

EBU Ethics Protocol

Version 1.9 - 20260427

Introduction

Like other organisations, Buddhist organisations have been the subject of complaints of sexual misconduct and other forms of misuse of power by those in positions of authority such as teachers and leaders.

Abuse or misconduct, for example between teacher and student, can be seen as a violation of a sacred trust. We observe that it commonly results in

- trauma or distress for those harmed
- confusion and conflict among the members of the organisation
- loss of reputation, members and financial support for the organisation
- the organisation's leadership feeling overwhelmed and operating in 'crisis mode'

Such situations are very demanding and require courage, insight, commitment and care. Allegations of ethical misconduct need to be addressed directly, wisely, and compassionately according to the organisation's own ethical principles.

However, such allegations may also require professional and objective expertise which the organisation may not have. Therefore, the organisation may need to seek external, neutral assistance and support.

From time to time the EBU council receives complaints of alleged misconduct said to have taken place within the activities of a member organisation. This document sets out

1. what the EBU will do in such a case, and
2. some questions to help member organisations consider what they are doing to prevent such complaints arising and what they will do when such complaints do arise.

Part 1

Handling complaints of misconduct in Buddhist organisations

The handling of any complaint of misconduct within the activities of an organisation is the responsibility of those who are legally accountable for the running of that organisation.

This means that

- the EBU council is accountable for addressing complaints of alleged misconduct said to have occurred in the course of the activities of the EBU itself and
- each EBU member organisation is accountable for addressing complaints of alleged misconduct said to have occurred in the course of its own activities

- and therefore the EBU has no authority to investigate or resolve complaints of alleged misconduct said to have taken place in the course of the activities of an EBU member organisation.

However, in the event of a complaint against an EBU member organisation which is brought to the attention of the EBU council, the EBU council will defer the complaint to the EBU Ethics Committee (EEC). The EEC will seek assurance from the member organisation that the matter is being, or has been, properly addressed by that member organisation.

What the EEC will do on receipt of a complaint against a member organisation

In the event the EEC is made aware of a complaint against a member organisation the EEC will contact the main delegate/s of the relevant member organisation/s involved to ask the following:

1. Has the complaint been reported to the police? If not, is this because the complaint is not likely to be criminal, or is there any other reason?
2. How has the matter been addressed?
3. Can you send us the ethical policies and procedures upon which your handling of this matter is based?

Depending on the answers to these three questions, further questions may be asked for the purposes of clarification, or advice may be offered, but the EEC will not intervene in the handling of the case. The EEC is bound by confidentiality and will not disclose any information they receive in the course of their handling of the complaint to anyone not involved, and also not to other Council members.

In the case of criminal allegations of sexual or physical harm against adults or children in a member organisation, the EEC will always take action where it appears the member organisation has not responded in a reasonable, effective and timely manner, including reporting to the police.

In the event the EEC comes to hear that any person is believed to have seriously harmed anyone under 18, or to pose a risk of serious harm to anyone under 18, they will ensure that the police are informed, even where no victim is identified.

In the event the EEC deems that a member organisation has not adequately addressed an allegation of serious harm, that organisation's EBU membership may be recommended to be suspended or terminated. On recommendation of the EEC this decision will be carried out by the EBU Council. The EBU Council is bound to follow the recommendation of the EEC. Only after a proper written explanation by the EBU Council, made available to all the parties involved and the Annual General Meeting, the EBU Council may decide not to follow the recommendation by the EEC.

Confidentiality and data protection law

Information about a case is legally private to those involved in a case. Therefore, the EEC will maintain strict confidentiality, except with respect to any information already in the public domain. It should be noted that the EBU itself is subject to Belgian data protection law, which may differ from that in member organisations' own jurisdictions.

Part 2

Preventing and addressing allegations of misconduct in your organisation

Every EBU member organisation should have policies and procedures for addressing complaints of alleged misconduct, reviewed at least every two years to check they are up to date and fit for purpose in that particular organisation.

Here are some questions that may be helpful when reviewing your organisation's policies and procedures for addressing complaints:

1. Who holds overall legal and ethical accountability in the running of your organisation and therefore has final responsibility for ensuring complaints are properly addressed?
2. Is it clear to your membership how complaints can be reported, for example via a dedicated email address, and whose responsibility it is to coordinate your organisation's response (for example, a Safeguarding officer, complaints officer or conduct officer)?
3. Do you have a code of ethics, or equivalent, published on your website?
4. Do you have a complaints procedure, published on your website?
5. Are your policies aimed at protecting those who teach/lead and those they teach?
6. Do your policies reflect the ethical values promoted within your own tradition, for example demonstrating that reporting criminal allegations to the police is an expression of your ethical precepts and the teaching of karma/kamma: that actions have consequences?
7. Do your procedures include encouraging a complainant to report to the police if their complaint may be criminal, or if they or another adult or child may be at risk of serious harm?
8. Do your procedures include helping a complainant to contact external sources of counselling and support?
9. How do you protect the confidentiality of the parties to a complaint?
10. How does your organisation ensure that those who are the subject of complaints (no matter how senior they may be) are held to account by people with no conflict of interest and loyalty?
11. Many allegations of serious, criminal harm cannot be addressed by the police and criminal justice system because there is not enough evidence to reach a verdict 'beyond reasonable doubt'. This may leave your organisation with an allegation of criminal harm against a teacher/leader which cannot be resolved, and a complainant who may feel they have not been properly heard.

In such cases, for the benefit of both parties, does your organisation have an internal

disciplinary process by which you can weigh evidence and establish (on the balance of probabilities) whether or not the alleged misconduct was likely to have taken place as alleged?

Here are some questions you may find helpful if a complaint is made within your organisation:

12. Where, how and when did this complaint come to light?
13. How has it been addressed within your organisation so far and by whom?
14. If teachers, leaders or others in positions of authority are alleged to have caused serious harm, will they be suspended from their roles, pending investigation and resolution of the matter?
15. Do you feel confident that the complaint has been addressed in a fair and effective manner that would meet the test of external scrutiny?
16. Do those few people dealing with the matter understand their duty of confidentiality and that nobody has a right to know about it except those who need to know in order to address the matter and prevent further harm?
17. Have you also shared information confidentially (on a need-to-know-basis *only*) with those, such as local teachers/administrators, who need to know this person may pose a risk of harm?
18. Do you need to seek specialist external advice?
19. Have you considered whether it would be appropriate to ask an external body such as a lawyer, or independent specialist organisation to address these complaints?

These questions may also be important

20. Are you aware of any other concerns or complaints against this person, recently or in the past?
21. If so, what was done about these previous concerns or complaints and by whom?
22. More generally, are you aware of any similar concerns or complaints against others in your community, recently or in the past? Do you notice any patterns or links?
23. Have complainants been discouraged from pursuing earlier complaints and if so by whom and how?
24. What recommendations were made in the past and what actions have been taken as a result?
25. What measures were put in place as a result of these previous complaints?
26. How has this work been communicated within your organisation, without breaching the parties' right to privacy under data protection law?

Where it is established that harm has been caused in your organisation you may also consider these questions

27. Is your organisation providing access to professional counselling and support for those harmed by misconduct?

28. If it appears several members of your community have been affected, how is this being addressed collectively? (For example: focus groups, information sessions, structured communication channels)
29. How has the organisation publicly distanced itself from this misconduct and made amends to those harmed?

To contact the EBU Ethics committee

Please write to the secure email address euclideanbuddhism@proton.me.