

Principles of the Technical University of Munich for the Protection Against Sexual Harassment and Sexualized Violence

1. Objectives

The Technical University of Munich (TUM) is committed to protecting all members of the university from sexual harassment and sexualized violence. The TUM Board of Management and those in senior positions bear particular responsibility here, as they carry the duty of care for their employees and students. All members of the university are expected to show active awareness of the duty to protect against sexual harassment and sexualized violence so that those affected by or observing it can act appropriately. This includes recognizing sexual harassment and sexualized violence as well as knowing the relevant points of contact and support available at TUM. The aim of these principles is to sensitize all members of the university about the issue of sexual harassment and sexualized violence, to implement measures that constitute effective prevention, and to establish clear responsibilities and procedures for handling allegations. The principles are based on the applicable legal regulations in the [General Act on Equal Treatment \(AGG\)](#) and the regulations in the [Bavarian Higher Education Innovation Act \(BayHIG\)](#). The following measures and guidelines apply to all members of TUM and comply with the minimum requirements for the Principles for the Protection Against Sexual Harassment and Sexualized Violence according to Art. 25 (1) of the BayHIG (Minimum Standards StMWK, No. 8).

2. Legal Classification and Definition of Harassment and Sexualized Violence

The definition of "sexual harassment" is based on § 3(4) of the AGG. It defines sexual harassment as "unwelcome conduct with the purpose or effect of violating the dignity of the person concerned and of creating an intimidating, hostile, degrading, humiliating or offensive environment." This includes "unwanted sexual acts and requests to carry out sexual acts, physical contact of a sexual nature, comments of a sexual nature, as well as the unwanted showing or public exhibition of pornographic images."

Examples include:

- sexually degrading language (especially comments or jokes about people, their bodies, their behavior or their intimate private lives),
- gestures and non-verbal comments with a sexual connotation,
- verbal, visual, or electronic presentation of pornographic or sexist images
- the copying, application, or use of corresponding software on computer systems,
- unwanted touching or physical assault,
- unwanted solicitation or coercion of sexual behavior.

Sexual harassment is a criminal offense under § 184i of the StGB. This offense is only prosecuted upon formal request, unless the prosecuting authority takes action ex officio due to special public interest in prosecution. § 177 of the StGB makes sexual assault, sexual coercion, and rape a punishable offense. These are offenses liable to public prosecution that are, as a rule, prosecuted ex officio.

3. Measures for Awareness-Raising and Prevention

- **Bringing the issue to light:** The designated website on sexual harassment/sexualized violence provides information about and examples of sexual harassment/sexualized violence, as well as the relevant points of contact at TUM. The website can be accessed by following this link: <https://www.zv.tum.de/diversity/beratung-und-unterstuetzung/sexuelle-belaestigung-sexualisierte-gewalt/> (German language)
- **Promoting awareness:** In order to raise awareness of the issue, the TUM points of contact for sexual harassment and sexualized violence are developing and implementing an information campaign together with the TUM Compliance Office.
- **Prevention:** The [TUM Institute for LifeLong Learning](#) and the Gender Equality Office regularly offer various workshops to acquire self-protection and defense strategies, as well as to increase the awareness and willingness of bystanders to intervene. These include workshops on topics such as Diversity and Conflict Management, Mental Strength, Allyship and Leading Diverse Teams. The workshops are subject to continuous evaluation and enhancement.
- Building on the existing Unconscious Bias Online Training, an **online training on sexual harassment** is being developed for all members of the university.
- **TUM-internal Communication / Network:** Within the [Talent Management & Diversity Board](#), there is regular exchange between the Senior Vice President for Talent Management & Diversity, the Gender Equality Officer and the Vice Deans for Talent Management & Diversity. At the meetings, the members discuss possible and existing measures to raise awareness and take preventive action and share best practices. The respective members act as multipliers at TUM to raise awareness of sexual harassment and sexualized violence.
- **Available funding:** The [Gender & Diversity Incentive Fund](#) provides funding to support measures promoting diversity at TUM. Measures to raise awareness and prevent sexual harassment and sexualized violence also qualify for funding.

