend to all parties involved, including the complainant and the respondent. A violation of this provision shall be regarded as a violation of the current code of conduct and will be subject to corrective action.

#### **Art. 6 How to make a complaint**

**6.1. Oral complaints.** Oral complaints may be presented to a member of the complaint commission or to any member of the Managing Board by the complainant. If the complaint is presented to a member of the Managing Board, that member shall immediately assist the complainant in seeking contact with a member of the complaint commission. If the violation took place at a the conference, meeting, work shop, etc, where no member of the complaint commission is present, a member of the Managing Board who is present at the said conference, meeting or work shop, is authorised to act as alternate member of the complaint commission for oral complaints on an *ad hoc* basis.

**6.1.1 Telephone, Skype.** Complaints made to a member of the complaint commission or a member of the Managing Board by telephone or Skype shall be considered to be oral complaints. Oral complaints shall be confirmed in writing by the sole member of the complaints commission concerned to the complainant within ten calendar days.

**6.2 Written complaints.** Written complaints shall be sent by the complainant to the Executive Director(s) of EuroISME. The Executive Director(s) shall confirm receipt of the complaint to the complainant as soon as possible. The Executive Director(s) shall transmit the complaint to the members of the complaint commission as soon as possible. The complaint commission shall confirm receipt of the complaint to, both, the Executive Director(s) as well as the complainant.

#### **Art. 7 Procedure for oral complaints**

**7.1 Oral complaints.** In conformity with Article 4.5 and Article 7.4, oral complaints can be dealt with by a sole member of the complaints commission; preferably the sole member who is present – or has been present – at the conference, meeting, work shop, etc, where the violation took place. The sole member will confidentially inform the other members of the complaint commission of the existence of the complaint within ten calendar days.

**7.2 Information supporting the complaint.** Upon receiving an oral complaint, the sole member of the complaint commission may request the complainant to render additional information relevant to the assessment of the complaint, such as documents, the name of the respondent, the names of witnesses, the time, circumstances and location of the alleged violation, etc. A refusal by the complainant to render such information may render the complaint inadmissible.

**7.3 Procedural information offered by the member of the complaint commission.** Upon receiving an oral complaint, the sole member of the complaint commission shall inform the complainant of the options available to the complainant to pursue the complaint. Unless the alleged violation involves, if substantiated, a violation of the criminal code, no steps shall be taken by the sole member of the complaint commission to approach the respondent without the express consent of the complainant; neither shall the sole member approach witnesses unless this is expressly agreed upon by the complainant. At the request of the complainant, the name of the complainant shall, if practically possible, be withheld from the respondent.

**7.4 Initial authority of the sole member of the complaint commission.** Following the receipt of a complaint, the sole member of the complaint commission shall assess whether the complaint is admissible in view of the articles 1 through 3 of the current code. In the case the complaint is admissible, the sole member of the complaint commission may:

- a) offer to mediate between the complainant and the respondent;
- b) offer to approach the respondent privately to discuss the complaint;
- c) advise the complainant to make the complaint in writing to the full complaint commission;
- d) advise the complainant not to pursue the complaint if the complaint is considered not to meet the criteria in Art 1 to 3.

**7.4.1** If the complaint is inadmissible or will not be taken further, the sole member will inform the complainant at his early convenience. A complaint may be declared inadmissible by the sole member if, for example, the alleged violation is so slight that the invocation of the complaint procedure is unwarranted.

## **8.5 Further authority of the sole member of the complaint commission.**

**8.5.1 Mediation.** Provided the complainant agrees, the sole member of the complaint commission shall initiate mediation between the complainant and the respondent. Such mediation may take place with separate meetings with, respectively, the complainant and the respondent, or with the complainant and the respondent jointly. In view of the geographical distances with which EuroISME has to cope, mediation may have to take place by telephone, Skype, teleconference or other electronic means. The purpose of mediation is to establish the facts and to arrive at a friendly and mutually agreeable settlement of the complaint. This may include a mutual explanation of each other's points of view, or an apology orally or in writing, from the respondent to the claimant. If the mediation effort is unsatisfactory, either the complainant or the sole member of the complaint commission may decide to present the complaint in writing to the full complaint commission. No appeal against the decision to refer the case to the full complaint commission is possible.

