

Rules of procedure Human Rights Committee

Approved by the UHasselt Human Rights Committee on 24.06.2024

I. Background

Hasselt University, hereafter the University, is deeply connected to the world and assumes its responsibility in society. Respecting human rights is inherently linked to service, education and research within the University. The University is actively committed to protecting and promoting human rights. This social commitment includes a commitment not to be involved in human rights violations in service, teaching and research.

In this context, the University deems it necessary to draw up by-laws for the members of the Human Rights Committee, which will serve as a guideline in fulfilling their mandate in this committee and all actions related to it.

II. Human rights commission

The Human Rights Committee aims at assessing and investigating the permissibility of (planned) collaborations or activities in the context of (potential) human rights violations.

Specifically, the commission is described as follows: The Human Rights Committee is an umbrella UHasselt committee that deals with questions in the context of support and reports of a (potentially) problematic cooperation that one wishes to enter into or is already ongoing regarding a partner that may be involved in human rights violations or an activity that may violate human rights.

III. Purpose and scope

These regulations set out the procedure for complex issues concerning risks of human rights violations by collaborations entered into by UHasselt, research activities developed by UHasselt or intended collaborations by UHasselt. When a file concerning a potential human rights violation in the context of a (proposed) collaboration is submitted to the Human Rights Commission, the Commission assesses the extent to which a risk of human rights violation exists in the concrete file.

The Commission issues a binding decision and transmits it in writing to the person concerned and the Rector for notification.

IV. General

Respect, morality and integrity are expected of each member of the Human Rights Commission. In addition, each member should demonstrate integrity and dedication.

V. Composition

The Human Rights Committee is composed of the following people:

	Effective members
President	Director of Research and Internationalisation
Vice president	Director of Educational Coordination and Student Affairs
Secretary	Staff member RRI
Lawyer	Legal support central services
Members	<ul style="list-style-type: none">- One ZAP representative and deputy ZAP representative per faculty/school (representation of all academic domains)- Expert Human Rights- Delegate Internationalisation Unit

Supplementary expertise	An expert who can be invited ad hoc based on a specific case become.
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The Human Rights Commission meeting is prepared by the chair together with the secretary.

In fulfilling the duties of the Commission on Human Rights, the Chairperson, or in his/her absence the Vice-Chairperson, may call upon experts ('ad hoc experts') if he/she deems it necessary. Files may exceed the limits of expertise within the commission and/or require in-depth substantive expertise. The ad hoc expert is invited within the framework of a specific dossier and has an advisory vote.

The Commission on Human Rights is assisted at its meetings by a staff member of the Central Administrative Services, who participates in the meetings as an observer, supervises the proceedings, performs administrative tasks and provides secretarial services.

The composition of the Commission was approved by the College of Deans on 01-10-2022. Mandates on the Human Rights Commission have a term of four years and are renewable. In case of early termination of a mandate, a replacement will be appointed for the current period.

VI. Operation

a. Meetings

The Human Rights Committee meets in ordinary session at least twice a calendar year.

If reasons exist, the members of the Commission on Human Rights may decide by mutual agreement to postpone the meeting. This may be the case, for example, when there is only a limited agenda.

Whenever, as a result of the mandates of the Commission on Human Rights, a meeting is necessary, an additional meeting shall be convened at the request of one or more members of the Commission on Human Rights or at the initiative of the Chairperson or, in his or her absence, the Vice-Chairperson.

For meetings, the invitation shall be sent at least five working days before the meeting, except in case of urgency. The invitation shall include the agenda set for the meeting, related documents and the indication of the day, time and place of the meeting.

b. Agenda, deliberations, decisions

The meeting is divided into two parts. In a first part, the meeting focuses on expertise building apart from concrete cases (policy, expertise building), then a second part deals with case-specific situations (concrete cases).

The agenda of the meetings is set by the chairman, or in his absence the vice-chairman, in consultation with the members, according to necessity. Agenda items may be added at the meeting if necessary, subject to the approval of the chairman, or in his absence the vice-chairman. The agenda shall also be divided into two separate sections, the first of which shall be the agenda items relating to expertise building.

(policy-related), and in a second section the agenda items relating to case-specific situations (actual cases).

The meeting can be validly held only if at least two-thirds of the members are present. In assessing the attendance quorum, the staff member RRI, the lawyer and any invited experts with additional expertise are not counted. If the attendance conditions are not met, the chairman, or in his absence the vice-chairman, may decide to have a consultation of the members by electronic means, provided the members have the corresponding documents. In this situation, members shall be informed of the reasons for the electronic vote and must cast their votes within a period of 3 working days.

If no two-thirds of the members have cast a vote, a decision is valid if it is taken by a simple majority of the votes cast. Blank votes or abstentions shall be deemed not to have been cast.

Decisions taken by the Human Rights Committee by electronic means shall be recorded in a special report which shall include the reasoned decision for electronic consultation and the decisions taken by the Chair, or in his/her absence the Vice-Chair.

Members of the Human Rights Commission cannot be represented by proxy.

The Commission on Human Rights endeavours to take its decisions and opinions by consensus wherever possible. If consensus is impossible, decisions are taken by simple majority. The staff member RRI, the lawyer and any invited experts are not entitled to vote. Decisions are made within a reasonable period of time, depending on the complexity of each concrete case.

A report of each meeting of the Human Rights Committee is drawn up, which includes the decisions and opinions of the Committee taken and substantiated. The reporter and the person(s) concerned (see *infra*) will be informed electronically by the secretary of the conclusions of the decision. The application will be forwarded to the person(s) concerned and the Rector for notification.

c. Initiation of proceedings

Anyone can ask questions and/or report (potential) human rights violations through the contact point (Mensenrechten@uhasselt.be). These reports reach the RRI staff member. The staff member RRI performs an initial substantive check and will then categorise the report under one of the reports described below. After categorisation, the procedure associated with the type of report is followed.

