

NMT 2025

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1. Preamble

1.1) Purpose

NMT 2025 is committed to providing a tournament free from discrimination, harassment, bullying, and vilification, and one which fosters equity, inclusion and respect for social and cultural diversity. This policy explains what conduct is prohibited and outlines the procedures for raising complaints when participants feel that equity has been breached.

1.2) Background and Principles

Each year, NMT brings together an incredibly diverse group of participants to showcase their negotiating skills and perform for their respective college for prestige and trophies. No participant should be made to feel unwelcome or disrespected by another's words or actions, and equity policies such as this exist to clearly articulate the behaviours which will not be tolerated, to prevent potential equity violations from arising and to resolve complaints if they should arise. Understanding that we want NMT to be both a competitive and a learning environment, and that such negotiation culture frequently throws together disagreements and bouts of aggression, we also think equity should be more than punitive.

We encourage the development of equity as a positive tool for education in cases where remarks or actions were inappropriate but not intended to be malicious, instead arising from a lack of familiarity with certain backgrounds, issues or vocabulary. Equity is also a tool for participants to anonymously or non-anonymously discuss the proper and respectful way to speak about certain actors, issues, or events outside the charged environment of competition.

We are willing to mediate discussions about issues that arise during the matches, and encourage individuals to bring incidents to our attention even if they do not wish for an apology from the offending party or their removal. This policy is a crystallization of the abovementioned principles, and it seeks to protect all participants of NMT from conduct that would make them feel uncomfortable or unsafe, to encourage and facilitate discussion and education, and ultimately, to make more inclusive space for all.

2. Scope

2.1) Participants

This policy applies to all participants and volunteers at NMT 2025, including but not limited to:

- a) Participants;
- b) Coaches/Judges;
- c) Members of the Organizing Committee;
- d) Observers; and
- e) Volunteers.

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2.2) Temporal and Geographic Application

This policy applies for the entire duration of the three days of competitions, which includes, but is not limited to:

- a) Rounds;
- b) Time between rounds, including meals organized as part of the tournament;
- c) Any formal event organized as part of the tournament;
- d) Any social event that includes participants of the tournament; and
- e) Accommodation where participants of the tournament are staying.

This policy applies to in-person conduct and conduct over social media.

2.3) Content of the Policy

Unequitable behaviour encompasses a range of behaviours that can be very different from each other, ranging from entirely unintentional to purposeful, and from misunderstandings to malice. Please keep in mind that cases will be treated based on their specifics and that we are not implying equity between the behaviours listed in the next section (or even between different instances of the same behaviour).

The Equity policy is not exhaustive and does not include all possible breaches or remedies. The Equity team reserves the right to make decisions in situations not covered by the Equity policy as they deem appropriate. There are also possible instances of breaches of participants' rights and safety that the Equity team is not equipped to deal with, even with the best of intentions and at the limits of their capacities.

3. Prohibition of Discriminatory Content

3.1) Definitions of Prohibited Behaviour

3.1.1) *Bullying/Ragging*

Bullying is the repeated and/or unreasonable behaviour by an individual or group, directed towards another individual or group, either physical or psychological in nature, that intimidates, offends, degrades humiliates, undermines or threatens. This includes pressuring another individual or group to do something that they are uncomfortable with.

3.1.2) *Direct Discrimination*

Direct discrimination is treating another individual or group less favourably on the basis of a protected attribute than someone without that attribute in the same circumstances or circumstances not materially different.

3.1.3) *Indirect Discrimination*

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Indirect discrimination is imposing, or proposing to impose, a requirement, condition or practice that has, or is likely to have the effect of disadvantaging an individual or group with a particular protected attribute, and which is not reasonable in the circumstances.

3.1.4) Violence

Violence is the intentional and non-consensual use of physical force or power, threatened or actual, against another person, or against a group or community, which either results in or has a high likelihood of resulting in injury, death, psychological harm, or deprivation.

3.1.5) Harassment

Harassment is any unwelcome, offensive, abusive, belittling or threatening behaviour that humiliates, offends or intimidates an individual or group on the basis of a protected attribute.