**8.5.2 Private discussion with the respondent.** Provided the complainant agrees, the sole member of the complaint commission will approach the respondent privately and discuss the complaint made. The respondent will have the opportunity to present his/her views of the case. The respondent may request mediation by the sole member of the complaint commission in

order to resolve the case amicably. The sole member may also hear witnesses, if any. The sole member shall inform the respondent of the possibility that the complaint may also become a written complaint, which will subsequently be considered by the full complaint commission.

**8.5.3 Formal advice.** If the complaint is considered by the sole member to be founded, the sole member of the complaint commission may advise the respondent formally to refrain from similar conduct in the future. Such an advice shall be either orally or in writing; if it is in writing it shall be catalogued and the other members of the complaint commission as well as members of the Managing Board shall be informed. A written record of any oral advice offered must be made and retained by the complaint commission. An appeal by the respondent against written formal advice is possible; such an appeal must be made in writing.

**8.5.4 Referral.** The sole member, having assessed the nature of the complaint, may, in view of the severity or complexity of its nature, advise the complainant to refer the complaint to the full complaint commission. The sole member may also decide not to offer formal advice, and, in view of the severity or complexity of the case, decide on his/her own authority to refer the case to the full complaint commission. Both the complainant as well as the respondent shall be informed by the sole member as soon as possible of any referral.

**8.6.4 Time-line and conclusion of oral complaints.** The sole member of the complaint commission shall make every effort to ensure that within twenty calendar days following the initial receipt of the complaint, that the complaint shall, alternatively:

- a) be resolved satisfactorily by mediation, resulting in a written determination to that effect;
- b) be referred that complaint to the full complaint commission;
- c) result in an assessment whether the complaint is founded or unfounded. This assessment may be oral or in writing. If the complaint had been determined to be founded, the assessment may include formal advice to the respondent to refrain from similar conduct in the future. If this formal advice is in writing, it shall be sent immediately to the respondent and the complainant informed that such advice has been issued. Appeal against this written finding is possible within thirty calendar days of the date of the finding.

## **Art. 9 Procedure for written complaints.**

**9.1 Information supporting the complaint.** Upon receiving a written complaint, the full complaint commission may request the complainant to render additional information relevant to the assessment of the complaint, such as documents, the name of the respondent, the names of witnesses if any, the time, circumstances and location of the alleged violation, etc. A refusal by the complainant to render such information may render the complaint inadmissible.

**9.2 Initial authority of the complaint commission.** Following the receipt of a complaint, the complaint commission shall assess whether the complaint is admissible in view of the articles 1 through 3 of the current code. In the case the complaint is admissible, the complaint commission may:

- a) offer to mediate between the complainant and the respondent;
- b) investigate the complaint;
- c) decide not to entertain the complaint if the severity of the complaint is, for instance, insufficient to merit the use of the complaint procedure.

## **9.3 Material authority of the complaint commission - mediation**

**9.3.1 Mediation – nature and purpose.** Provided the complainant agrees, the complaint commission shall mediate between the complainant and the respondent. Such mediation may take place with separate meetings with, respectively, the complainant and the respondent, or with the complainant and the respondent jointly. In view of the geographical distances with which EuroISME has to cope, mediation may have to take place by telephone, Skype, teleconference or other electronic means. The purpose of mediation is to establish the facts and to arrive at a friendly and mutually agreeable settlement of the complaint. This may



include an apology orally or in writing, from the respondent to the claimant. If the mediation effort is unsatisfactory in the view of the complaint commission, or if the respondent refuses to cooperate, the complaint commission may terminate the mediation unilaterally and proceed with an investigation which will result in a formal determination and the possibility of corrective action.

**9.3.2. Time-line.** Every effort should be made by all parties involved to conclude the mediation within sixty calendar days, counting from the initial receipt of the written complaint. Perceived deliberate stalling of the mediation effort by either the complainant or the respondent may lead either to inadmissibility of the case or to a full investigation, as to be decided by the complaint commission. If the mediation is satisfactory, the complaint commission will issue a determination to that effect and forward this determination to both the complainant and the respondent.

