

Individual commitment Student copy to keep

The law is a rule of conduct in society that applies to everyone. Protecting the individual and society, it is at the crossroads of the general interest and individual freedom. It defines our rights but also our duties. It can therefore prohibit or even penalize certain acts that are dangerous or harmful to oneself or to the community. Preventing and anticipating the risks of breaking the law are healthy principles of living together as a community.

French legislation

Illicit use of any substance or plant classified as a narcotic is punishable by one year's imprisonment and a fine of 3,750 euros. Persons guilty of this offence are also liable, as an additional penalty, to a compulsory training course to raise awareness of the dangers of using narcotics, in accordance with article 131-35-1 of the French Penal Code.

Public Health Code - article L3421-1

An accomplice to a felony or misdemeanor is any person who knowingly, by aid or assistance, facilitated its preparation or commission.

An accomplice is also a person who, by gift, promise, threat, order or abuse of authority or power, provokes an offence or gives instructions for its commission.

Penal Code - article 121-7

The fact of **-serving drinks to obviously drunk people or receiving them in their establishments** is punishable by a fine of 4^{ème} class. Public

Health Code - article R3353-2

Even in the absence of any obvious signs of intoxication, **driving a vehicle in an alcoholic state characterized by a blood alcohol concentration equal to or greater than 0.5 grams per liter** or by an alcohol concentration in exhaled air equal to or greater than 0.25 grams per liter, without reaching the thresholds set out in article L-234-1, is punishable by a fine of 4^{ème} class.

Highway code - article R234-1

The management of Grenoble INP-UGA is aware of the serious dangers posed by the consumption of alcohol and drugs to students' health and social behaviour. Decree 2006-1386 on the fight against smoking and alcoholism lays down the principle that **smoking is prohibited in places intended for collective use, except in areas reserved for smokers.**

Smoking is therefore prohibited in all communal areas, **including those used for extra-curricular activities.**

It is forbidden to enter or remain on these premises while intoxicated or under the influence of drugs. The school management will ask any competent authority to establish a state of intoxication and to take the necessary precautionary measures.

The introduction and consumption of alcoholic beverages on the premises is forbidden, unless authorized in writing by the director or his delegate.

The introduction and consumption of any illicit product such as cannabis is forbidden on the premises of Grenoble INP-UGA.

Student lounges are the responsibility of the student associations using them.
The introduction or consumption of alcohol is strictly forbidden.

Hazing and harassment are offenses punishable by fines and/or imprisonment.

Hazing is the offence of inducing others, against their will or otherwise, to undergo or commit humiliating or degrading acts, or to consume alcohol excessively, at events or gatherings related to the school, sporting and social environment.

socio-educational. Hazing is punishable by six months' imprisonment and a fine of 7,500 euros. Where violence, threats or sexual offences are involved, penalties can extend to 10 years' imprisonment (French Penal Code - article 225-16-1).

Harassment is defined as repeated verbal, physical or psychological violence. Under the penal code, harassment is punishable by two years' imprisonment and a fine of 30,000 euros (penal code - article 222-33).

Applicable penalties:

Any person failing to comply with the provisions of the present charter may have his/her case referred to the Disciplinary Commission of the Grenoble INP-UGA Board of Directors, which may impose a sanction up to and including expulsion from the establishment, without prejudice to any criminal proceedings provided for by law.

RULES AND REGULATIONS OF THE "ASSOCIATION DU CERCLE DES ÉLÈVES DE PHELMA" ASSOCIATION

These rules and regulations set out the rules of etiquette and good behavior to ensure a good atmosphere at our student events. Particular attention will be paid to compliance with these rules and regulations. A charter of good conduct must be signed and approved as an appendix to these rules, enabling admission to the association.

In the event of non-compliance with the charter or regulations, the BDE reserves the right to apply the following sanctions:

- Warning
- Reporting to the authorities
- Temporary exclusion from events organized by the BDE / BDS / BDA
- Access denied to alcoholic events
- Withdrawal of charter (access denied to all events organized by the BDE/BDS/BDA)

ARTICLE 1 - DEFINITIONS AND JURISDICTION

Article 1 details the behaviors and actions prohibited within our association, as well as all legal penalties and sanctions. Any member signing these rules who behaves in any of the ways listed below is liable to the associated legal penalties, as well as expulsion from the Cercle des élèves de Phelma, in accordance with the association's articles of association.

