DEKAUM

Women Rights and Problems Application and Research Center

**DOKUZ EYLÜL UNIVERSITY POLICY PAPER AGAINST SEXUAL DISCRIMINATION, VIOLENCE AND SEXUAL ABUSE**

**AIM AND SCOPE**

Dokuz Eylül University, through its educational and scientific research, takes on the mission of increasing the economic, cultural, and social diversity of humanity and raising generations with humane and social values as well as promoting contemporary education of high quality. The aim of this policy paper is to confirm the stance of Dokuz Eylül University against sexual abuse, sexual discrimination, and especially violence stemming from sexual discrimination and to put forth that there will be a struggle against sexual discrimination and every type of violence stemming from.

Sexual discrimination is a fact that ruins working peace, that eradicates academic and professional productivity and a fact that should in no way be tolerated. Offering everybody equal opportunities and chances without sexual discrimination is a matter of fact in the administrative mentality of the University.

Dokuz Eylül University, through this policy paper, commits to preventing sexual discrimination under the body of the University, protecting and providing the right to life away from every type of violence as well as to taking every kind of precaution against sexual abuse on students, administrative and academic staff.

This policy paper takes all the constituents of the university into its scope. The paper takes the events that happened within the University and the acts that affect the academic and work life of the University into its scope. Violence and the conduct involving sexual discrimination practiced by any administrator, personnel, student, guest, supplier and other people who do not work for the university are not tolerated.

Dokuz Eylül University first of all aims at carrying out various studies and putting briefing mechanisms in place to raise the awareness of all the constituents of the university in order to hinder sexual based violence, harassment and assaults and with the aim of creating a work, research and education atmosphere free from such events. The University states that in the event of sexual based violence and sexual harassment as well as assaults, it will put into practice the mechanisms of effective investigation and sanction.

 In the event of any sexual based violence, harassment and assaults at Dokuz Eylül University, the statements of students and employees are handled seriously; victims are provided with any kind of support immediately and without charge by protecting their privacy. Dokuz Eylül University carries out studies and establishes commissions regarding sexual discrimination, violence and harassment.

 Dokuz Eylül University, in order to remove gender based discrimination and violence completely, adopts a stance that improves sensitivity and raises awareness on the issue of gender mainstreaming and that reflects a viewpoint sensitive to social gender.

 **FOUNDATION**

 In the preparation of this policy paper, the related articles of the Constitution, the international conventions that we are party to (especially The United Nations Convention on the Elimination of All Forms of Discrimination against Women and The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence), Turkish Penal Code, The Higher Education Institutions Disciplinary Code for Administrators, Instructors, and Officials, and The Higher Education Institutions Disciplinary Code on Students are taken as the basis.

 **DEFINITIONS**

 **A. Gender Based Discrimination.**

Gender discrimination comes out in all societies especially as discrimination against women, and any kind of gender based discrimination having the aim of hindering women from benefiting from or using their rights or invalidating their rights means exclusion and restriction.

 **B. Gender based violence:** Gender based violence is a form of gender discrimination and comes out mostly against women. Violence against women in both public and private life means gender based threat, coercion, or divestment of freedom, distressing women physically, psychologically, sexually or financially. Although violence against women is a phenomenon that comes out physically, psychologically, sexually and financially, the most common and visible forms of it are sexual harassment and assault.

 Assault comes out as physical violence, sexual violence and psychological violence:

 **Physical violence:** Acts of physical violence perpetrated purposefully against another individual,

 **Sexual violence:** Non-consensual sexual acts,

**Psychological violence:** It defines the intentional behaviors that harm the psychological integrity of an individual by threat or Force.

**C. Sexual harassment**

Sexual harassment usually happens between two individuals and can be ambiguous as it involves the Privacy and complicated state of affairs between individuals, therefore it is a phenomenon that is very hard to define, evaluate and prove. This situation causes the victims to stay silent and creates an appropriate environment for harassment. In this document the selected definitions and classifications about sexual harassment at the below are based on the definitions from various documents.

Generally, "sexual harassment" constitutes sexual and disturbing statements, attitudes and other types of behaviors that are done without personal contact and the consent of the other party. If the act is not deemed as disturbing, it is not categorized as harassment. Personal contact is not necessary to happen in sexual harassment. Behaviors without contact can be categorized as molestation. Insistent repetitive acts or a single act can be evaluated as sexual harassment according to the place and the context of the incident.

Sexual harassment divides into two categories as simple harassment and severe harassment according to the time, density and quality of the act of harassment. This classification determines the evaluations in relevant disciplinary proceedings.