#### **9.4 Material authority of the complaint commission - investigation**

**9.4.1 Investigation - cause.** The complaint commission may decide to launch an investigation if:

- a) it makes a determination under Article 9.3.1 that mediation proves unsatisfactory; or
- b) if the severity or complexity of the complaint merits a full investigation; or
- c) if the complainant requests an investigation; or
- d) if the sole member of the complaint commission mentioned in Article 4.5 refers the case under Article 8.5.1 or Article 8.5.4 to the full complaint commission.

All contacts taking place in the context of an investigation by the complaint commission and the parties involved shall be in writing or, if they are oral, shall be minuted.

**9.4.2 Notification.** If a decision is taken to launch an investigation, the complainant and the respondent shall be informed within seven calendar days by the complaint commission of this decision. The complainant shall be asked to present all evidence available within thirty days of the day the complainant being informed that an investigation has been launched. A refusal by the complainant to submit all available evidence may lead to inadmissibility of the case. Upon receipt of the evidence by the complaint commission, it shall be forwarded to the respondent, who shall be requested to offer his/her views and further evidence, again within a period of thirty days. The views of the respondent and his/her evidence shall be forwarded to the complainant, who will have thirty days to react. The reaction of the complainant shall be forwarded by the complaint commission to the respondent, who will have thirty days to offer his/her reaction.

**9.4.3 Oral hearings.** Given the geographical distances with which EuroISME has to cope, oral hearings in the context will only be conducted by the complaint commission in exceptional cases. However, it may, at its discretion consider holding a teleconference to that effect.

**9.4.4 Purpose.** The purpose of an investigation is to establish formally whether a violation of Article 1 or Article 5 has taken place and whether the respondent is at fault.

**9.4.5 Third parties, witnesses.** The complaint commission may request additional information from third parties, including witnesses, if the needs of the investigation so demand. Witnesses and third parties are encouraged to give evidence to the best of their ability.

**9.4.6 Time-line.** The complaint commission shall make its determination known within 180 days of the initial receipt of the complaint. In exceptional cases, it may decide to extend this period by sixty days, if this decision has been taken within the initial period of 180 days. Both the complainant and the respondent shall be informed accordingly.

**9.4.7 Determination.** A written and confidential report which formally determines whether a violation of the current code has taken place, and whether the respondent is at fault, shall be issued to the complainant and the respondent. This report must specify the allegations, the

defence made against them, the method of investigation, policy considerations, and corrective actions, if any. A copy of this report will be issued to the Managing Board confidentially.

#### **Art. 10 Corrective actions.**

**Art. 10.1 Availability of corrective actions.** Following a determination under Article 9.4.7 that a violation has taken place and that the respondent is at fault, the complaint commission may decide, depending on the severity and complexity of the case, whether further actions are necessary. Depending on the merits of the case, the following corrective actions may, be issued:

**a) A letter of reprimand.** A letter of reprimand, signed by the chairperson of the complaint commission may be issued to the respondent. The claimant will be informed of the fact that the letter of reprimand has been sent, and the members of the Managing Board will also be informed. If third-parties have seen their rights or honour violated, they too shall be informed that a letter of reprimand has been sent to the respondent.

**b) Suspension from activities of EuroISME.** The respondent may be suspended from all activities of EuroISME for a maximum of two years. If the respondent is an elected member of the Board of Directors, then he/she may be suspended from activities of EuroISME for the period until the next General Assembly of Members convenes. At this next Assembly, his/her suspension shall be an item on the agenda. After a full discussion of the case, where the complaint commission may present its determination and the respondent may present his/her case, the General Assembly of Members may decide to confirm the suspension or to reinstate the suspended member of the Board of Directors, or to select another corrective measure, in a secret ballot.

**c) Dismissal from appointed positions.** If the respondent holds a position into which he/she has been appointed by EuroISME's Board of Directors, he/she may be dismissed from that position by the complaint commission.

