

KADIR HAS UNIVERSITY
REGULATION FOR THE UNIT ON THE PREVENTION OF GENDER BASED
HARASSMENT, SEXUAL HARASSMENT
AND SEXUAL ASSAULT

PART I

Aim, Scope, Legality and Definitions

Aim

ARTICLE 1 – (1) These regulations have been compiled with the aim of ensuring the structure, tasks and working principles of the Unit for the Prevention of Gender Based Harassment, Sexual Harassment and Sexual Assault. This unit is formed to conduct activities regarding the conduct of prevention, support and strengthening, inquiry and sanction mechanisms needed to be created for ensuring an academic, teaching and working environment completely free of gender based harassment, sexual harassment and sexual assault at Kadir Has University.

Scope

ARTICLE 2 – (1) These regulations cover, without the limitation of location and time, any sort of gender based harassment, sexual harassment and sexual assault among all academic and administrative personnel of Kadir Has University, representatives and personnel of sub-employers, all individuals and personnel of service enterprises, and students; between them and third parties on university campuses and in places and vehicles dedicated to university services, as long as the connection between all or at least one of the parties and the university is ongoing.

(2) These regulations cover all gender based harassment, sexual harassment and sexual assault actions taking place within the auspices of Kadir Has University as well as any sort of gender based harassment, sexual harassment and sexual assault among the members of University taking place outside of the University but being carried into the University or affecting the academic life or work environment.

Legality

ARTICLE 3 – (1) These regulations are prepared based on Article 14 of Higher Education Law 2547 adhering to the tenets as stipulated primarily in the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence; the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); UN Global Compact as well as the Constitution of Turkish Republic; Act of Family Protection and Prevention of Violence Against Women; Higher Education Law; Turkish Penal Code; Labour Law; Code of Obligations and; Disciplinary Regulations for Students of Institutions of Higher Education.

(2) Kadir Has University Policy Document for Preventing Gender Based Harassment, Sexual Harassment and Sexual Assault is an integral part of this document and the articles of the Regulations form a whole with the definitions, principles and policies in that Document.

ARTICLE 4 – (1) The definitions of the following terms in these Regulations are as follows:

- a) Emergency case: The case when failure to take immediate action or take precautions may result in the applicant's life or the protection of her/his rights and freedoms being in jeopardy, the applicant's injury or the possibility of evidence being lost.
- b) Applicant: The individual who applies to the Kadir Has University Unit for the Prevention of Gender Based Harassment, Sexual Harassment and Sexual Assault with an allegation that she/he has experienced or witnessed gender based harassment, sexual harassment and sexual assault.
- c) Unit: Kadir Has University Unit for the Prevention of Gender Based Harassment, Sexual Harassment and Sexual Assault
- d) Coordinator: Coordinator of Kadir Has University Unit for the Prevention of Gender Based Harassment, Sexual Harassment and Sexual Assault
- e) Board: Board of Kadir Has University Unit for the Prevention of Gender Based Harassment, Sexual Harassment and Sexual Assault
- f) Center: Kadir Has University Gender and Women's Studies Research Center
- g) Rector: Rector of Kadir Has University
- h) Witness: An individual who is not one of the parties of the incident that may constitute gender based harassment, sexual harassment and sexual assault but has information about it,
- i) University: Kadir Has University
- j) University units: Institutes, faculties, schools, vocational schools, research and application centers and; administrative units, social, cultural centers and sports centers and dormitories of Kadir Has University,
- k) University members: Kadir Has University's academic and administrative personnel, representatives and personnel of sub-employers, all individuals and personnel of enterprises whose services are taken and, students.

PART II

Aim and Activity Areas of the Unit

Aim of the Unit

ARTICLE 5 – (1) With activities on preventing and eliminating any sort of gender based harassment, sexual harassment and sexual assault within the auspices of the University, the unit is founded in order to have an active role for the creation of academic research, education and work environment free of such types of discrimination and violence that are based on gender.

(2) Within this framework it aims at;

- a) Creating awareness about gender inequality and elimination of any sort of discrimination and violence based on gender, gender orientation and gender identity,
- b) Informing University units and University members on these issues,
- c) Creating an effective application mechanism for complaints regarding gender based harassment, sexual harassment and sexual assault,
- d) Supporting and empowering the applicant who believes that she/he has experienced or witnessed gender based harassment, sexual harassment and sexual assault.

Activities of the Unit

ARTICLE 6 – (1) The unit carries out the following activities in order to reach its aims stated above:

- a) Organizing training, publicity, conferences and similar activities in order to create awareness and sensitivity about gender based harassment, sexual harassment and sexual assault;
- b) Cooperating with domestic and international institutions and organizations, non-governmental organizations and independent researchers to work on issues of gender based harassment, sexual harassment and sexual assault;
- c) Creating reports by examining the applications made to the Unit regarding gender based harassment, sexual harassment and sexual assault;
- d) Identifying the support that can be provided based on the applicants' requests and needs and to cooperate with the relevant University units in this regard;
- e) Following the administrative measures to be taken in case of an emergency situation;
- f) Carrying out needs assessment activities and submitting recommendations to the Rector regarding the regulation of the physical conditions of the university in order to prevent gender based harassment, sexual harassment and sexual assault;
- g) Preparing reports, giving opinions and, providing expert support on gender based harassment, sexual harassment and sexual assault in intra-university procedures.

