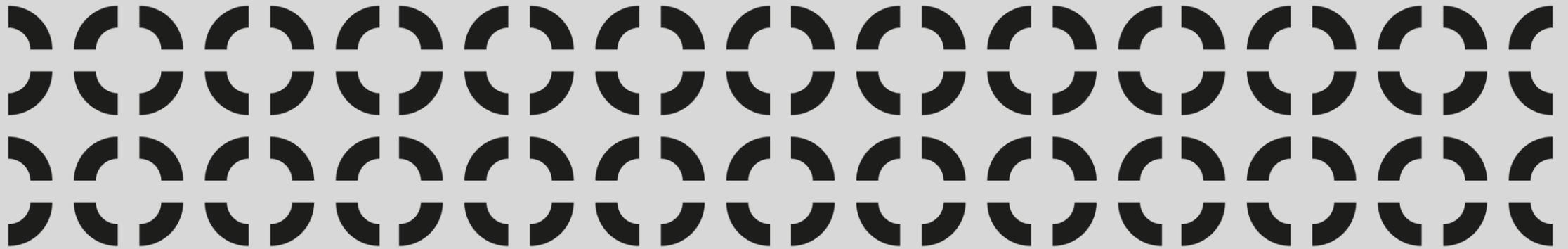


Gender-based member intake in associations

Niko Ferm



Agenda

- Quick recap 2015->2018
- Legal background
- AYY's regulations
- How does AYY support
- What can be done
- Preliminary discussion

Quick recap 2015->2018

- The discussion on associations that limit member intake based on gender has been a topic of discussion in Otaniemi for a long time, in the times before Aalto and frequently after it
- A resolution was made at AYY's Representative Council meeting on the 20th of May 2015

By approving this resolution, the Representative Council obliges the Board to clarify to the Representative Council how...

- AYY financially supports associations that have discriminatory structures (rental of facilities, operating grants)
- AYY's own regulations take into account the equal treatment of all
- AYY's central office and the Board bring up discriminating clubs in their own activities (presents basement facilities for guests, for example)

On the one hand, the purpose of this clarification is to provide information on structures that enable discrimination and are supported by AYY. On the other hand, the purpose is to clarify the means by which AYY could show that it does not tolerate discrimination in the Aalto community.

Based on the clarification, the Representative Council may have a discussion in the autumn on possible measures to dismantle the support of discriminatory structures.

Quick recap 2015->2018

- AYY added a survey on discrimination into its 2016 action plan:

Currently we have no comprehensive view on how equal the Aalto community is. A large survey into the issue will be undertaken, looking into the various forms of equality and their possible challenges. Follow-ups will be undertaken based on the results.

A report on the survey was done by the end of 2016 and presented to the Rep. Council in 2017:

<https://inside.ayy.fi/download/attachments/24608795/AYY-yhdenvertaisuusraportti-2016.pdf?version=1&modificationDate=1489486383000&api=v2>

Summary:

Especially issues relating to gender equality and participation that relates to language and culture were visible, along with improving them

The hope is that the Student Union should

- 1) Keep an open discussion on the subject active
- 2) intervene in any problem situations that arise
- 3) campaign and inform on different themes of equality
- 4) organize varied events aimed towards varied groups
- 5) by emphasizing equality in its actions

Quick recap 2015->2018

- Points in the 2017 Office Program included student well-being and equality
AYY is up-to-date on student well-being in Aalto. All subject organizations in AYY's sphere of influence understand their role as a builder of student well-being and in preventing discrimination, and have the tools to intervene in any problems.
- The situation in 2018 , an analysis
After 2015 the issue has been under discussion several times. AYY has not taken any direct steps regarding the issue. However;
Several clubs have changed their policies regarding the gender requirements in their activities
The issue is discussed regularly in the community, and the discussion seems to be constructive
Well-being and equality should be points of improvement in AYY even more than before

Legal background

- In Finland, the prohibition of discrimination has been decreed in the Constitution, the Criminal Code, the Act on Equality between Women and Men and the updated Non-Discrimination Act, which entered into force in 2014.
- According to the Non-Discrimination Act, Section 8: No one may be discriminated against on the basis of age, origin, nationality, language, religion, belief, opinion, political activity, trade union activity, family relationships, state of health, disability, sexual orientation or other personal characteristics. Discrimination is prohibited, regardless of whether it is based on a fact or assumption concerning the person him/herself or another.
- The prohibition of gender-based discrimination and the promotion of gender equality is decreed in the Act on Equality between Women and Men (609/1986)
In this Act, direct gender-based discrimination means treating women and men differently on the basis of gender. Indirect gender-based discrimination usually means granting benefits or rights or imposing certain obligations, restrictions or burdens clearly only on women or men. Treating someone differently by virtue of a provision, criterion or practice that appears to be gender-neutral in terms of gender, gender identity or gender expression, but where the effect of the action is such that the persons may actually find themselves in a less favourable position on the basis of gender is also prohibited.

Legal background

- According to Section 9, Subsection 3 of the Act on Equality between Women and Men, admittance of either women or men only as members of an association other than an actual labour market organisation if this is based on an express provision in the rules of the association shall not be deemed to constitute discrimination. If the association is another type of organisation representing labour market interests, a further condition is that the organisation must strive to implement the objectives of this Act.