Partnership with the Women's Emergency Hotline Munich (Frauennotruf München): TUM has a long-standing partnership with the [Women's Emergency Hotline Munich \(Frauennotruf München\)](#) and offers regular consultations for TUM members. Training sessions to raise awareness on the issue of sexualized violence at universities have already been hosted.

4. Points of Contact

TUM has designated contact persons who work to protect TUM members from sexual harassment and sexualized violence; they have been in office since 4 July 2023 and can be reached at the following email address: respect@tum.de. (These persons have been designated in accordance with Article 25 of the BayHIG). The designated contact persons

must be informed in good time about all university measures for the protection against sexual harassment and sexualized violence and must be involved in an advisory capacity. TUM administrative units and Schools appoint liaisons who work closely with the designated contact persons.

Of course, those affected may also turn to another person they trust or to their immediate supervisors. Other possible points of contact include TUM Human Resources, the Staff Council, the TUM Gender Equality Officer, the TUM Equal Opportunity Officer, the Gender Equality and Equal Opportunity Officers of the Schools, the staff unit Diversity & Equal Opportunities, the Vice Dean Talent Management & Diversity, the Senior Vice President Talent Management & Diversity, and the Psychotherapeutic and Psychosocial Counseling Service of the Munich Student Union (Studierendenwerk).

Furthermore, TUM has established the TUM Compliance Office as a central reporting unit under the direction of the Vice President – Compliance, which investigates reported incidents in an unbiased manner.

5. Strategies for Intervention and Procedure in Suspected Cases

TUM is committed to taking decisive action against sexual harassment and sexualized violence. A structured, standardized procedure ensures that reports of sexual harassment and sexualized violence are handled as follows:

We follow up on each and every report of sexual harassment and sexualized violence. If the reported incident took place in a university context, the case will be forwarded to the TUM Contact Persons for Sexual Harassment and Sexualized Violence. They serve as first points of contact for advice and support. All conversations and information submitted will be kept strictly confidential in order to protect the reporting person and the person affected by the allegations. Reported incidents that have taken place outside the university context are forwarded to the Munich Student Union (Studierendenwerk) or the Women's Emergency Hotline Munich (Frauennotruf München). Likewise, confidentiality is guaranteed.

Some cases can be adequately addressed and dealt with through the counseling service provided by the TUM Contact Persons for Sexual Harassment and Sexualized Violence. These will be documented observing strict confidentiality so that TUM may provide records of its actions. However, if there are grounds for suspicion that criminal offenses have been committed, the TUM Board of Management will be informed immediately and implementation of the following measures will be examined: Police involvement and, if necessary, the filing of a criminal complaint by TUM. This is followed by a legal review performed by the service units to determine whether the person causing danger should be banned from the premises, whether security measures (e.g. security service) must be increased, whether disenrollment or disciplinary consequences are necessary (see point 6 Sanctions). For the prevention of violence at TUM, as well as to support those affected in an emergency and provide appropriate follow-up care, clear responsibilities and procedural steps on how to deal with situations of varying severity have been defined at TUM. Here, TUM is following the risk levels according to the Violence Protection Program of the Bavarian State Ministry of Finance and Home Affairs.

6. Sanctions

After legal review by the specialist units, the following measures in particular will be considered:

- Oral or written instruction of the accused person,
- written warning,
- initiation of disciplinary proceedings,
- fine, reduction in salary, withdrawal of retirement pay,
- transfer, suspension, termination of employment,
- ban from using university facilities,
- disenrollment,
- ban from the premises,
- criminal charges.

7. Regulations Governing the Scope of the Principles

The adopted Principles for the Protection Against Sexual Harassment and Sexualized Violence apply without exception to all members of TUM, i.e. to all students, employees, trainees and guests of TUM.