Drug use and sales

"Illicit use of any of the substances or plants classified as narcotics is punishable by one year's imprisonment and a fine of 3,750 euros." (Article L3421-1 of the French Public Health Code). "The act of directing or organizing a group with the aim of illicitly producing, manufacturing, importing, exporting, transporting, possessing, offering, transferring, acquiring or using narcotics is punishable by life imprisonment and a fine of 7,500,000 euros. (Article 222-34 of the French Penal Code).

Discrimination

Discrimination is defined as "any distinction made between individuals on the basis of their origin, sex, family situation, 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, their disability, their genetic characteristics, their morals, their sexual orientation, their gender identity, their age, their political opinions, their trade union activities, 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." (Article 225-1 of the French Penal Code).

Discrimination is punishable by 3 years' imprisonment and a €45,000 fine.

Newbie

Apart from cases of violence, threats or sexual abuse, hazing is "the act of a person inducing another person, against his or her will or not, to undergo or commit humiliating or degrading acts, or to consume alcohol excessively, during events or meetings connected with the school, sports and socio-educational environment". (Article 225-16-1 of the French Penal Code).

Hazing is punishable by 6 months' imprisonment and a 7,500 euro fine.

Sexist behaviour

Sexist behaviour is "related to a person's sex, with the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading or humiliating environment".

or offensive. (Article L1142-2-1 of the French Labour Code)

For example, a sexist act is criticizing a woman for not being "feminine", or a man for not being "manly", verbal conduct or body posture that shows hostility towards a person because of his or her gender, not taking students' skills seriously and humiliating them, making "sexist jokes"

Sexist outrage

Sexist contempt consists of "imposing on a person any comment or behavior with a sexual or sexist connotation, which either violates their dignity by being degrading or humiliating, or creates an intimidating, hostile or offensive situation for them.

"(Article 621- 1 of the French Penal Code).

These behaviors need not be repeated for the offence to be characterized.

The penalty is a fine for a 4th class offence (€90 for immediate payment and up to €750) or a 5th class fine (up to €1,500) in the case of aggravating circumstances or a repeat offence.

For example, whistling, comments on the clothing or physical appearance of the person(s) targeted, speech and verbs referring to sexual acts are sexist insults.

Public insult

A public insult, whether perpetrator or accomplice, is speech, shouting or threats in public places, or written material, whatever the medium or means of distribution, whether digital or material (Article 23 of the law of July 29, 1881).

It is punishable by a fine of 12,000 euros (Article 33 of the law of July 29, 1881).

Destruction, damage or deterioration

"The destruction, degradation or deterioration of property belonging to others is punishable by 2 years' imprisonment and a fine of 30,000 euros, unless only slight damage has resulted. (Article 322-1 of the French Penal Code).

"The act of tracing inscriptions, signs or drawings, without prior authorization, on facades, vehicles, public thoroughfares or street furniture is punishable by a fine of 3,750 euros and a penalty of community service when only minor damage is caused. (Article 322-1 of the French Penal Code).

Sexual exhibition

"Even in the absence of exposure of a naked part of the body, sexual exhibition is constituted if, is imposed on the sight of others, in a place accessible to public view, the explicit commission of a sexual act, real or simulated." (Article 222-32 of the French Penal Code).

Sexual exhibition is punishable by one year's imprisonment and a €15,000 fine.

Harassment

A person is harassed when there are "repeated comments and behaviors with the purpose or effect of degrading his or her living conditions, resulting in an alteration of his or her physical or mental health". (Article 222-33-2-2 of the French Penal Code).

These acts can be :

- Insults and vexation, threats
- obscene language
- malicious phone calls, text messages or e-mails
- home visits or visits to the workplace...

Harassment is punishable by 1 year's imprisonment and a €15,000 fine.

Online harassment (cyber-harassment)

Cyber-harassment is defined as "an aggressive, intentional act perpetrated by an individual or group of individuals using electronic forms of communication, repeatedly against a victim who cannot easily defend himself or herself" (according to the French Ministry of Education, Youth and Sports).

