

1. PURPOSE

This policy articulates AUP's guiding principle as an educational institution of defending free speech and condemning hate speech. As a private American institution located in France, AUP encourages, protects, and sustains the freedom of expression, offering the broadest possible latitude to both internal and external speakers within the limits of French and European law. Hate speech is antithetical to AUP's core values and its prohibition extends to every corner of AUP's campus, including online speech.

2. WHO IS AFFECTED BY THIS POLICY

Students, faculty, staff, and visitors.

3. LEGAL CONTEXT OR REGULATORY BODY

- a. Article 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms
- b. The **Law on the Freedom of the Press of 29 July 1881** guarantees freedom of expression in France. There are three exceptions to the Press Law of 1881:
 - The **Pleven Act of 1972** prohibits incitement to hatred, discrimination, slander and racial insults;
 - The **Gayssot Act of 1990** prohibits racist, anti-Semitic, xenophobic activities, and Holocaust denial;
 - The **Law of 30 December 2004** against hatred on the basis of gender, sexual orientation or disability.

4. POLICY STATEMENT

THE AMERICAN UNIVERSITY OF PARIS STATEMENT ON FREEDOM OF EXPRESSION

We, AUP's faculty, staff, and students, aspire to inclusiveness and mutual respect at every level of university life.

As a community representing over 100 nationalities, we believe profoundly that encounters with diverse cultural and intellectual perspectives lead to transformative exchange. We hold dear the rationale behind the freedom of expression: it whets thought, vitalizes debate, nurtures experimentation, and emboldens those who might be afraid to speak. The American University of Paris urges its members to engage in open and vigorous dialogue. The freedom to think and speak forms a crucial pillar of academic life.

At its core, a university is an environment of thoughtful and open inquiry. Through the exchange of ideas, we learn to withstand discomfort, sharpen our reasoning, and in some cases, change our minds. Free speech guards unpopular opinions against the enforcement of beliefs by a majority. We prize the free search for truth and its free exposition.

We also recognize the right of protest, so long as it occurs in a spirit of thoughtful and open inquiry. Students and faculty are free to assemble on campus, voice opinions, distribute pamphlets and petitions, and invite guest speakers so long as their actions do not interfere with the normal processes of the University or infringe on the rights of others in accordance with French law and Article 10 of the European Convention on Human Rights.

We aspire to an atmosphere of empathy, mutual respect, and personal integrity. All members of the community should be free from discrimination on the grounds of sex, race, color, religion, national origin, age, disability, sexual orientation, or gender identity. These values are affirmed by French law and Article 10, which ban expressions that incite discrimination, propagate the idea of a superior race, and spread hatred against specific groups. The prohibition on hate speech extends to every corner of AUP's campus, including online speech. Hate speech is antithetical to our core values; our university is a place that provides an opportunity to transform conflicts into moments of inquiry.

Disputes pertaining to freedom of expression will be examined on a case-by-case basis in accordance with the University's documents of faculty, staff and student governance. Our goal in mediating disputes, and our ideal as a community, is to uphold two guiding principles of the University:

1. We encourage, protect, and sustain the freedom of expression, offering the broadest possible latitude to the speaker within the limits of French and European law.
2. We aim to create an atmosphere that fosters a respect for individual dignity and empathetic exploration of difference.

External Speakers Procedure

We articulate this procedure in the event that there are concerns about public disorder or the incitement of violence or hatred.

The event organizer is responsible for taking steps to gain knowledge of the speaker and addressing the following questions to ensure the educational value and safety of the event.

- Will the event create an environment of thoughtful and open inquiry?
- Does the subject of the talk or the speaker's organization pose a risk to the order and safety of the AUP community?
- Is the event likely to result in media interest, a large crowd or increased security measures?
- Is the event in accordance with French law and the European Convention on Human Rights?

If the questions above raise any concerns or doubts, the event organizer must notify the Provost, who will review the event and decide whether to approve it. Conditional approval may be granted, subject to the organizer putting in place mitigating measures.

Our guiding principle will be to permit events in line with the University's educational mission and firm commitment to freedom of speech.

Dispute Procedure

Dispute Procedure for Students

- If students have complaints regarding the speech of another student or member of staff, they may speak to the Office of Student Development.
- If students have complaints regarding the speech of a professor, we encourage them to speak first to the professor. They may also speak to their academic advisor or to the department chair/program director. In addition, they may speak directly to the Office of Student Development or the Provost.
- At any point, students may feel free to seek guidance from the Office of Student Development.

Dispute Procedure for Faculty and Staff

- If faculty or staff members have complaints concerning a colleague, they may speak to their department chair or supervisor. In addition, they are encouraged to speak directly to Office of Human Resources and the Provost.

5. RESPONSIBILITIES

Office of Student Development – If students have complaints regarding the speech of another student or member of staff, they may speak to the Office of Student Development.

Office of Human Resources – Faculty or staff members who have complaints regarding a colleague's speech are encouraged to speak to their department chair/supervisor or directly to the Office of Human Resources and the Provost.

The Provost reviews controversial events, evaluates their alignment with AUP's educational mission and firm commitment to freedom of speech, and decides whether to approve them. The Provost also acts as final recourse for complaints relating to freedom of speech.

6. DEFINITIONS

Freedom of expression – “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.” (Article 19 of the Universal Declaration of Human Rights)

Free speech – the right of people to express their opinions publicly without governmental interference, subject to the laws against libel, incitement to violence or rebellion, etc.

Hate speech – speech that attacks, threatens, or insults a person or a group of people on the grounds of their national origin, ethnicity, color, religion, gender, gender identity, sexual orientation, or disability.

7. APPROVALS & HISTORY

- January 2018: This policy was first written by a committee composed of faculty, staff, and student members of the AUP community. The committee was appointed by the Provost, the Vice President and Dean of Student Services, and the Dean of Student Development. The policy expands on Sections I and II, Student Rights of the Student Handbook (pp. 120-3).
- February 2018: The Council of Chairs and Faculty Senate Executive Committee reviewed and approved.
- April 2018: The Leadership Team reviewed and approved.
- May 2, 2018: The Faculty Senate reviewed and approved.
- May 27, 2018: The Board of Trustees reviewed and approved.
- November 1, 2021: Next review.

8. ISSUING OFFICE AND CONTACT

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