3.1.6) Sexual Harassment

Sexual harassment includes any one or more of the following unwelcomed and/or non-consensual acts or behaviours (whether directly or by implication): -

- a) physical contact and advances; or
- b) a demand or request for sexual favours; or
- c) making sexually coloured remarks; or
- d) showing pornography or sexually explicit material; or
- e) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

The following circumstances, among other circumstances, if they occur or are present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment: -

- a) implied or explicit promise of preferential treatment in their rounds; or
- b) implied or explicit threat of detrimental treatment in their rounds; or
- c) any activity which interferes with their participation at NMT 2025 or creates an intimidating or offensive or hostile environment for them; or
- d) humiliating treatment likely to affect their health or safety.

Note: All cases of Sexual Harassment and Violence shall be treated as ‘major misconduct’ under the Equity Policy and there shall be no ‘summary proceedings’ (as defined below) for any such case.

3.1.7) Victimization

Victimization is to cause detriment to a person because that person has made a complaint or taken part in complaints proceedings.

3.1.8) Vilification

Vilification is the public incitement of hatred, contempt or severe ridicule of another individual or group on the basis of a protected attribute.

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3.2) Protected Attributes

It is important to note that different individuals experience different barriers to successfully engaging with competitive environments. The protected attributes listed below may not seem familiar or sensible to all individuals. However, it is precisely because of a potential lack of familiarity with or potential disagreements about certain protected attributes that we ask all participants to be open-minded when listening to others, and sensitive when discussing protected attributes.

This policy prohibits any and all cases of violence and sexual harassment, as defined in Section 1 above. There shall be ‘zero tolerance’ for the same.

This policy prohibits any participant or group of participants from discriminating (either directly or indirectly), harassing, bullying or vilifying another participant or group of participants on the basis of the following protected attributes:

- a. Age or age group
- b. Disability (including but not limited to past, present and future disabilities, genetic predispositions to a disability and behaviour that is a manifestation of a disability)
- c. Gender Identity (the gender-related identity, appearance or mannerisms or other gender related heckling characteristics of a person, including but not limited to the way people express or present their gender and recognizing that a person’s gender identity may be non-binary)
- d. Infectious disease (for example, HIV status)
- e. Intersex Status
- f. Marital or relationship status
- g. Sexual practices or experience (for example, previous partner(s) or lack thereof,
- h. experiences of sexual assault or harassment)
- i. Political affiliations, beliefs, or ideologies
- j. Pregnancy or personal experiences of abortion
- k. Race, colour, descent, national, regional or ethnic origin, or ethno-religious background
Religious affiliation, belief, views or practice
- l. Sex
- m. Sexual orientation
- n. Socio-economic status and background (including a person’s accent and proficiency in English).
- o. Any other attribute where discrimination:
 - a. Causes or perpetuates systemic disadvantages
 - b. Undermines human dignity or
 - c. Adversely affects the equal enjoyment of a person’s rights and freedoms in a serious manner that is comparable to discrimination on a protected attribute listed above.

This policy also protects against discrimination, harassment, bullying or vilification on the basis of imputed or perceived protected attributes, and on the basis of association with a person or persons with a protected attribute.

The victimization of those who initiate complaints or take part in complaints proceedings is also prohibited under this policy.

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3.3) Accepted Conduct and Minor Misconduct

Mediation culture needs to become more inclusive, and as such, we have a positive obligation to ensure that people of all shades, races, religion, regions, socio-economic class, genders, orientations etc. are able to participate in the activity, without their physical/mental or other attributes becoming barriers to their success. At the same time, negotiating, at its core, is also about the right to free speech and expression, and to that extent, by participating at NMT 2025, you agree that your tolerance to aggression must be higher than what may be expected in other contexts.

This does not mean that racist, sexist, casteist (etc.) comments are permitted. It does however mean the following:

- a. That, sensitive, sincere and respectful discussion of controversial issues that arise while participating is permitted and encouraged.
- b. That, good natured humour which makes your team feel more motivated is encouraged. This does not mean rape jokes, casteist jokes etc. are permitted.
- c. That, sometimes, an apology (and not a disqualification) tendered to the person against whom an offensive statement was made, in front of an Equity Committee member is just and fair recourse. This is not true of major misconduct and the Equity Committee has the final authority for deciding on such issues of gravity.

The final determination of the classification of conduct and punishments will be left to the Equity Committee.

4. Sexual Interaction and Positive Consent

4.1) Positive Consent and Participant Responsibility

When engaging in any sort of sexual or romantic interaction with another person(s), it is vital to do so while respecting the other party's equity, dignity and humanity.

