

Eastern Mediterranean University Policy Document Against Sexual Harassment and Sexual Assault

I.Aim

Eastern Mediterranean University is committed to providing a positive learning, working and living environment for all members of the university. The target of Eastern Mediterranean University is to foster a democratic university environment nourishing personal, intellectual and academic development. All stakeholders of Eastern Mediterranean University demonstrate responsibility and sensitivity for the sustainability of an independent educational and work environment based on mutual respect which is a public right .

Sexual harassment and assault is a part of sexual discrimination and a frequently encountered issue within different areas of the community. Gender discrimination is a widespread but unseen reflection of gender inequality, which is empowered by male dominated institutional and cultural structures. In this respect, sexual harassment and assault is a form of discrimination originated by gender inequality in societies. Sexual harassment and assault also constitute a crime as they are considered as a violence of rights negatively affecting victims in many different ways.

Being subject to non-consensual sexual advances and violence in the university environment could be traumatic on the victim and negatively affect an individual's academic and professional life as well as his/her daily life, and physical and mental well-being. The university houses hierarchical relationships between academic staff, administrative staff and students as well as within these statuses. Institutional environments where hierarchical relations are the norm coerce victims of harassment into silence, which may be harmful to both the victim and the institution. Despite the fact

that such discriminative acts are committed more towards women, individuals with different sexual orientation and sexual identity are also affected by these acts. Acts of sexual harassment and assault targeted towards males or taking place between the persons of the same sex are also possible.

The aim of this policy document is to specify the principles for the formation of an academic and professional environment freed from sexual assault and sexual harassment and introduce the relevant regulations for the said purpose. In this respect, Eastern Mediterranean University guarantees that sexual harassment and assault shall not be ignored in any way and encourages individuals who suspect that they have become subject or witness to sexual harassment to speak up and take the relevant action. Through the policy document, Eastern Mediterranean University undertakes the responsibility to raise awareness and sensitivity within the university community regarding sexual harassment and sexual assault, to carry out effective investigation and apply sanctions for cases and complaints as such, and to provide relevant measures and support mechanisms (e.g. psychological, legal and medical etc...) against sexual harassment and sexual assault.

This policy aims to contribute to the creation of an academic environment that is free from any kind of sexual harassment and assault and, at the same time, to prevent the occurrence of incidents as such. However, this document is not intended to regulate interpersonal affairs, prevent consensual sexual relations, impose a specific sexual morality, prevent freedom of speech and debate, involve all kinds of personal tensions and discomfort of a sexual nature in legal processes or give out severe punishments. Through this document , Eastern Mediterranean University undertakes to create awareness of gender equality, and offer stakeholders measures and support mechanisms against sexual harassment and assault. This document also intends to

create an environment encouraging individuals who have become subject or witness to sexual harassment to stand against harassment and speak up. Ultimately, this document is a reflection of Eastern Mediterranean University's policy against sexist culture.

Towards this purpose, Eastern Mediterranean University established "**Support Unit Against Sexual Harassment and Sexual Assault**", a unit which runs an effective support and empowerment mechanism regarding sexual harassment and assault complaints. The University grants authorisation to this unit regarding relevant administrative, academic and training-related issues and, at the same time, develops support mechanisms for the process of the solution of the complaints as well as towards the individuals who have become subjects to such acts. Operating under Eastern Mediterranean University Center for Women's Studies (EMU-CWS), "*Support Unit Against Sexual Harassment and Sexual Assault*" is organised as a unit formed by a unit coordinator, unit board and experts. The Board of Support Unit Against Sexual Harassment and Sexual Assault is formed by seven members appointed by the Rector.

The duties of the unit are to investigate claims of sexual harassment or assault and retaliation, provide expert opinion to investigators and legal authorities regarding sexual harassment cases, cooperate with authorities to take urgent measures in cases of severe sexual assault, arrange trainings and campaigns, make publications and similar organisations to create awareness against sexual assault and harassment within the university.

II. SCOPE

The principles and applications specified in this document apply to all university stakeholders. The guidelines and procedures in this document apply to all students,

academic and administrative personnel and all third party service providers in cases of sexual harassment and assault regardless of their time and place of occurrence. This policy applies to cases within the university as well as cases between members of the university that occur outside but are brought to the university and have the potential to impact academic life and the working environment.

This policy document covers all situations in which all university stakeholders become subject to discrimination due to their gender and sexual orientation.. With this policy document, the University undertakes to assess all claims of sexual harassment or assault and take urgent administrative measures in accordance with the legislation to facilitate the investigation and/or protect the complainer when required.

III. DEFINITIONS

A. Sexual Harassment

Sexual harassment includes attitudes and behavior of a sexual nature that do not involve physical contact but is non-consensual and disturbing to the other party, including verbal, non-verbal and other forms of behavior. Sexual harassment may be direct or implicit.

Depending on the environment and “context”, either a single act or a number of repeated acts may be considered sexual harassment. “Continuity” of advances is not a requirement.

