

# STUDENT REPORTING AND INTERNAL INVESTIGATION PROCEDURE

REPORTS OF  
HARASSMENT / DISCRIMINATION / VIOLENCE

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## I - Purpose of the procedure for reporting and investigating harassment, discrimination and violence among NEOMA students

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The aim of this procedure is to formalise the handling of reports made by NEOMA students, in order to :

1. **Guarantee a healthy and respectful learning environment**  
Ensure that each student evolves in an environment free from violence, harassment (moral or sexual) and discrimination (based on age, gender, origin, sexual orientation, religion, disability, etc.).
2. **Provide a structured and accessible reporting system**  
Enable students to quickly and easily report any problematic behaviour or situation through a clear, confidential and secure process.
3. **Protect the parties involved**  
To ensure that the rights of the parties involved in reporting are respected, by guaranteeing the confidentiality of exchanges and preventing any form of reprisal.
4. **Conduct impartial and rigorous investigations**  
If necessary, organise a fair internal investigation to assess the facts reported, gather the necessary information and ensure that an informed decision is taken.
5. **Take appropriate corrective or preventive measures**  
Apply sanctions, where appropriate, or implement awareness-raising and prevention measures to avoid the recurrence of inappropriate behaviour.
6. **Reinforce NEOMA's fundamental values**  
Promote a culture of respect, fairness and inclusion by making students and staff aware of the importance of these issues.

This procedure therefore includes our commitments and measures to prevent and identify unacceptable behaviour, but also to listen to, guide, monitor and support victims and witnesses throughout the procedure (disciplinary and/or criminal).

With this in mind, this procedure sets out a clear and structured framework so that reports of harassment, discrimination and violence involving its students can be handled with a high degree of confidentiality and application of the principle of presumption of innocence.

By adopting this procedure, NEOMA reaffirms its commitment to fight against all forms of harassment, discrimination and violence, and to promote a climate of well-being and safety for its entire student community.

## II - Scope

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### When does this scheme apply?

The NEOMA Management intends to use this procedure in the event that it receives a report of behaviour committed by a NEOMA student against another NEOMA student.

The report may come either from a person who considers him/herself to be the direct victim of harassment, discrimination or violence, or from a person who has directly witnessed such acts.

### For what types of situations?

The situations analysed in the context of reports are often very specific, with different circumstances each time.

Nevertheless, by way of non-exhaustive examples, this procedure for reporting and internal student investigation aims to provide a framework for the action to be taken following a report:

- Moral harassment,
- Sexist abuse,
- Discriminatory acts or comments (see Appendix 2 - section on the 25 criteria for discrimination),
- Any other form of violence perpetrated on or off our campuses, whether verbal, physical ([Article R811-11 - Education Code - Légifrance](#)) or psychological (including the whole continuum of sexist and sexual violence).

### Relationship between the investigation procedure, the disciplinary procedure and the legal procedure

Harassment, discrimination, sexual and gender-based violence and intentional violence are all prohibited by law and, where proven, are subject to civil or criminal penalties.

At NEOMA, the investigation may lead to the opening of disciplinary proceedings; however, it is not intended to replace any legal action.

The absence of legal action on the part of the person who considers him/herself to be a victim in no way prevents the investigation from being carried out or the subsequent implementation of disciplinary proceedings against the perpetrator of proven facts (the two procedures, legal and disciplinary, being independent of each other).

### III - Fundamental principles

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#### Zero tolerance principle

This system has been put in place as part of the 2021-2025 National Plan to combat SGBV in higher education and research and in Circular no. 2015-193 of 25 November 2015. Higher education institutions are responsible for assessing risks, taking the necessary measures to ensure safety, protect the rights and physical and mental health of students.

NEOMA applies the principle of zero tolerance towards any proven form of harassment, discrimination and violence.

In addition to strict compliance with its legal obligations as an institution, this firm commitment stems from NEOMA's mission to raise awareness among tomorrow's managers about respect for diversity and inclusion.

NEOMA aspires to be an exemplary institution in terms of respect for human rights, equal opportunities and the promotion of diversity. NEOMA is committed to creating a study environment where every individual is treated with dignity and respect, free from all forms of harassment, discrimination and violence.