Legal background

- According to Section 13, Subsection 2 of the Finnish Constitution, everyone has the freedom of association. Freedom of association entails the right to form an association without a permit, to be a member or not to be a member of an association and to participate in the activities of an association. The freedom to form trade unions and to organise in order to look after other interests is likewise guaranteed. Freedom of association does not however guarantee an individual the right to receive membership in any association at all.
- The basis for freedom association lies in the self-determination and freedom of latitude of all associations; association autonomy. Based on self-determination an association has, in practice, the right to freely organize its organisation and other internal issues. Thus, associations can accept the regulations they wish, and choose their members based on them. (HE 309/1993 vp)

Recap on the legislation

- On the Act on Equality it can be said that an association must have a specific regulation in its rules, if they want to prevent either men or women from joining the association.

AYY:'s regulations (general)

- The 2015 Chairperson of the Board has done some renditions on AYY's regulation from the point-of-view of equality:
- The administrative and financial regulation, section 3 states that the Student Union will follow the principles of good management, one of which is the equality principle

The equality principle (people must be dealt with on an equal basis regardless of economic status, sex, age, race, ethnicity, nationality, disability, mental illness or ability, sexual orientation, gender, gender identity/expression/dysphoria, sex characteristics, religious, creed, or individual political opinions.)

AYY's regulations (Association Regulation)

- According to the Association Regulation, Section 1, General Information:
An association that connects AYY's students and whose purpose and practices observe the provisions of the law and good manners may be accepted to AYY's association register.
- Association in the first list may not restrict a student union member's opportunity to join as a full member of the association, excluding choirs, orchestras and exceptions made by the Representative Council.
- An association which is legally and socially acceptable based on its purpose and actions, and which unifies AYY's students with student activities and has members of the Student Union actively engaged in it, must be accepted into the second list.

AYY's support (Association Regulation)

- Benefits of associations in the first list
 - Opportunity to apply for the operational grant.
 - Rental of the van and the student union facilities rented on a one-time basis.
 - Participation in the advance booking of the van and facilities rented on a one-time basis.
 - Rental of club and storage facilities from the student union.
 - Office and IT services, association training and advising.
- Benefits of associations in the second list
 - An association in the second list shall have the opportunity to receive the same benefits from the student union as individual student union members do, as well as office and IT services, association training and advising.
 - For weighty reasons, an association in the second list shall have the opportunity to apply for storage and club facilities from the student union and for the permission to participate in the advance booking of organisational facilities. The association members, openness, the scope of activities and benefits to the student union shall be taken into account when granting these permissions.
- In addition to these benefits, AYY can cooperate with associations in the lists in events or other activities

What can AYY do about associations?

- Continue the discussion with associations and aim to find solutions to the situation (this will be done in any case)
- AYY can define a stricter definition into the association regulation on who can be accepted into the list and what are the terms on offering services
 - For example, association regulations do not define gender as a requirement for membership. In addition, an association should need to prove the ways it uses to promote the principles of equal actions with a yearly survey
- AYY can stop supporting associations that seem to be choosing its members based on gender (this can be done by not assisting in visibility or by other means)
 - Before shutting down cooperation, the association should be given an opportunity to be heard

Preliminary discussion

The aim of the discussion is to give an idea on what the Rep. Council wants AYY to do about the issue. It is essential to understand that we are searching for direction for the preparatory work, not a final decision

Progress of the discussion:

1. Prepared speeches of groups to start the discussion
2. Comments based on the speeches
3. Voting 1
4. Voting 2
5. Closing arguments

Preliminary questions for rep. Council groups

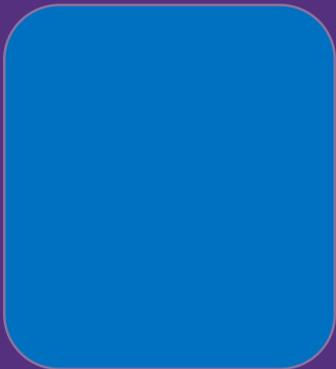
- What would you hope that AYY would do regarding the associations operating within its sphere of influence whose activities are very gendered?
- Should AYY define the principles pertaining to gender and equality more strictly in the association regulation?
- In what timetable would you want AYY to move forward with the issue?

Preliminary discussion I

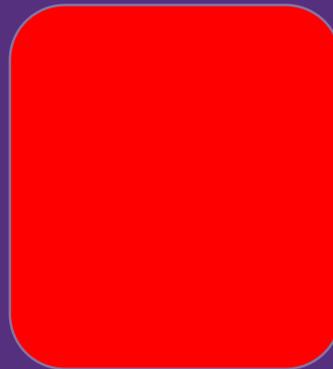
- Should AYY make the association regulation stricter on the definitions of requirements of associations in the second list, to better ensure equality in AYY

N.B. Requires an approval on change of regulation in the Rep.Council

more broadly, taking into account other aspects of equality



On genders, to start with



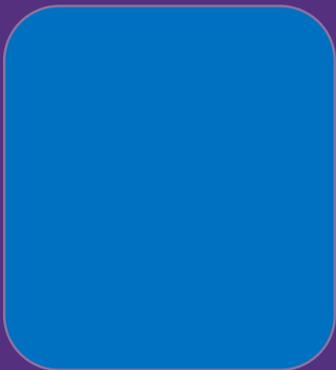
AYY should not make the association regulation stricter



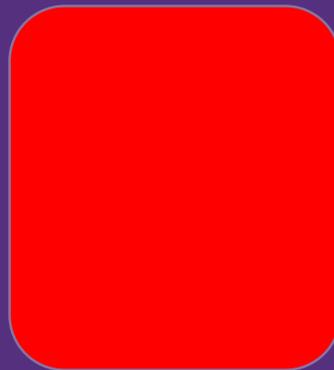
Preliminary discussion II

- On what timetable would you want AYY to move forward with the issue?

As fast as possible



During this year



With a year of transition time