There are three types of reports:

Report type 1: Questions concerning administrative support or first-line assistance, without a concrete situation arising. These may include Human Rights Policy, Human Rights Test and Human Rights Clauses.

Notification type 2: Whether notification is in the context of a (potentially) problematic cooperation one wishes to enter into concerning a partner that may be involved in (serious) human rights violations or an intended activity that may violate human rights.

Notification type 3: Whether notification is in the context of (potentially) problematic cooperation that is already ongoing regarding a partner that may be involved in (serious) human rights violations or an ongoing activity that may violate human rights.

The chairman of the Human Rights Commission judges whether Type 2 and Type 3 reports fall within the jurisdiction of the Human Rights Commission. Reports that do not fall within the

fall within the competence of the Commission, shall be referred to the appropriate body by the chairman, if possible.

The Commission may also decide to carry out a screening or initiate proceedings without notification if it wishes to look into an issue or if it has evidence of problematic activity or cooperation.

d. Treatment of a case

The chairman, or in his absence the vice-chairman, and the secretary of the Human Rights Commission may carry out any investigative function they deem appropriate.

The processing of a case will be done on the basis of the described steps linked to the type of application. The Human Rights Committee *d i s t i n g u i s h e s* between types of applications and ways of handling them.

The chairman, or in his absence the vice-chairman, of the Human Rights Committee may assign a different type to an application if it is deemed necessary. The adjustment *s h o u l d* always be reasoned and included in the Human Rights Commission's reporting.

Type 1 notification

This question/report is dealt with by the chairman, the RRI staff member, and/or the human rights expert, respectively. Further assistance can be provided to the applicant based on this interaction. After investigation, no further action should be taken. The question/report will be transmitted to committee members **for notification**. This is done in a reporting process at least twice a year and is part of gaining expertise and knowledge of current issues of employees.

Notification type 2 and type 3

The question/report will be submitted to the Human Rights Commission **for analysis**. The role of the commission here lies in answering more complex questions and assessing whether or not potential or existing collaborations are problematic.

The Commission issues a decision based on:

- strong indications or findings regarding the institution with which one wishes to cooperate or already cooperates;
- position of the partner being collaborated with (to the extent known);
- The nature of the activities.

The Commission issues a binding decision and transmits it in writing to the person concerned and the Rector for notification.

Depending on the verdict of the Human Rights Committee, on the one hand it can be imposed that cooperation cannot be started or continued. On the other hand, the Human Rights Committee may judge that cooperation can be started or continued with the possibility of imposing additional measures regarding the safeguarding of human rights.

It is the responsibility of the staff member concerned to implement the binding decision. The staff member concerned may call on the OBI management for further assistance in implementation.

e. Re-evaluation of a file

The Human Rights Committee reserves the right to monitor and re-evaluate Type 2 and Type 3 questions/reports as it deems necessary.

The question/report may also be submitted to the Human Rights Commission for re-evaluation at the initiative of the applicant. In this case, the applicant should provide sufficient justification and evidence of significant improvements at the intended partner institution and/or partner with regard to human rights.

vii. Formation and gathering of information

The Chair, or in his/her absence the Vice-Chair, shall ensure that new members of the Commission on Human Rights receive an induction so that they can contribute to the Commission on Human Rights quickly. This induction process helps members of the Commission on Human Rights understand the workings of the Commission on Human Rights including key policies.

viii. Availability

Each member of the Commission on Human Rights undertakes to devote sufficient time to effectively perform the duties and responsibilities. Each member of the Human Rights Commission undertakes to devote his/her expertise fully in order to fulfil the role in the Human Rights Commission.

Each member of the Commission on Human Rights undertakes to attend meetings of the Commission on Human Rights as much as possible. If a member is unable to attend, he/she shall apologise to the Secretary of the Commission on Human Rights prior to the meeting, and at the latest at the start of the meeting, and shall be responsible for summoning and informing the delegate deputy.

ix. Independence and representation

Each member of the Commission on Human Rights should, for each case on which he or she is required to give an opinion and advice, do so on the basis of objective judgment. This means that personal preferences and beliefs, including those from the section one represents, should not affect objectivity.

Each member is expected, in accordance with [the Code of Conduct on Conflicts of Interest](#), to prevent private interests from influencing the performance of duties.

x. Handling information of a confidential nature and external communications

The member of the Commission on Human Rights may only use the information available in the capacity of member of the Commission on Human Rights in the exercise of the mandate. Any information received or obtained in the exercise of the mandate in the Commission on Human Rights is expressly and always intended to be confidential.

The member of the Human Rights Committee refrains from disseminating information, in any form, both within the University and to third parties and undertakes anyway to treat such information with caution.

Only the Chair, or in his/her absence the Vice-Chair, may share information with persons other than members of the Human Rights Committee, both within the University and to third parties, if she/he deems it necessary.

The member of the Human Rights Committee shall maintain full discretion regarding the discussions in the Human Rights Committee.

The Rector or the Vice Rector authorised by him has the right to communicate externally if he deems it necessary.

The existence of the hotline, the Human Rights Committee and these regulations are listed on the University's website.

xi. Signature

The full Human Rights Committee should sign the by-laws for agreement.

The signing member of the Human Rights Committee declares to have taken note of and agree to the Rules of Procedure. The member confirms having received a copy.

Signed for agreement on.....,

Signature.....

Name and first name:

(preceded by handwritten "read and approved")