The remarks in question may be comments made by Internet users, videos, montage of images, messages on forums, etc. Online harassment is punishable, whether the exchanges are public (on a forum, for example) or private (between friends on a social network), by 2 years' imprisonment and a €30,000 fine (Article 222-33-2-2 of the French Penal Code).

Sexual harassment

"Sexual harassment is the act of repeatedly imposing on a person comments or behavior with sexual or sexist connotations that either undermine their dignity by their degrading or humiliating nature, or create an intimidating, hostile or offensive situation for them." (Article 222-33 of the French Penal Code).

Harassment occurs "when these comments or behaviors 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" or "When these comments or behaviors are imposed on the same victim, successively, by several persons who, even in the absence of concerted action, know that these comments or behaviors characterize repetition". (Article 222-33-2-2 of the French Penal Code).

Sexual harassment is punishable by 2 years' imprisonment and a €30,000 fine.

These penalties are increased to 3 years' imprisonment and a €45,000 fine when the acts are committed :

- By a person who abuses the authority conferred by his functions,
- By several persons acting as perpetrator or accomplice,
- Through the use of an online public communication service
- Through a digital or electronic medium (Article 222-33 of the French Penal Code).

Sexual assault

Sexual assault is defined as "any sexual violation committed on a victim with violence, constraint, threat or surprise. For example, touching", "whatever the nature of the relationship existing between the aggressor and his victim, including if they are united by the bonds of marriage"(same for rape) (Articles 222-22 of the Penal Code). In the case of assault or rape, "Coercion may be physical or moral" (Articles 222-22-1 of the French Penal Code).

Sexual assault is punishable by 5 to 7 years' imprisonment. An attempted offence carries the same penalty.

Violence

Violence is defined as "the intentional use of physical force, threats against others or oneself, against a group or community, which results in or has a high risk of resulting in trauma, psychological damage, developmental problems or death." (According to WHO).

There are 5 types of violence: physical, psychological, sexual, economic and administrative.

Rape

Rape is an "act of sexual penetration of any kind , or any act of sexual intercourse of any kind, or any act of sexual intercourse of any kind, or any act of sexual intercourse of any kind". committed on the person of another or on the person of the perpetrator by violence, coercion, threat or surprise". (Articles 222- 23 of the French Penal Code).

Any act of sexual penetration: vaginal, anal or oral. Any means of penetration is covered: the attacker's sex, the attacker's finger(s) or an object. Physical violence is not required to qualify as rape.

Rape is punishable by 15 years' imprisonment.

Attempted rape is punishable by the same penalties as rape. Attempted rape occurs when the perpetrator attempts to rape the victim, but is unable to do so for reasons beyond his or her control (e.g., the victim defends herself, or third parties intervene).

"The act of making offers or promises to a person or offering him or her gifts, presents or advantages of any kind in order for him or her to commit rape, including outside national territory, is punishable, when this crime has neither been committed nor attempted, by 10 years' imprisonment and a fine of €150,000." (Articles 222- 26-1 of the French Penal Code).

"The act of administering to a person, without their knowledge, a substance likely to alter their discernment or control of their acts in order to commit rape or sexual assault against them is punishable by 5 years' imprisonment and a fine of €75,000." (Article 222- 30-1 of the French Penal Code).

ARTICLE 2 - COMMITMENT

1 - General commitment

By signing these rules, students agree not to engage in any of the behaviors listed in Article 1. He/she undertakes to respect the people, services and property made available to him/her during events organized by the Cercle Phelma association or by a third-party association linked to the association.

2 - Involvement in group settings

It is also in the general interest of the student signatory to report any third party who has engaged in any of the behaviors listed in article 1.

Since such behavior has no place in our association, mutual aid and cohesion must be paramount in the fight against it.

Should a signatory member engage in any of the above behaviors, any witnesses who decide to lie to protect the offending member will incur the same statutory penalties.

3 - Communication

Student signatories undertake to ensure that their communications are free from sexist, racist, homophobic or discriminatory content, whether on social networks or at student events.

4 - Charter of good conduct

The signatory student agrees to sign and abide by the charter of good conduct associated with these rules.