PART III

Organs and Duties of the Unit

Organs of the Unit

ARTICLE 7 – (1) The organs of the Unit are as follows:

- a) Coordinator
- b) Board
- c) Experts

Coordinator

ARTICLE 8 – (1) The Coordinator is appointed by the Rector for two years.

(2) The Coordinator whose term of office has expired can be re-appointed with the same procedure.

(3) The Coordinator appoints one of the Board members as deputy coordinator in times when she/he is not on duty.

Duties of the Coordinator

ARTICLE 9 - (1) Tasks of the coordinator are as follows:

- a) Providing the necessary coordination for the fulfillment of the Board's tasks and its regular functioning;
 - b) Calling the board meeting;
 - c) Preparing the agenda of the Board meetings and keeping the minutes of the meetings;
 - d) Conducting the administrative and financial processes related to the annual budget of the unit;
- Supporting the Coordinator on her/his tasks,
Distributing tasks about the activities of the unit,

(2) If an action regarding the application is started, the applicant will be informed regarding the stages and result of the carried out process.

(3) In case of the presence of a connection between any of the parties to the incident subject to the application and a member of the Board that can be regarded as a conflict of interest, the related Board member is not included in the application process. In case the related connection is learned or noticed afterwards, the board member will leave the process. In such cases, one of the substitute members will be temporarily appointed.

(7) In applications reaching the Unit directly or indirectly, relevant individuals listen to the details of the incident, learn the needs and demands of the applicant, and inform the applicant on legal and other solution mechanisms, the processes followed in these mechanisms, the risks that each of the mechanisms can create and the precautions to be taken. The applicant is also informed about psychological, medical and legal support mechanisms offered inside and outside of the University and encouraged to resort to these mechanisms. The applicant is certainly informed about notification obligations of the University and its units based on legislation.

(8) If the application is made in electronic form via e-mail, the applicant is encouraged to have face-to-face meeting. If the applicant does not want or is intimidated by face-to-face meeting, then the applicant's needs and requests are learned through electronic mail and the information specified in Article 7 is conducted through electronic mail.

(9) The Board examining the application prepares a report on its views on the subject. In line with the confidentiality principle, reports on applications are delivered to the Rector by the Coordinator by hand in a sealed envelope stamped as confidential.

(10) Disciplinary inquiry as regards the acts falling within the scope of these Regulations will be launched by the related disciplinary supervisor within the framework of the legislation in force; however, the Rector will be separately be informed at each stage of the inquiry. In cases where launching a disciplinary inquiry is decided, the Board makes a proposal to the Rector or the related disciplinary supervisor on the investigator to be appointed or on the creation of the disciplinary commission.

(11) Investigators and members of the inquiry commission will adhere to the tenets of the principles and procedures of the related disciplinary inquiry as well as the precepts, principles and procedures of Kadir Has University Policy Document for Preventing Gender Based Harassment, Sexual Harassment and Sexual Assault.

(12) All documents relating to the applications are undisclosed to all individuals other than the current and future members of the Board. In compliance with the confidentiality principle, apart from the notification obligations and other legal requirements arising from the legislation, these documents cannot be shared with any individual or authority and cannot be reproduced.

Emergency Case

ARTICLE 14 – (1) In cases of emergency, with the knowledge of the Rector, University units and members are obliged to cooperate with the Unit on the specification and implementation of administrative measures.

Principles Governing the Functioning of the Unit

ARTICLE 15 – (1) All tasks within the scope of these Regulations are implemented by the Unit and other University units and University members, in accordance with prohibition of discrimination, rapid action principle, confidentiality principle, care principle, predicating on declaration principle, volunteering principle and confidence principle stated in Kadir Has University Policy Document for Preventing Gender Based Harassment, Sexual Harassment and Sexual Assault in detail.

PART V Final Provisions

Budget, Logistics and Personnel

ARTICLE 16 – (1) All expenditures of the unit are covered by the Rectorate within the framework of the annual budget prepared by the Board and submitted to the approval of the Rector.

(2) The logistics needs of the Unit are covered by the Rectorate.

(3) The need for technical, administrative and academic staff of the Unit will be met by the personnel to be appointed by the Rector based on Article 13 of the Higher Education Law numbered 2547.

Validity

ARTICLE 17 – (1) These regulations go into effect on the date they were accepted by the Senate together with the Kadir Has University Policy Document for Preventing Gender Based Harassment, Sexual Harassment and Sexual Assault.

Implementation

ARTICLE 18 – (1) The provisions of these regulations are implemented by the Rector of Kadir Has University.