Participants are required to seek continued positive consent when engaging in any conduct of a sexual or potentially sexual nature, including but not limited to flirting, making sexual jokes, suggestive bodily contact (e.g., dancing), physical intimacy or sexual intercourse. Consent is dynamic, must be a continuing process and not a 'one-time' action. Unwanted touching or advances are always an equity violation, notwithstanding the intent of the perpetrator.

To acquire positive consent, participants must actively affirm that other parties in any sexual or romantic interaction are freely and voluntarily agreeing to what is occurring. All parties should enquire how other people are feeling on an ongoing basis (e.g., "are you ok with this?" "Are we going too fast?" "Do you like this?"). If you cannot determine the consent of the parties involved, you should end the sexual or romantic interaction.

You have not obtained positive consent if:

- a. The other party has explicitly said no;
- b. The other party hasn't explicitly said yes;
- c. The other party is engaging in sexual contact reluctantly or under duress;
- d. The other party is unable to understand what they are doing due to the influence of alcohol or other drugs; or

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- e. You are using social status or a position of authority to pressure the other party into entering into or continuing a sexual interaction.

All of these considerations apply over an online context as well and participants are advised to keep in mind the importance of consent in all interactions.

4.2) Participant Conduct at Social Events

Participants must conform to the standards set out in this policy even outside their scheduled matches. This includes excursions, social and formal events, and events in accommodations where participants of the tournament are present.

The excessive consumption of alcohol or ‘first time’ consumption of alcohol will **not** be regarded as a mitigating factor for individuals accused of violating any part of this policy or the Code of Conduct. Moreover, pressurizing others to drink is unacceptable behaviour as well.

In other words, if you are Dr. Jekyll before drink 4, and turn into Mr. Groper after that, or do not know when you would turn into Mr. Groper, please do not use our tournament to find that out about yourself. We promise, you won’t like what will happen to you when we find out about it.

5. Conduct and Other Matters Surrounding Rounds

5.1) General Conduct

Participants are required to treat each other and the judges with respect.

This includes:

- a. Respecting the rules of the competition;
- b. Refraining from disrupting or distracting other students or judges;
- c. Accepting the decision of the judges(s);
- d. Judges are also required to treat students, their coaches and other judges with respect;
- e. Refraining from insulting or non-constructive commentary on students or audience.

5.2) Language Guidelines

To ensure that NMT 2025 can be as inclusive as possible, every participant should be sensitive and considerate in how they interact with others, which includes using appropriate language while discussing sensitive topics. We recognize that making this inclusiveness a reality entails not just good will, but a fair amount of learning as well. While we definitely encourage participants to work towards this end and to learn on their own and from each other, we hope that participants will reference the guidelines below as a starting point.

5.2.1. Generalizations

- a) Avoid generalizations on the basis of protected attributes when referring to groups of people. Generalizations attempt broad sweeping assessments where none are possible, and are hence inaccurate and ill-conceived, and may thus be offensive to both judges

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and other participants.

b) Put people's humanity first. There is a subtle but important difference between the phrase "X person" and the phrase "person who is X." The former presents the protected attribute as a defining characteristic, while the latter leads with a recognition of personhood

c) Members of a certain group might make jokes about their own "attributes". It is important to note that you must wait for them to open that door and be proportional with respect to what you say after that.

d) As a general principle, phrase everything as if you are talking about someone in the room. If you feel what you say might offend them, then rephrase it. If what you seek to say is indeed true, this should be possible. If you cannot make it inoffensive, then simply start with a sincere and pre-emptive apology. However, this is not to be used as means to breach equity. Saying things like, "I don't know how to say this in a non-equity violating manner but..." will not automatically excuse a participant if the resulting statement is found to be a breach of equity.

5.2.2. Graphic Language

Using vivid or graphic language to illustrate the impact or truth of your statement maybe a common and effective rhetorical tool in other tournaments. However, we urge participants to be considerate in their choice of language, especially since aggressive rhetoric may be traumatic for other participants.

We especially urge participants to think about language use when plays involve bodily integrity, minority cultures, class, war and gender issues. Unnecessarily graphic descriptions of traumatic events run the risk of violating this policy and should be avoided.

5.2.3. Personal Attacks

Stating that a person doesn't have the appropriate background to have a valid argument in the discussion/conflict (i.e. "what do you know about this event, you're from Y!") is almost always of no argumentative value. That is also the case for personal attacks (i.e. "people like you shouldn't even be saying things like X because you're a Y").

Such arguments do not address the content of an argument, nor do they address its logical structure. Both these types of argumentations can traumatize a person, since you are referring to their background as if it is relevant for their chances of winning or losing the argument.