#### Rights of the person implicated

By analogy with the principle of presumption of innocence applicable in French criminal law, it should be remembered that a report is not sufficient to establish the facts.

An objective and impartial investigation may be necessary in order to establish, as far as possible, the materiality of the facts reported and to assess their nature and seriousness with regard to the applicable legal framework and NEOMA's Value Standards.

Pending the conclusions of the investigation, the student in question must not be considered to be *in breach of the law*. His/her rights are respected, whatever the facts of which he/she is accused. As the context of the investigation is necessarily disturbing for them, they are treated with courtesy and neutrality, and are given the opportunity to make their observations known.

Furthermore, depending on the circumstances, the internal preliminary investigation unit may conclude that the information brought to its attention at the time of the report and during the investigation does not make it possible to establish the materiality of the facts reported, thus contradicting the allegations made in the report.

#### Confidentiality and obligation of discretion

The procedure is governed by the strictest confidentiality, in particular with regard to the report, the identity of its author and witnesses, the possible conduct of the investigation and the content of exchanges.

This obligation of confidentiality is intended to protect the rights of the parties involved, particularly in the event that the investigation does not confirm the allegations made in the alert.

This obligation of confidentiality applies beyond the investigation period, for an indefinite period. However, it may be lifted at the request of a magistrate or judicial police officers.

All parties to the investigation are also reminded of their duty of confidentiality, which applies from the time the report is made and beyond the end of the investigation: this means that they must show restraint in expressing their personal opinions, whether orally or in writing.

### Prevention of abuse

The reporting student must use the system in good faith and provide information that is as accurate as possible and true to the facts. Any untruthful report or testimony exposes its author to disciplinary action by NEOMA.

Conversely, a report made in good faith will not expose its author to any disciplinary sanction, even if the facts reported subsequently prove to be inaccurate or if the report is not followed up.

## IV – Reporting an incident

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Victims/witnesses of harassment, discrimination or violence have the choice of confiding in professionals outside NEOMA or on NEOMA campuses. In both cases, listening will be confidential and the NEOMA administration will only be informed if the victim or witness decides to make a report (this means agreeing to communicate his/her name, that of the person(s) implicated, and the alleged facts).

**For confidential and anonymous support outside NEOMA**, victims/witnesses can contact the external support service managed by France Victimes free of charge:

- By calling the dedicated telephone line, open every day from 9am to 9pm: (free service and call) or outside mainland France: 116 006.
- Or by sending an email to [victimes@116006.fr](mailto:victimes@116006.fr)

An initial telephone interview will enable the victim/witness to benefit from a professional listening ear, in French or English. Victims/witnesses will then be able to meet professionals close to their campus (lawyers, psychologists and social workers) who will help them to describe what has happened to them and support them according to their needs.

**For confidential counselling on campus**, the victim/witness can contact the nurses.

France Victimes and nurses suggest that victims/witnesses lift their confidentiality and report the incident to the Angela unit.

The Angela unit is made up of 8 NEOMA employees who are responsible for harassment-discrimination-violence.

This unit is the main point of contact for:

- Registering reports of harassment-discrimination-violence, which will be accompanied by substantial evidence (10 working days).
- Providing information and guidance on the support measures put in place by NEOMA and by external structures.
- Propose the implementation of protective measures.

In the event of a report being made by a witness, the transmission of the report by the Harassment-Discrimination-Violence Coordinator for pre-analysis implies the prior agreement of the victim.

Depending on the facts reported, the Angela Unit reminds the victim that she can lodge a complaint with the police or gendarmerie. The counselling and support service run by France Victimes is available to advise victims on how to go about this.

It is important to understand that the criminal procedure initiated by filing a complaint is completely independent of the disciplinary procedure set up by higher education establishments:








- Criminal proceedings enable the facts to be classified and recognised. It opens the way to convictions for the perpetrator and reparations for the victim.
- Disciplinary proceedings determine the likelihood of the facts and impose administrative sanctions in the event of a breach of internal regulations.

Bringing serious offences to court allows you to have them recognised, to protect yourself and to protect other possible victims.

