

ICCA Harassment Protocol (version 1 current as at 18 September 2018)

1. The International Council for Commercial Arbitration (“ICCA”) is committed to non-discrimination on the grounds of gender, race, ethnicity, religion, age, disability and sexual orientation or identity. ICCA strives to ensure that its activities (including the hosting of Congresses or other events, convening of working groups, and Young ICCA activities) are conducted in a safe environment for all participants.
2. The terms of this Protocol apply to the conduct of ICCA Governing Board Members, ICCA Advisory Board Members, ICCA project co-chairs, Young ICCA office-holders, mentors and buddies in the Young ICCA mentoring programme (collectively “office-holders”) and ICCA staff members.
3. ICCA prohibits harassment of any kind, including sexual harassment, whether it takes the form of physical, verbal or other conduct, by any office-holder or ICCA staff member. Harassment shall include any action that unreasonably disrupts another person’s participation in an ICCA or Young ICCA activity, or creates an intimidating, offensive, abusive or hostile environment. In the case of sexual harassment, it is a violation of this Protocol to engage in conduct including, but not limited to, unwelcome sexual advances, requests for sexual favours, or unwelcome verbal or physical conduct of a sexual nature. It is also a violation of this Protocol to make a false report or provide false information about alleged harassment.
4. Participants in ICCA- or Young ICCA-hosted activities who experience harassment are encouraged, but not required, to inform the harasser that the conduct is unacceptable (in person or in writing). Regardless of whether the harasser is directly confronted, anyone experiencing harassment should promptly report the conduct to one of the following:
 - a. The ICCA President (via email: gabrielle.kaufmann-kohler@lk-k.com);
 - b. The ICCA Executive Director (via email: lbosman@pca-cpa.org); or
 - c. ICCA Advisory Board member and Young ICCA Liaison Prof. Pierre Tercier (via email: pierretercier@tercier.net).
5. ICCA will then investigate and address the conduct, taking into account the procedural rights of both complainant and accused. During any such investigation:
 - a. ICCA will respect the confidentiality and privacy of individuals reporting or accused of harassment to the extent reasonably possible.
 - b. The person accused of harassment shall be prohibited from contacting the complainant.
 - c. Retaliation will be strictly prohibited and ICCA will take steps to prevent retaliation against any participant who reports harassment.
 - d. Should a complainant ask not to be named, or ask that the accused not be named, in ICCA’s investigation, ICCA will consider whether and/or how to accommodate such request.



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6. Whether or not ICCA concludes that the Protocol has been violated, ICCA will communicate the results of its investigation to the complainant and the accused person. If ICCA concludes that this Protocol has been violated, it will take appropriate corrective and/or preventive action.
7. The specific action taken in any particular case depends on the nature and gravity of the conduct complained of. The consequences of a finding that an individual has violated this Protocol may include a verbal reprimand, a recommendation that the individual attend counselling, removal from office or from membership of ICCA or Young ICCA altogether, or another appropriate action; other consequences may include a reorganization of an ICCA or Young ICCA activity or working group.
8. This Protocol shall be signed by all office-holders and ICCA staff members upon taking office.

ACKNOWLEDGMENT

I hereby confirm that I have read and understood this Protocol and agree to abide by its terms.

Signature

Printed name

Office held

Date