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Subject: Policy principles for manifestations on the TU/e campus and in TU/e buildings.

Introduction

It is a national trend that the number of manifestations is growing, partly as a result of the major societal issues at play such as climate change and the energy transition. We also see this growth at TU/e. It is therefore important to establish how TU/e wants to deal with this and what the ground rules are. These issues are described in this document, that serves as a guide for everyone who has to deal with or is involved in manifestations at TU/e. During the creation of this document, coordination took place in the UNL context (Universiteiten van Nederland) to ensure that the approach is basically the same for all Dutch universities.

The fundamental right to demonstrate is of vital importance, especially at a university. The university has traditionally been the pre-eminent sanctuary for debate and for diversity of opinion. These opinions can be expressed respectfully in debate and dialogue, but also in manifestations and demonstrations. Ample scope is given to these at TU/e. TU/e offers this scope, is reluctant to impose restrictions and strives for dialogue with demonstrators. TU/e incorporates this basic approach in its contact with other relevant parties such as the police and the municipality of Eindhoven.

Despite the positive fundamental attitude towards manifestations and demonstrations, the scope for them is not unlimited. The Executive Board may impose restrictions, especially with a view to ensuring the safety of everyone and preventing serious inconvenience. Intervention is possible, but in principle this too is aimed at allowing demonstrations to take place in the best possible way by keeping incidents small and de-escalating them. The exact steps in the approach are described in this document.

1. Application:

The policy principles and reasonable limits for TU/e, as the owner of its campus, apply in principle to all demonstrations, gatherings and meetings as referred to in the Public Manifestations Act (Wet Openbare Manifestaties, WOM) on the TU/e campus and in the TU/e buildings.

2. Policy principles:

- TU/e values freedom of expression and welcomes and facilitates debate.
- Safeguarding the rights as prescribed, among other places, in Article 7 (freedom of expression) and Article 9 (freedom of assembly and demonstration) of the Constitution.
- Applicable Article 7.57h (House rules and measures of order) and Article 9.2, first paragraph (General powers of the Executive Board) of the Higher Education and Scientific Research Act (Wet op het Hoger onderwijs en Wetenschappelijk onderzoek, WHW) and the 'TU/e regulations for the use and management of university buildings'.
- A safe and orderly running of the manifestation on the TU/e campus.
- Rights of others are respected and not violated.
- A unified and professional approach by TU/e Security and others directly involved.
- The actions of TU/e Security are primarily aimed at a safe and orderly running of the manifestation. Incidents are 'kept small' by directly addressing the person(s) involved and, if necessary, by taking further (preventive) action, including having the manifestation terminated.
- If the health or safety of others is at risk during the manifestation, it will be terminated. This decision is up to the Executive Board or the Head of Safety & Security and in coordination with the Municipality of Eindhoven, the Eindhoven police and the Public Prosecution Service
- Manifestations on the TU/e campus, which take place outside the buildings, are in a public area and in principle fall under the Public Manifestations Act (Wet Openbare Manifestaties), which falls under the responsibility of the municipality. The organizer of such manifestations must therefore coordinate with the municipality.

3. Limits to manifestations:

The TU/e Executive Board decides on possible intervention in the following circumstances:

- Serious inconvenience or immediate danger to persons and/or property.
- (Public) violence against persons and/or property.
- The stated maximum duration of the demonstration is exceeded.
- The threat or actual use of violence against administrators, students, staff and others.
- The unauthorized prior use of sound-amplifying equipment, with the exception of a megaphone that allows the organizers to direct the event and/or address the participants on compliance with the set regulations and restrictions.
- Carrying or setting off fireworks or weapons referred to in the Weapons and Ammunition Act, or objects that can be used as weapons.
- Blockage of building entrances and (emergency) exits.
- Making criminal statements that incite hatred, violence or discrimination.

4. TU/e Security

- In principle, the organization of the manifestation regulates itself in the first instance.
- TU/e Security will oversee the orderly running of the manifestation and, if necessary, will address the organizers and participants about their behavior and/or urge them to modify or cease their behavior.

- The actions of TU/e Security should have a de-escalating character as much as possible. Any action will be phased in.

5. Escalation ladder

The following escalation ladder is used:

- TU/e Security will talk with the manifestation organizer at the start of the manifestation to agree on the manifestation and the restrictions.
- The organizer is requested by TU/e Security to hold participants accountable for the established regulations and restrictions.
- If the organizer and/or participants do not comply with this, TU/e Security will give instructions and/or call participants to account for violation of the set regulations and restrictions and/or urge them to modify or cease their behavior.
- If there are still violations of the set regulations and restrictions, the Head of Safety & Security will be informed. The latter will address the organization and assess the (safety) risks for participants and others.
- The Head of Safety & Security informs the Executive Board (in practice, the vice-president) of the situation and advises on having the event terminated.
- In the case of immediate danger to others and/or TU/e property, the Head of Safety & Security is mandated to act on findings within reasonable limits, including calling in the police.
- A decision to request any police deployment to end the event is up to the Executive Board (or the designated deputy).
- The Head of Safety & Security coordinates with the operational leadership of the police at the scene (CoPI).
- A decision to request any police deployment should be weighed against the effect on the safety of others and should be aimed at terminating the event.

These regulations were adopted by the Executive Board on 14 December 2023 and entered into force on 21 December 2023.