### Registration and acknowledgement of receipt of the report

The Harassment-Discrimination-Violence Officer will interview the reported incidents and formulate an initial hypothesis as to the nature of the situation (this interview is always conducted in the presence of a second Harassment-Discrimination-Violence Officer. He or she records the report and acknowledges receipt in writing to the person making the report. This acknowledgement should be made within 2 working days. (see flow chart on page 13).

During the interview with the victim/witness, the Harassment-Discrimination-Violence Officer can direct the victim/witness towards structures that provide personalised support and propose protective measures (see Article VI).

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## V - Further information

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### Length of process

As a guideline, we recommend a total duration of no more than 45 working days between the date on which the alert is issued and the date on which it is closed.

This indicative period may be extended, in particular when the situation analysed is particularly complex.

### Pre-analysis of the case by the Director of Student Life and the Head of the Legal Department

On receipt of the report, the existing documents and information required to pre-analyse the case are collated and all the documents are sent to the Director of Student Life and the Head of the Legal Department. On this basis, the Director of Student Life, together with the Head of the Legal Department, formulate observations and an opinion as to the need to open an investigation or to initiate awareness-raising or even disciplinary action. A period of 3 working days (see flow chart page 13) will be required for the pre-analysis of the case by the Director of Student Life and the Head of the Legal Department. The Director of Student Life informs the Harassment-Discrimination-Violence Advisors and the relevant Programme and Campus Directors of the decision taken.

### Case 1: no investigation

If, after analysis, the situation does not require an investigation, the reporting student is informed by the Harassment-Discrimination-Violence Officers that the report has been transferred to the General Secretary and the Campus Director, followed by a confirmation e-mail.

The student concerned is informed of the existence and content of the report which has not led to the opening of an investigation by the Campus Director.

It is the responsibility of the Campus Director to decide whether to initiate disciplinary proceedings. In this case, the Campus Director will inform the student, the Programme Director and the Harassment-Discrimination-Violence Officer who received the report.

### Case 2: Opening of an investigation

If, after analysis, the situation requires an investigation, the student making the report is informed by the Harassment-Discrimination-Violence Officer that the report has been transferred to the General Secretary and the Campus Director, who will refer the matter to the preliminary investigation unit.

This oral notification is followed by a confirmation e-mail from the Harassment-Discrimination-Violence Officer.

### Creation of the internal investigation unit

This unit is made up of the Company Secretary, a legal expert from the Legal Department and a manager from the *Student Experience & Sustainable Transition* department.

### Notification of the opening of an investigation

The report and any useful information for assessing the facts are sent without delay to each member of the internal preliminary investigation unit.

The internal pre-investigation unit contacts the reporting student/plaintiff and the person implicated and informs them of the opening of an internal pre-investigation.

### Collection of documents

The internal investigation unit gathers as much factual information as possible. The strength of its conclusions will depend mainly on the quality and completeness of the evidence gathered.

The aim of this investigation phase is to gather as much objective and factual information as possible from the institution's documents and registers; exchanges of letters, photos, emails, instant messages or telephone calls and messages that the students are able to provide.

Investigations carried out in this context must be justified and proportionate to the facts giving rise to the enquiry. The students requested will facilitate access to these various elements for the internal preliminary investigation unit. If documents of this type are given to the unit, it can only be at the initiative of the individuals themselves, who must be asked if the unit can use them. This agreement is recorded in writing to avoid any subsequent dispute.

### Gathering evidence

If, after analysing the documents collected, it appears necessary to supplement the factual information gathered, the internal investigation unit will draw up a list of persons to be interviewed. This list may be added to as and when required by the investigation.

The persons to be interviewed (persons who issued the alert, defendants, witnesses whose interview has been proposed by the person claiming to be a victim and by the defendant) are summoned by e-mail with acknowledgement of receipt. This e-mail specifies that the persons summoned are not entitled to be assisted (except in the case of minors) as the hearing is not a disciplinary interview. Finally, it points out that attendance at hearings is voluntary: those summoned are free to refuse to take part in the hearing and, in the case of witnesses, free to refuse to testify.

The place chosen for the hearing guarantees confidentiality.