Depending on the intensity and quality of the acts of harassment, acts of sexual harassment are divided into three categories as simple harassment, continuous harassment and severe harassment. Some cases of sexual harassment include, but are not limited to, the following:

1) Simple Harassment: Acts leading to an unwanted or uncomfortable environment or acts of disturbing nature that do not include threatening, blackmailing or insults.. For example, verbal abuse, jokes or compliments of a sexual nature, or using obscenities, excessive and insistent attempts at flirting, harassment with pornographic material, asking questions or generating rumors about the person's sexual life or using social media for these purposes, or discriminatory acts and speech against gender, sexual orientation or sexual identity and so forth.

2) Continuous Harassment: Continuous harassment occurs when simple harassment takes place in a continuous fashion.

3) Severe Harassment: Acts of severe harassment include behavior involving threatening, blackmailing, insults and other similar behavior towards controlling the behavior of the victim. Acts of severe harassment may also be related to behavior involving individuals misusing their professional or academic authority. Such cases may also occur between individuals who have no difference in status. Explicit or implicit statements that the victim may suffer or gain unfair advantage with regard to their student, professional or academic life depending on whether they refuse or agree to perform sexual favors.

B.SEXUAL ASSAULT

Sexual assault is defined as non-consensual, sexual contact with another person's body. There are two forms of sexual assault:

In the first form, this occurs as unwanted sexual contact that does not include sexual intercourse. Examples may include touching, grabbing, fondling, or other forms of contact depending on the situation.

In the second type of sexual assault, a person's body is violated by the penetration of a sexual organ or other object.

C.SEXUAL ABUSE

Acts of sexual harassment and sexual assault towards persons below the age of 18 are referred to as "***child sexual abuse***".

D.RETALIATION

Retaliation is a form of harassment where a person refusing and/or reporting or intending to report unwanted sexual advances is hindered by undue difficulties in their employment or studies for revenge or retaliation (such as lowering grades for students and preventing promotion for employees) in an explicit or implicit way. Similarly, promising rewards, promotion, better grades, and other advantages in return for sexual favors or accepting romantic relationship proposals is considered harassment.

IV. PRINCIPLES

1. Urgent and Active Evaluation

Applications are never left unresolved and evaluated in an urgent and active fashion. Where there are differences in status or asymmetrical power relations between the parties (faculty member-student, manager-employee), the evaluation of cases of sexual assault and sexual harassment negatively affecting the learning or employment situation and/or academic/administrative career of the complainant are prioritised and relevant measures protecting the rights of the complainant are taken in line with the relevant rules and regulations.

2. Fair and Objective Assessment

Applications are evaluated urgently and in a fair and objective manner. Ethical principles as well as the subjective and objective conditions of the case are taken into consideration during the evaluation of the case.

3. Confidentiality

Eastern Mediterranean University undertakes to ensure the strict confidentiality and privacy of applicants and complainers during all stages of handling a sexual harassment or sexual assault case. All individuals involved in the reporting and/or investigation procedures are under obligation to handle the complaint with utmost respect to the reputations of the parties involved. The confidentiality principle also carries special importance in providing solutions to allegations of sexual assault and harassment without disclosing the details regarding the private life of individuals who have become parties to the conflict.

4. Voluntariness

University members who believe they are being sexually harassed are encouraged to contact the relevant unit. These individuals will be informed about mechanisms of support, the rights of the complainer and action to be taken against sexual abuse or sexual harassment. Notwithstanding, the complainer alone decides on whether s/he would like to invoke any of the processes. Voluntariness is critical to all aspects of complaint and case handling. No procedure will be initiated without the prior consent of the complainer.

5. Statements and Documents

Sexual harassment is very personal and oftentimes difficult to prove. This discourages individuals from speaking up and creates an environment more susceptible to harassment. In the evaluation of the act of sexual harassment and assault, the complainant's statement is taken as a basis. This principle assumes that the effect of the act on the complainant is considered as proof for the existence of the harassment and assault. When no clear evidence is available, the preventive measures explained in this document will seek to adopt a general perspective, gain insight into the nature and context of harassment and the persons involved and understand the "nature of the case". Therefore, individuals who believe they may be under harassment are encouraged to report the situation even if they are not sure of its nature. However, administrative and legal proceedings are inclined to interpret a lack of clear evidence in favor of the offending party.

Therefore, it is important that harassed individuals employ legal means to collect and preserve possible evidence (written or audio records, witness statements etc.) to assist the investigation. The complainer should be informed about this issue of sensitivity, accordingly.

6. Deliberate Misstatements

In the event that a complainer is discovered, without any shadow of doubt, that they are deliberately misleading the committee and making misstatements, disciplinary action about the applicant will be enforced. Along with all other issues, this policy document aims to deter the use of a sexual harassment allegation as a means for resolving emotional and other personal disagreements.

Through the approved policy document and in line with the aforesaid aims, principles and procedures, Eastern Mediterranean University informs the public that the University undertakes to raise awareness within the university community regarding sexual harassment and sexual assault and, in cases of allegations and complaints for incidences as such, to launch an effective and prompt disciplinary investigation and to apply sanctions, accordingly.