5.2.4. Reclaimed Language

Some LGBTQIA people may have reclaimed previously derogatory words, such as "f*g," or "d*ke." This does not make the use of these words by members of other communities appropriate. This is because these words can still be loaded with cultural baggage in ways members of other communities might not understand, which can be very hurtful to someone still struggling with that reality. Similarly, some offensive racial terms such as "n****r" have been reclaimed by some from communities which these terms oppress. These words are still inappropriate for use by others, unless the person from said minority community expresses clear consent for its use with respect to that person.

5.2.5 Slurs

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A slur is a term designed to insult others on the basis of race, ethnicity, or nationality. In the spirit of encouraging participation at a tournament such as NMT, the use of the slurs, epithets, derogatory and insulting terms are not allowed. Moreover, the use of slang is context specific, and all participants are advised to be careful in using them.

5.3) Gender Neutral Language and Gender Pronoun Policy

Given that some individuals may feel uncomfortable when asked to publicly state their preferred gender pronoun, as referenced in discussions at other major tournaments, NMT 2025 will be implementing a policy of non-gendered language. Students will not be asked to state their preferred gender pronoun when entering rounds. This ensures that no person is forced to misgender themselves or disclose their preferred pronouns if they do not wish to do so.

To clarify, this does not mean that providing preferred gender pronouns is not allowed; only that it will not formally be a part of the public process plays/matches. Participants are free to state their preferred pronouns while introducing themselves if they wish to do so.

Participants should also recognize that language has evolved in a gendered manner, and it is more inclusive to make an effort to not use “he” as a default pronoun, and to instead use “they”.

We also recommend that all participants use non-gendered language in all their interactions with people whose preferred gender pronoun they do not know, instead of assuming their gender pronoun based on their appearance. Should you accidentally misgender someone, immediately apologize, and move on with your speech or conversation. Intentionally misgendering as well as deliberately mocking the importance of using respectful language to address each other will be seen as an act of degrading a person’s or a group’s identity, thereby violating the Equity Policy.

6. Accommodations for Specially-Abled Participants

NMT 2025 is committed to ensuring, as far as is reasonably practicable, that all participants can fully take part in the tournament. As such, accommodations may need to be made for specially-abled participants, such as allocation of rooms easily accessible, or use of assistive technology.

7. Complaint Procedures and Handling

7.1) Raising an Equity Complaint

If a participant feels that there has been a breach of this policy, then they may raise the matter with a member of the Equity Team. All complaints raised are treated as confidential, and due regard will be given to the complainant’s wishes as to whether or not a complaint is investigated further. Also, all complaints need to be made after a match and no participant is allowed to unilaterally act against an alleged equity violation i.e., round points/scores and judges calls be not affected.

Complaints may be made informally or formally. An informal complaint is one that raises concerns, but does not require formal responses such as conciliation or disciplinary action. These may be made in-person or in-writing. A formal complaint is where the complainant would like a formal response such as conciliation or disciplinary action. Formal complaints

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must be made in writing, or where the complainant is unable to make it in writing, they must authorize another person (including an Equity Committee member) to make it on their behalf in writing.

In the event where participants wish to file an immediate complaint to the Equity Team in-person, the writing and formal submission of the complaint may be delayed due to time constraint between matches and/or trauma faced by the individual, or the Equity Committee may record the complaint in writing and require the Complainant to sign/digitally accept the same. The Equity Team will begin investigations during this process. However, conciliation or disciplinary action will only take place after a written complaint has been formally submitted for reasons of accountability.

Participants are also encouraged to raise general equity related concerns, even if they do not feel an incident has occurred. Both anonymous complaints and general concerns enhance the Equity Team's overall understanding of relevant issues occurring at the tournament, which will further assist in the prevention of future equity violations.

Members of the Equity Team will recuse themselves from investigating and handling complaints that are made against them personally, or where a conflict of interest arises (e.g. they have a close personal relationship with one of the parties).

7.2) Progressing with an Equity Complaint

If the complainant does wish to progress with a complaint, the Equity Team shall:

- a. Conduct a hearing (recorded in writing, or in camera) with the complainant to obtain full details of the incident
- b. Conduct a hearing (recorded in writing, or in camera) with the offending participant to hear their side of the story
- c. Conduct a hearing (recorded in writing, or in camera) with any other participants as required by the circumstances

Following this investigation, the Equity Team will determine whether or not a breach of this policy has occurred. Any person/s authorized by the Equity Team shall undertake investigations, as required.