### Conduct of the hearings

The task of the internal preliminary investigation unit is to conduct the investigation by taking evidence from the parties (the person claiming to be the victim, the defendant and any witnesses). During each interview, the unit uses the report form, which reflects the specific nature of the facts reported. The aim of the questions is to establish whether the facts reported are true, as well as their nature and seriousness, if applicable. The questions are adjusted as the investigation progresses, according to the elements and needs for clarification brought to light during each interview.

Those interviewed are informed at the beginning of the interview of the framework in which the investigation is taking place, what is expected of them and their rights and obligations. The student who is the subject of the report is informed of its content. Please note that in the event of legal proceedings, NEOMA may be obliged to communicate the investigation documents as part of the procedure.

### Transcription of exchanges

Questions and answers exchanged during each hearing are transcribed by the internal pre-investigation unit. To ensure maximum objectivity, this transcription is as literal as possible. When the hearing is held remotely, subject to the express prior agreement of the participants, the transcript can be produced if necessary using functions integrated into the video-conferencing solution used (e.g. Teams). The transcript is used as the basis for internal reports, which are not intended to be passed on to the persons heard. Any recordings are destroyed, in compliance with the provisions of the European General Regulation on the protection of personal data (Regulation EU 2016/679 of the European Parliament and of the Council of 27 April 2016 / RGPD).

During the interview, each person interviewed is asked to provide the internal investigation unit with any documents that he or she deems useful for establishing the facts reported.

It should be noted that all investigation information is covered by confidentiality and may not be circulated outside the preliminary internal investigation unit. It should also be noted that this confidentiality may nevertheless be lifted in the event of legal proceedings.

### Analysis of information gathered

The comments and information gathered are analysed in depth by the members of the internal preliminary investigation unit. In particular, they look for the existence of acts of any kind or discriminatory actions that may infringe a student's rights and dignity, affect his or her physical or mental health or jeopardise his or her future.

### Recommendations of the internal preliminary investigation committee

Within twenty-four hours of the last investigative act, the members of the internal preliminary investigation unit who took part in the hearings must formulate recommendations. These will cover the conclusions of the investigation and any measures to be taken in response to the situation raised.

The investigation unit informs the Harassment-Discrimination-Violence Officer who received the report that the investigation is closed and that the recommendations have been sent to the General Secretary.

When a case appears to involve a serious crime or offence, the investigation unit reserves the right, with the agreement of General Management, to report the matter to the Public Prosecutor's Office.

### Final decision

Once the recommendations of the internal investigation unit have been considered, the Secretary General sends the General Management / Campus Management an investigation report together with an opinion on the action to be taken. In the light of this report, the General Management / Campus Management decide on the measures to be taken.

Depending on the situation, it may be decided to refer the matter to the Disciplinary Board.

### Closure of the investigation

The Harassment-Discrimination-Violence Officer will inform the person making the report that the investigation has been closed and that the matter may or may not be referred to the Disciplinary Board.

In the event of a disciplinary procedure, the Campus Director will initiate a disciplinary hearing and inform the Programme Director and the Harassment-Discrimination-Violence Officer who received the report.

### Processing and storage of personal data

The investigation procedure gives rise to the processing of personal data governed by the General Data Protection Regulation (RGPD) and by the CNIL Guidelines on the processing of personal data intended for the implementation of a professional alert system (18 July 2019).

Within the meaning of the GDPR, "data subjects" are all persons whose personal data is actually processed as part of the investigation procedure (in particular: author of the alert, person implicated, persons heard as part of the investigation, etc.).

The following categories of personal data may be recorded and stored under this system:

- Identity and contact details of the person issuing the alert
- Identity and contact details of the person implicated
- Identity and contact details of witnesses
- Identity and contact details of persons involved in collecting or processing the alert
- Facts reported
- Information gathered in the course of verifying the facts reported
- Internal reports
- Follow-up to the report

NEOMA takes all the necessary precautions to preserve the security of this personal data, both when it is collected, communicated and stored.

This data will be kept for a maximum of 5 years, corresponding to the statute of limitations for the offence of harassment.

## VI - Follow-up and support measures

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### Post-investigation follow-up

The Campus Director, in close collaboration with the Wellness centre, will pay particular attention to the persons who reported the harassment and to the persons implicated in the months following the investigation.