**d) Loss of membership.** A member may see his membership of EuroISME discontinued. If a respondent has received three formal letters or reprimands under Article 10.1a and/or formal advices not to engage in similar conduct under Art. 8.5.3 and Art. 8.6.4c, the respondent will also lose his/her membership.

**e) Suspension from elected positions.** If the respondent is an elected member of the Board of Directors, then h/she may be suspended from the Board of Directors for the period until the next General Assembly of Members convenes. At this next Assembly, his/her dismissal shall be an item on the agenda. After a full discussion of the case, where the complaint commission may present its determination and the respondent may present his/her case, the General Assembly of Members may decide to confirm the suspension or to reinstate the respondent or to select another corrective measure, in a secret ballot.

**f) Damages.** The complaint commission may advise EuroISME's Board of Directors to sue for damages, if EuroISME has suffered from embezzlement, corruption or other misappropriation of its funds.

**g) Report of crime.** The complaint commission, or respectively, the sole member, may, in view of the severity of the case, determine that it is likely that a violation of criminal law has been conducted. In that case, the complaint commission shall advise to inform both the police as well as the members of the Managing Board forthwith.

**Art. 10.2 Record.** The complaint commission shall keep a record of all determinations made under the Articles 8 and 9, as well as of the issuance of corrective actions, if any, under Article 10.1. Such records shall be kept for a period of five years.

#### **Art. 11 Appeals.**

**Art. 11.1 Procedural jurisdiction.** Appeals can be launched against:

- a) the formal, written advice of the sole member to the respondent not to engage again in similar activity, as mentioned in Articles 8.5.3 and 8.6.4; or
- b) a formal determination by the full complaint commission under Article 9.4.7 including its decision to issue a corrective action, if any, under Article 10.1.

**Art. 11.2 Role of the Managing Board.** Appeals shall be dealt with by the members of EuroISME's Managing Board, who will constitute the appeals commission. If a member of the Managing Board is materially involved in the complaint, either as a complainant or a respondent, that member will be replaced as member of the appeals commission by another member of the Board of Directors, who will be appointed on an *ad hoc* basis at the discretion of the President of EuroISME.

**Art. 11.3 Role of the General Assembly of Members.** Appeals against a suspension from an elected position shall, as mentioned in Article 10e, be heard, not by the Managing Board, but by EuroISME's General Assembly of Members. Appeals against a suspension from activities as mentioned in Article 10b shall, when it concerns a member of the Board of Directors, also be heard by the General Assembly of Members.

**Art. 11.4 Deadline for appeals.** Appeals can be launched within thirty days of the determination of the complaint commission. It shall be in writing and addressed to the Executive Director(s) of EuroISME, or to its President.

**Art. 11.5 Time-line of the appeals procedure.** The Managing Board shall, within sixty days of receipt of the appeal, consider all the evidence which has already been presented to the complaint commission. It may decide to request additional evidence, in which case the period of sixty calendar days may be suspended by another period of sixty calendar days. The Managing Board shall, within ninety calendar days of receipt of the appeal, issue its determination.

**Art. 11.6 Finality.** The decision reached following the appeals procedure is final.

## **Art. 12 Appointment.**

**Art. 12.1 Role of the Managing Board.** The Managing Board shall, within six months after the adoption of the current code by the General Assembly of Members, appoint the three members of the complaint commission. The appointments shall be made for a period of three years, which is renewable twice.

**12.2 Election of the chair of the complaint commission.** The members of the complaint commission shall elect from their midst a chairperson.

## **Art. 13 Publication.**

The current code of conduct & complaint procedure shall, after its adoption, be published on EuroISME's website as soon as possible by the Board of Directors. The names of the members of the complaint procedure, plus their contact details, shall also be published on EuroISME's website.

## **Art 14 Annual report.**

The complaint commission shall file an annual report, in writing, EuroISME's Board of Directors, no later than one month before the next General Assembly of Members. In an anonymous format, the annual report will list the number and types of complaints it has received, and how they have been dealt with. If necessary, the complaint commission may propose to the Board of Directors improvements to the current code.