

* The Japanese version is the authoritative version, and this English translation is intended for reference purposes only. Should any discrepancies or doubts arise between the two versions, the Japanese version will prevail.

Harassment Prevention Committee Regulations for Tokyo University of Foreign Studies

(March 31, 2009
Regulation No. 37)

Amended: March 27, 2012: Regulation No. 40 March 24, 2015: Regulation No. 16
December 20, 2016: Regulation No. 96 March 19, 2019: Regulation No. 22

Article 1 Establishment

- 1 The Tokyo University of Foreign Studies (hereinafter referred to as the "University"), under paragraph 3, item 3 of the Harassment Prevention Guidelines for Tokyo University of Foreign Studies (established on March 31, 2009; hereinafter referred to as the "Guidelines"), shall establish the Tokyo University of Foreign Studies Harassment Prevention Committee (hereinafter referred to as the "Prevention Committee") for the purpose of preventing and resolving sexual harassment, academic harassment, power harassment, and harassment that violates human rights such as those relating to pregnancy, childbirth, childcare leave, caregiving leave, etc. (hereinafter referred to as "harassment").
- 2 Terms used in these Regulations shall be as defined in the Guidelines, except as otherwise provided.

Article 2 Organization

- 1 The Prevention Committee shall be established under the President.
- 2 The Committee shall consist of the members listed in the following items:
 - (1) One person among the directors or Vice Presidents designated by the President
 - (2) Dean, School of Language and Culture Studies
 - (3) Dean, School of International and Area Studies
 - (4) Dean, School of Japan Studies
 - (5) Dean, Institute of Global Studies
 - (6) Dean, Institute of Japan Studies
 - (7) Director, Research Institute for Languages and Cultures of Asia and Africa
 - (8) Secretary-General
 - (9) Few employees commissioned by the University's President in consideration of gender balance

Article 3 Term of office

- 1 The term of office of committee members prescribed in paragraph 2, item 9 of the previous article shall be two (2) years, and the committee members may be reappointed.
- 2 However, if the position of a committee member prescribed in the previous paragraph becomes vacant, the committee member appointed to fill the vacancy shall serve only the unexpired term of his/her predecessor.

Article 4 Management

- 1 The Prevention Committee shall have a Chairperson and a Vice Chairperson, with the Vice President as the Chairperson and the Vice Chairperson to be appointed by the Chairperson.
- 2 The Chairperson shall convene a Prevention Committee meeting and serve as the Chair of the meeting.
- 3 In the absence or disability of the Chairperson, the Vice Chairperson shall perform the duties of the Chair. Provided, however, that this shall not preclude any other committee member from convening a meeting of the Committee in case of emergency. In such case, the Chair shall be decided at such committee meeting convened.
- 4 The Prevention Committee meeting may not be held without the attendance of a majority of the members.
- 5 Decisions on business shall be made by a majority of the members present, and in the event of a tie vote, the decision shall be made by the Chair.
- 6 No committee member may have a proxy attend the Prevention Committee meeting.
- 7 If any committee member has an interest in any matter for deliberation, such committee member may not participate in the proceedings and shall not be counted in the number of participants in paragraph 5.

Article 5 Attendance of persons other than committee members

If the Prevention Committee deems it necessary, the Committee may ask persons other than committee members to attend a meeting and offer opinions.

Article 6 Duties

The Prevention Committee shall fulfill the following duties:

- (1) Matters concerning measures to prevent harassment
- (2) Matters relating to the resolution of problems related to harassment and the relief of victims
- (3) Matters relating to consultation on and consultation system for harassment
- (4) Deliberation and report on matters consulted by the President to the Prevention Committee
- (5) Proposal to the President of policies and measures for prevention of harassment and resolution of problems, etc.
- (6) Other matters necessary for harassment prevention and problem solving

Article 7 Acceptance of allegation

- 1 The Prevention Committee shall accept any allegation of harassment.
- 2 The Prevention Committee shall confirm whether the Petitioner wishes to take the procedure of investigation, conciliation, or adjustment when accepting the allegation.
- 3 The Prevention Committee shall decide which method of solution shall be adopted after giving due consideration to the wishes of the Petitioner.
- 4 When the Prevention Committee conducts any investigation, conciliation, or adjustment, it shall notify the Respondent to that effect.

Article 8 Investigation

- 1 The Prevention Committee shall investigate the facts if the Petitioner so wishes and if the Prevention Committee deems it necessary.
- 2 The Prevention Committee shall establish a Harassment Investigation Committee (hereinafter referred to as the "Investigation Committee") for each case and entrust the investigation to it.

3 Necessary matters pertaining to the Investigation Committee shall be stipulated separately.

Article 9 Certification

- 1 Upon receipt of the report from the Investigation Committee, the Prevention Committee shall decide whether or not to acknowledge that harassment has occurred.
- 2 The Prevention Committee shall report the results of its acknowledgment to the President and submit its opinions on various measures such as punishment and environmental improvement.
- 3 The Prevention Committee shall notify the Petitioner, the Respondent and such other persons concerned as may be necessary of the results.

Article 10 Conciliation

- 1 The Prevention Committee shall establish a Conciliation Committee and entrust the conciliation for any case which the Petitioner wishes for conciliation and which the Prevention Committee deems it necessary to do so. The term "conciliation" means a procedure to solve a problem through discussion between the Petitioner and the Respondent or presentation of a conciliatory proposal.
- 2 Article 2, paragraphs 1 and 3 of the Harassment Investigation Committee Regulations for Tokyo University of Foreign Studies (hereinafter referred to as the "Investigation Committee Regulations") shall apply mutatis mutandis to the establishment of the Conciliation Committee.
- 3 The Conciliation Committee will prepare and submit to the Petitioner and the Respondent a conciliatory proposal regarding the action to be taken based on the results of the discussions between the Petitioner and the Respondent or interviews with both parties. When the Petitioner and Respondent accepts the conciliatory proposal or when either of them does not accept the conciliatory proposal, the conciliatory proceedings shall terminate.

Article 11 Adjustment

The Prevention Committee will make any adjustment if the Petitioner so wishes and if the Prevention Committee deems it necessary. The term "adjustment" means procedures for hearing the assertions of both the Petitioner and Respondent from an equitable standpoint and seeking to resolve problems.

Article 12 Emergency measures

- 1 If the Prevention Committee judges it necessary after receipt of a petition, even if it is before harassment has been acknowledged, it shall, with the consent of the Petitioner, propose an emergency measure to the President to the extent that such measure does not harm the human rights of the Respondent.
- 2 If the Prevention Committee deems it necessary after receipt of a petition, even if it is before harassment has been acknowledged, it shall, with the consent of the Petitioner, warn the Respondent to the extent that does not infringe the Respondent's human rights.

Article 13 Duties of the committee members

- 1 Members of the Prevention Committee must strictly keep secret and confidential such information (including personal information) which they have come to know as members of the Prevention Committee, regardless of whether during or after their term of office.
- 2 Any member of the Prevention Committee shall, in performing his/her duties, respect the character of each

individual and protect the privacy and honor of the Petitioner, the Respondent, and other persons concerned.

Article 14 General affairs

General affairs of the Prevention Committee shall be handled by the Personnel Division.

Article 15 Miscellaneous Provisions

Any matters not set forth in these Regulations concerning operations of the Prevention Committee shall be separately determined by the President.