An individual support plan (e.g. mediation in the event of interpersonal conflict; medical follow-up; training in managing emotions, etc.) may be offered to those who have reported the problem and to the people implicated. This plan is then implemented by the Wellness centre.

### Protection measures

From the outset of the procedure, the person who considers him/herself to be a victim is placed under the protection of the institution.

If, at the end of these preliminary interviews, it is felt that the facts reported are potentially particularly serious from a legal point of view, or are likely to have serious consequences for the physical and/or mental health or safety of the person who considers him or herself to be a victim, one or more precautionary measures may be envisaged pending an investigation.

The person who considers him/herself to be a victim or the witness who fears pressure or reprisals as a result of his/her testimony is reassured that such acts are reprehensible from a disciplinary point of view. Depending on the circumstances, a precautionary measure may be taken to ensure the employee's safety in relation to the situation reported.

### Psychological care and guidance

It is important to ensure that the person reporting the incident has the support of others who can help them during this period.

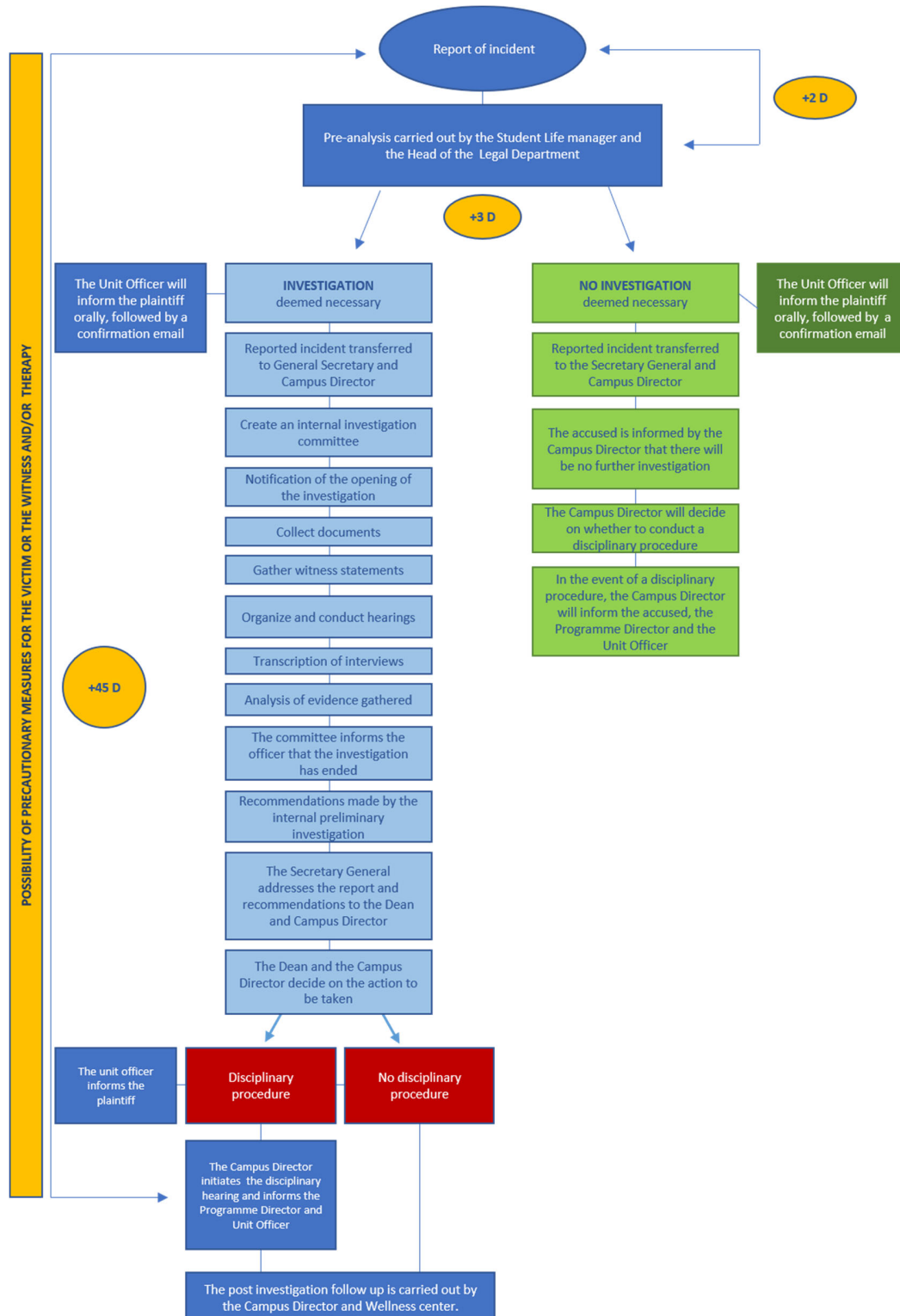
They can be offered appropriate support if they express the need (for example, referral to the psychological helpline available at [wellness@neoma-bs.fr](mailto:wellness@neoma-bs.fr) and/or a victim support association). A list of dedicated contacts is provided in Appendix 3.