At any point during this process prior to resolution, a complainant may withdraw their complaint. At such a point, due regard to the wishes of the Complainant will be given in deciding to cease any investigation or in treating the initial complaint is treated as null and void.

7.3) Resolution Mechanisms and Penalties

If, following the investigation of the Equity Team, a breach of this policy is found to have occurred (bullying, indirect discrimination, for example) the Equity Team may do any/all of the following, based on the wishes of the complainant:

- a) Explain the complaint to the offending participant and have a discussion with them about why their remark or action was inappropriate,
- b) Request that the offending participant provide a signed apology in writing detailing

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their actions and guilt. In serious cases (especially, violence and sexual harassment) the Equity Team may take formal disciplinary action. Such action may include:

- (i) Declaration of the campus as out of bounds for them, and/or a bar on appearing for the entrance examination/interview/events offered by NALSAR.
- (ii) Expulsion from the tournament.
- (iii) A letter communicating their misconduct to their place of education or employment.
- (iv) the conduct amounts to a specific offence under the Indian Penal Code (45 of 1860) or under any other law; the Equity Team shall immediately inform the aggrieved person of their right to initiate action in accordance with law with the appropriate authority.
- (v) Recommend that the victim take the help of a mental health professional to deal with the trauma. We have a professional on call for this.
- (vi) Blacklist:** While, anyone who discloses the name or identity of the aggrieved person or witnesses without due permission from Equity Committee is liable for prosecution, at NMT, we shall release information regarding the justice secured to any victim, without disclosing the victim's identity, and may publicize such action including name of the assaulter/harasser. **We are hoping that the mediating community follows suit and tournaments start contributing to a publicly accessible 'Blacklist' of persons found guilty by the respective Equity Committee of sexual harassment and violence at their tournament. This will help other tournaments in taking appropriate precautions where such persons are involved.**
- (vii) Any other action the Equity deems fit as may be necessary in the interest of fairness and justice.

It must be noted that punitive action is subject to the context, facts and circumstances of each individual case, and the degree of penalty will depend on that as well. Where formal disciplinary action is taken, the offending party and the complainant will be provided with a written notification.

7.4) Internal Process of Equity Team

The following best practices will be implemented by the Equity Committee with respect to its internal proceedings:

- a. The Equity Team shall be required to complete the inquiry as soon as possible. It will keep detailed reports of all statements, evidence, decisions etc.
- b. The records may be provided to the police/outside counsel in case the victim pursues such action.
- c. Only the Equity Committee or any person authorized by the Equity Committee can investigate. No one else must conduct any personal investigation/bother the victim/harasser for details or try any 'informal settlement'. Doing so makes such persons an 'abettor' and/or 'accessory after the fact' and they will be proceeded against appropriately.

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- d. Action will be taken once a thorough investigation has been carried out. This also requires that both parties are separately heard, and that all relevant witness statements and evidence such as texts/photos are recorded.
- e. The Equity Committee can terminate the inquiry proceedings or give an ex-parte decision, if the complainant or the respondent fails, without sufficient cause, to present themselves for hearings.
- f. All decisions of the Equity Committee must be ratified either by unanimity within its members, failing which a majority of the members will suffice. All such determinations and decisions shall be maintained in writing. In case of a majority decision, the opinion of the dissenting members shall also be recorded in writing.

7.5) Summary Proceedings:

This policy above covers a wide range of conduct, and we understand that different violations may be of differing gravity. In case of ‘Minor misconduct’, defined as, “*such acts and actions which, while distasteful and in violation of the Equity Policy, owing to the context, facts and circumstances of the case, are of a nature that a reasonable person would not consider as grave or as shocking the collective conscience of the ADR community*”, summary proceedings may be conducted by the Equity Committee.

8. Contact Details

Please note that you can approach any individual member of the Equity Team if you wish to discuss an issue, even if you are not sure if you want to file a formal complaint at that stage. Individual members of the EC can be reached physically on campus as well as on WhatsApp/Email at:

NAME	CONTACT NUMBER	EMAIL - ID
Yash Agrawal [ICC Student Representative]	+91 95193 22149	yashagrawal@nalsar.ac.in
Khushi Gupta [CASH Representative]	+91 62654 33242	khushigupta@nalsar.ac.in
Sakshi [CASH Representative]	+91 96675 80314	sakshi131410@nalsar.ac.in
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