1. **Simple harassment:** includes sexually disturbing behaviors without physical contact. For instance, behaviors such as catcalling, to make an offer for sexual intercourse, to make sexual jokes and to complement or to use slang, to behave tenaciously and excessively in order to flirt, to disturb someone by a digital or other forms of pornographic materials, to ask questions about a person’s sexual life and to spread rumors. The agent of these behaviors does not have to have sexual intentions. Behaviors that carry the intention of joking or humiliation are also deemed as harassment. If simple harassment is repeated constantly despite the warnings, it becomes severe harassment.
2. **Severe harassment:** constitutes the acts of blackmailing and open threat and aims to control the behaviors of an individual. Severe harassment may happen when a professional or academic authority takes advantage of his/her position and/or between individuals in the same position. It entails the situations when an individual does not accept the sexual offer, he or she is threatened to face the consequences in his/her student, academic or professional life. If the individual accepts the offer, it may be directly said or implied that he or she will derive an improper personal benefit. This type of act such as taking advantage of working in the same place and/or fraud on a power of a public service or a public relation is qualified for aggravation of punishment within the article 105/2 in Turkish Penal Code. Additionally, if the victim is forced to quit his/her job, school or family because of this act, it also aggravates the punishment.

**D. Sexual assault**

Sexual assault is the violation of an immunity of an individual’s body by exercising sexual behaviors on individual’s body without his or her consent in order to satisfy the sexual desire. Sexual assault can manifest in two ways:

1. The first type of sexual assault is the violation of an immunity of an individual’s body by physical attack.
2. The second type of sexual assault is the violation of an immunity of an individual’s body by penetration of an organ or other object into the victim’s body. The act of consent makes the act justifiable. However, the consent should be provided for both the sexual behavior and the way that the act is exercised. If the act is committed by fraud on a power of a public service, a tutelage or a public relation, it is qualified for aggravation of punishment in Turkish Penal Code.

**E. Sexual abuse**

Sexual harassment or assault of an individual who is younger than eighteen is defined as “child sexual abuse”. This act is punished according to the article 103 in Turkish Penal Code. Furthermore, it is qualified for aggravation of punishment when it is committed by fraud on a power of a public service or a public relation. If the act is committed by force of threat, it requires more severe sanction. Additionally, the act that is committed on a fifteen-year-old individual with consent also requires punishment according to the article 104 in Turkish Penal Code.

**F. Threat or retaliation**

It is defined as a kind of harassment if the professional or educational life of an individual is overtly or covertly made difficult with the aim of revenge when the individual files a complaint because of a sexual or an emotional offer or a harassment. This kind of act is punished according to the article 107 in Turkish Penal Code. Moreover, threatening an individual with an assault on his/her body or the immunity of body also requires punishment according to the article 106 in Turkish Penal Code.

 (PS: the abovementioned consent should be provided by free will and under no pressure and it should not be injured (with threat, violence, force, deceit and oppression). Otherwise it cannot be regarded as a viable consent.)

**SANCTION AND SUPPORT**

Dokuz Eylül Univesity hereby declares and guarantees to prevent abovementioned incidents and to exercise an effective investigation and sanction mechanisms concerning such allegations and complaints with this political document.

Dokuz Eylül University commits to provide support the victims and to inform about such actions and also undertake to effectively handle all claims and complaints relating to such acts. In all appeals, the university will behave accordingly the right of privacy both the applicant and the complainee(s). The university shows ultimate attention to prevent any behaviour that led to re-victimization and detracting the dignity of the parties.

 If the claimant deliberately lies or makes false statements, it will be taken legal action within the framework of No. 2547 Act “Disciplinary Regulations of the Higher Education Institutions Administrators, Teaching Staff and Officials” and “Disciplinary Regulations of Higher Education Students”.

**Precautions**

* Establishing a unity within the body of DEKAUM in which people can make their complaints intended for sexual and gender based violence especially the sexual harassment and assault and activates some mechanisms for supporting the victims.
* Establishing a unity about this matter within the body of each Faculty and Institution.
* Providing a telephone line in order to give crisis counselling. Our undergraduate students in the Departments of Psychology and Guidance and Psychological Counselling can give psychological support after having necessary courses for this service.
* Raising awareness for gender mainstreaming; conducting a series of activities in order to actualize the equality of women and men in real terms; acting in unison with non-governmental organizations (NGOs) about these matters.
* Providing educational studies for all University personnel especially about the sexual harassment and assault (such as distributing brochures, creating a website, organizing conferences etc.)
* Providing a psychological support for the victim and affected by gender based violence, sexual harassment and assault.
* Implementing positive discriminations such as quota towards women who are partially represented in the phases of administration and decision.
* Performing works or studies in order to raise necessary awareness for the university students, workers and community that the women’s rights and violence are not problems only for women; they are the problems of all community.
* Editing the university campus and classrooms intended for the security of female students; lighting the classrooms sufficiently and increasing the number of security guards at the evening education.
* Making contact with local administrations so as to provide safety transportation to the university campuses.
* Taking the complaints of the victims suffered from sexual harassment and assault seriously and giving psychological support to express them.
* Preparing “Guide for Prevention” including the precautions that can be taken individuals suffered from sexual harassment and assault.
* Putting an operative investigation and sanction mechanism in place.
* Behaving accordingly the privacy principle in the all phases of sexual harassment and assault.

(Moreover, people having different sexual orientation and gender identity need to benefit likewise from policy as mentioned.)

 Consequentially, Dokuz Eylül University commits to take necessary precautions in order to prevent gender based violence and sexual harassment/assault; eliminate them and operate sanction mechanism into action in the light of purposes, scope, definitions and measures as mentioned above.