The same psychological care and referral measures may be offered to the defendant.

Victims of the most serious offences are also encouraged to lodge a complaint against the perpetrator, by contacting:

- The Public Prosecutor, directly, by registered mail addressed to the judicial court where the offence was committed or where the perpetrator lives,
- A police station or gendarmerie brigade,
- A victim support association, which will be able to file the complaint,
- A defender of human rights

## APPENDIX 1 - FLOW CHART OF THE INTERNAL INVESTIGATION PROCEDURE



## APPENDIX 2 - LEGAL DEFINITIONS AND PENALTIES

### MORAL HARASSMENT

Article 222-33-2-2 of the Criminal Code:

*"The act of harassing a person by repeated comments or behaviour with the aim or effect of degrading their living conditions by altering their physical or mental health is punishable by one year's imprisonment and a fine of €15,000 when these acts have caused a total work incapacity of less than or equal to eight days or have not resulted in any work incapacity.*

*The offence is also constituted*

*a) When these comments or behaviours are imposed on the same victim by several persons, in concert or at the instigation of one of them, even though each of these persons has not acted repeatedly ;*

*b) When these comments or behaviours are imposed on the same victim, successively, by several persons who, even in the absence of concerted action, know that these comments or behaviours constitute a repetition.*

*The acts mentioned in the first to fourth paragraphs are punishable by two years' imprisonment and a €30,000 fine:*

*1° When they have caused a total incapacity to work of more than eight days ;*

*2° When committed against a minor;*

*3° When committed against a person whose particular vulnerability, due to age, illness, infirmity, physical or mental deficiency or pregnancy, is apparent or known to the perpetrator;*

*4° When committed through the use of an online public communication service or through a digital or electronic medium;*

*4° bis When committed against the holder of an elective mandate;*

*5° When a minor was present and assisted.*

*The acts mentioned in the first to fourth paragraphs are punishable by three years' imprisonment and a fine of €45,000 when committed in two of the circumstances mentioned in 1° to 5°.*

## SEXUAL HARASSMENT

Article 222-33 of the Criminal Code:

*"I. - Sexual harassment is the act of repeatedly imposing on a person comments or behaviour with a sexual or sexist connotation which either violate their dignity due to their degrading or humiliating nature, or create an intimidating, hostile or offensive situation.*

*The offence is also constituted*

*1° When these comments or behaviours are imposed on the same victim by several persons, in a concerted manner or at the instigation of one of them, even though each of these persons has not acted repeatedly ;  
2° When these comments or behaviours are imposed on the same victim, successively, by several persons who, even in the absence of concerted action, know that these comments or behaviours constitute repetition.*

*II. - The use, even if not repeated, of any form of serious pressure with the real or apparent aim of obtaining an act of a sexual nature, whether this is sought for the benefit of the perpetrator or for the benefit of a third party, is deemed to be sexual harassment.*

*III. - The acts mentioned in I and II are punishable by two years' imprisonment and a fine of €30,000. These penalties are increased to three years' imprisonment and a €45,000 fine when the acts are committed :*

