

April 5, 2018

You are probably aware of the article on "Machtmissbrauch an Hochschulen" by Spiegel Online published on February 27. This article reports on alleged bullying on junior scientists by a female director and alleged sexual harassment by a male director at an anonymous Max Planck Institute in the State of Bavaria. While no name of the institute, the research area, or the directors are given in this article, we believe that the article refers to MPA because the author of the article contacted two MPA directors asking for comments on the contents prior to publication of the article.

We do not wish to make detailed comments on the article in which no names and few details are mentioned, except to say that for alleged sexual harassment we have no record of any complaint made to MPA or MPG; and for the alleged bullying, action has been taken by MPG since late 2016 (as also reported in the above article). We cannot comment on details of the action for privacy reasons.

Today we wish to discuss how to improve MPA's system to prevent bullying and harassment from happening in future. **First of all, we make very clear that, at MPA, we do not tolerate any forms of harassment, bullying, emotional or physical abuse, discrimination, and any other inappropriate behavior that lacks respect for others.** As I said always at the Christmas Party, people are the most important asset of the MPA. We strive to make sure that all MPA members feel safe and respected regardless of the kind of position they hold at MPA, gender, age, sexual orientation, disability, race, ethnicity, and religion (or lack thereof).

However, we must also be prepared for unfortunate events when the above code is violated. This is the topic of today's discussion. While we do have multiple mechanisms to address issues, they do not seem to work always. For example, we have an Ombudsperson to whom the MPA members can go and report complaints. The current Ombudsperson however reported that only two people came to report complaints over the last six years since she became Ombudsperson. It would be naive to think that the lack of complaints meant no complaints, as there were many more people visiting her office before she became Ombudsperson. They simply stopped coming to her office as soon as she became Ombudsperson, she reported. To her credit, the case that was brought to her and considered legitimate was resolved in a timely fashion with the help of the Managing Director (end of November 2016).

We also have thesis committees, whose most important mission is to identify potential issues that students face as early as possible and find solutions. When a problem occurs, students are encouraged to report it immediately to any of the thesis committee members; to the members of the thesis committee Board; and/or to a director. There too, only a few issues have been reported, though I can report that all issues where I have been consulted in the capacity of the thesis committee Board member and Managing Director have been resolved in a timely fashion (there

were three over the last six years). In one case Ombudsperson was contacted first in her capacity of a thesis committee member (end of April 2016) and she resolved the matter together with the Managing Director. But there could be others where we were not informed.

Why are our members not speaking up about issues, if this is indeed the case? This could be the result of fears against directors. That is to say, it could be a negative consequence of hierarchy in our system.

I am not sure if you noticed, but at MPA we have always made an effort to reduce hierarchy as well as to reduce barriers between research divisions. This seemingly "non-traditional" style for a Max Planck Institute was created by Simon White when he arrived in 1994. The Fachbeirat report in 2016 acknowledges this by saying "*the open collegial atmosphere at the MPA is in large part his legacy*". Nonetheless, we directors should probably be more sensitive to the power that we possess, and admit/understand that other members of the institute may simply be too afraid to talk to us.

Needless to say, if directors are the source of issues, members may very likely be too afraid to bring up issues anywhere inside the MPA.

So, what should we do to improve the situation?

The Fachbeirat report in 2016 finds that "*At present, there is no effective mechanism for individuals at the MPA to file formal complaints to the Max Planck Society if they have been treated inappropriately by other members of the Institute. The current design of the ombudsperson position is not sufficient to address difficult situations that may arise: they are chosen from among the scientific staff of the MPA, and may be less inclined to make problems known to the Directors, because of fears about the effect on their own careers.*" They then recommend "*The Max Planck Society needs to implement a process by which complaints can be received anonymously, or by individuals not in astrophysics who have no connections to the MPA.*"

After consulting with Vice President of CPTS, I learned that a related mechanism, called the "Schlichtungsordnung", already exists for problems that cannot be resolved at an institute (this was used once from MPA about 10 years ago). With help of the Betriebsrat, Ombudsperson, and Equal Opportunity Officer, we have created webpages to provide appropriate points of contact depending on nature of complaints:

<https://wwwmpa.mpa-garching.mpg.de/mpa/internal/poc/poc-en.html>

<http://www.mpa-garching.mpg.de/513948/mediation>

<http://www.mpa-garching.mpg.de/429463/genderequality>

But we wish to do more.

One of the limitations of the current practice is that these existing rules and new ideas for preventing misconduct at MPA still come from directors. Therefore, we would like to implement a more bottom-up approach. To this end, we ask the Betriebsrat to:

- Draft an official "Code of Conduct" for MPA addressing all forms of harassment, bullying, abuse and discrimination
- Ask all MPA members for input as to how to make reporting complaints easier while making them feel safe

We are also open to other suggestions. Let's discuss.

Eiichiro Komatsu, on behalf of the MPA Direktorium

A handwritten signature in black ink, appearing to be 'Eiichiro Komatsu', written in a cursive style.