*1° By a person who abuses the authority conferred by his or her position ;  
2° On a minor under fifteen years of age; or  
3° On a person whose particular vulnerability, due to age, illness, infirmity, physical or mental disability or pregnancy, is apparent or known to the perpetrator;  
4° On a person whose particular vulnerability or dependence resulting from their precarious economic or social situation is apparent or known to their perpetrator;  
5° By several persons acting as perpetrator or accomplice;  
6° Through the use of an online public communication service or through a digital or electronic medium;  
7° While a minor was present and witnessed the act;  
8° By an ascendant or any other person with de jure or de facto authority over the victim.*

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## SEXIST OUTRAGE

Article R625-8-3 of the Criminal Code:

*"Is punishable by a fine of the 5th class, except in the cases provided for in articles 222-13, 222-32, 222-33, 222-33-1-1, 222-33-2-2 and 222-33-2-3, to impose on a person any comment or behaviour with a sexual or sexist connotation which either violates their dignity because of its degrading or humiliating nature, or creates an intimidating, hostile or offensive situation for them.*

*Persons guilty of the offence provided for in this article are also liable to the following additional penalties:*

*1° The probationary sentence provided for in 1°, 4°, 5° or 7° of article 131-5-1 ;*

*2° Twenty to one hundred and twenty hours of community service.*

Article 222-33-1-1 of the Criminal Code for aggravated insult:

*"I.-A fine of €3,750 shall be imposed on anyone, except in the cases provided for in articles 222-13, 222-32, 222-33, 222-33-2-2 and 222-33-2-3, forcing on a person any comments or behaviour with a sexual or*



*sexist connotation that either violates their dignity because of its degrading or humiliating nature, or creates an intimidating, hostile or offensive situation for them, when this is committed:*

*1° By a person who abuses the authority conferred by his or her position;*

*2° against a minor*

*3° A person whose particular vulnerability due to age, illness, infirmity, physical or mental disability or pregnancy is apparent or known to the perpetrator;*

*4° On a person whose particular vulnerability or dependence resulting from their precarious economic or social situation is apparent or known to the perpetrator;*

*5° By several persons acting as perpetrator or accomplice;*

*6° In a vehicle used for public passenger transport or private public transport, or in a place intended for access to a means of public passenger transport;*

*7° Because of the victim's actual or assumed sexual orientation or gender identity;*

*8° By a person who has already been convicted of the offence of sexist and sexual insult and who commits the same offence as a repeat offender under the conditions set out in the second paragraph of Article 132-11.*

*II - For the offence referred to in I of this article, even in the event of a repeat offence, the public prosecution may be extinguished, under the conditions set out in articles 495-17 to 495-25 of the Code of Criminal Procedure, by the payment of a fixed fine of 300 euros. The amount of the reduced fixed fine is 250 euros and the amount of the increased fixed fine is 600 euros.*

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## DISCRIMINATION

Article 225-1 of the Criminal Code:

*"Any distinction made between natural persons on the basis of their origin, sex, family status, pregnancy, physical appearance, particular vulnerability resulting from their economic situation, apparent or known to the perpetrator, surname, place of residence, state of health, loss of autonomy, disability, genetic characteristics, morals, sexual orientation, gender identity, age, political opinions, their trade union activities, their status as a whistleblower, facilitator or person in a relationship with a whistleblower within the meaning, respectively, of I of Article 6 and 1° and 2° of Article 6-1 of Law 2016-1691 of 9 December 2016 on transparency, the fight against corruption and the modernisation of economic life, their ability to express themselves in a language other than French, their actual or supposed membership or non-membership of a particular ethnic group, nation, alleged race or religion.*

*Discrimination also includes any distinction made between legal persons on the basis of origin, sex, family status, pregnancy, physical appearance, particular vulnerability resulting from the economic situation, apparent or known to the perpetrator, surname, place of residence, state of health, loss of autonomy, disability, genetic characteristics, morals, sexual orientation, gender identity, age, political opinions, trade union activities, the status of whistleblower, facilitator or person in a relationship with a whistleblower, within the meaning, respectively, of I of Article 6 and 1° and 2° of Article 6-1 of the aforementioned Act 2016-1691 of 9 December 2016, the ability to express oneself in a language other than French, the actual or assumed membership or non-membership of a specific ethnic group, Nation, alleged race or religion of the members or certain members of these legal entities."*

Article 225-2 of the Criminal Code:

*"Any distinction made between persons because they have suffered or refused to suffer acts of sexual harassment as defined in article 222-33 or testified to such acts, including, in the case mentioned in I of the same article, if the comments or behaviour have not been repeated, constitutes discrimination."*



Article 225-3 of the Criminal Code:

*"Any distinction made between people because they have undergone or refused to undergo hazing as defined in article 225-16-1 or witnessed such acts constitutes discrimination."*

Article 225-4 of the Criminal Code:

*"Discrimination as defined in articles 225-1 to 225-1-2, committed against a natural or legal person, is punishable by three years' imprisonment and a fine of 45,000 euros when it consists of:*

*1° Refusing to supply a good or service;*

*2° Obstructing the normal exercise of any economic activity;*

*3° Refusing to employ, punishing or dismissing a person;*

*4° Making the supply of a good or service subject to a condition based on one of the elements referred to in article 225-1 or provided for in articles 225-1-1 or 225-1-2;*

*5° Making an offer of employment, a request for an internship or a period of in-company training subject to a condition based on one of the elements referred to in article 225-1 or provided for in articles 225-1-1 or 225-1-2;*

*6° To refuse to accept a person for one of the training periods referred to in 2° of article L. 412-8 of the Social Security Code.*

*Where the discriminatory refusal referred to in 1° is committed in a place open to the public or for the purpose of preventing access to it, the penalties are increased to five years' imprisonment and a fine of 75,000 euros."*

## APPENDIX 3 - REFERRAL TO VICTIM SUPPORT STRUCTURES

### 3919: Violences Femmes Info

National reference number for listening to and guiding women who are victims of violence: Free and anonymous - Accessible 24 hours a day, 7 days a week - Attended by professional counsellors - Victim's family and friends can also be assisted. Calls may concern all types of gender-based violence (domestic violence, sexual violence, forced marriages, sexual mutilation, violence in the workplace, etc.).

3919 is the first point of contact for all women who are victims of gender-based violence. Depending on their situation, women are referred to the local or national partner associations best placed to provide a response or support.

3919 is not an emergency number.

### En avant toute(s)

The free, anonymous, secure and caring chat service

The En avant toute(s) chat service puts you in touch with professionals who listen, advise and refer you to the appropriate structures.

It is open Monday to Thursday from 10am to midnight and Friday to Saturday from 10am to 9pm.

<https://enavanttoutes.fr/>

**Association européenne contre les violences faites aux femmes au travail (AVFT):** <https://www.avft.org>

### National Centre for Information on the Rights of Women and Families (CNIDFF)

**Website "arrêtons les violences.gouv.fr"** to find an association near you. - <https://arretonslesviolences.gouv.fr/associations-de-lutte-contre-les-violences-sexistes-etsexuelles/associations>

**Internet portal for reporting sexual and gender-based violence:** <https://www.service-public.fr/cmi> :

Free and anonymous - Available 24/7 - Personalised service provided by a police officer or gendarme specifically trained in dealing with victims of sexual and gender-based violence. This site helps victims to file a complaint or, if they are not ready, to be directed towards partners to facilitate their social and/or psychological care.

**Association APF France handicap:** [www.apf-francehandicap.org](http://www.apf-francehandicap.org)

Working on a daily basis to defend and promote the rights of people with disabilities

**Santé info droits:** <https://www.france-assos-sante.org/sante-info-droits>

Legal and social information line on all disability-related issues

Mondays, Wednesdays and Fridays from 2pm to 6pm: 01.53.62.40.30

Tuesdays and Thursdays from 2pm to 8pm or online contact form

**Fédération LGBTI+ :** [Home - Fédération LGBTI+ \(federation-lgbti.org\)](http://Home - Fédération LGBTI+ (federation-lgbti.org))

The LGBTI+ Federation brings together local and national LGBTI+ centres and associations active in France. Contact form on the website

**SOS Racisme:** <https://sos-racisme.org>

For victims of acts of racism (discrimination, attacks, etc.)

Telephone helplines Tuesday to Friday from 10.30am to 1pm: 01.40.35.36.55 To contact the

legal department: [servicejuridique@sos-racisme.org](mailto:servicejuridique@sos-racisme.org)