

**MARMARA UNIVERSITY**  
**DIRECTIVE OF THE COMMISSION FOR COMBATING SEXUAL HARASSMENT**  
**AND DISCRIMINATION**

Senate: April 8, 2025 / 461-6

**CHAPTER ONE**

**Purpose, Scope, Legal Basis, and Definitions**

**Purpose**

**ARTICLE 1** – (1) The purpose of this Directive is to define the duties and authorities of the Marmara University Commission for Combating Sexual Harassment and Discrimination and to regulate the principles and procedures governing its operations.

**Scope**

**ARTICLE 2** – (1) This Directive covers the provisions related to the duties and the operational procedures and principles of the Marmara University Commission for Combating Sexual Harassment and Discrimination, which has been established to investigate incidents of sexual harassment and/or discrimination encountered by Marmara University students, as well as academic and administrative staff, including contracted personnel, in the context of “work and educational relationships.”

**Legal Basis**

**ARTICLE 3** – (1) This Directive is based on the Higher Education Law No. 2547, the Civil Servants Law No. 657, the Turkish Penal Code No. 5237, the Law No. 6284 on the Protection of the Family and the Prevention of Violence Against Women, the Labor Law No. 4857, the Regulation on Disciplinary Procedures for Administrators, Academic Staff, and Civil Servants of Higher Education Institutions, the Regulation on Student Disciplinary Procedures of the Council of Higher Education, the Regulation on the Principles of Ethical Behavior of Public Officials and Procedures for Application, as well as international conventions to which Türkiye is a party.

**Definitions**

**ARTICLE 4** – (1) The following terms used in this Directive shall have the meanings set forth below:

- a) **Chairperson:** The Chairperson of the Marmara University Commission for Combating Sexual Harassment and Discrimination,
- b) **Sexual Harassment:** Any verbal, attitudinal, or other form of behavior of a sexual nature or intent that occurs without the individual’s consent and without physical contact,
- c) **Legal Counsel:** The Legal Counsel Office of Marmara University,
- ç) **Commission:** The Commission for Combating Sexual Harassment and Discrimination,
- d) **Rector:** The Rector of Marmara University,
- e) **Senate:** The Senate of Marmara University,
- f) **University:** Marmara University,
- g) **University Units:** All academic, administrative, and social activity units within Marmara University,
- ğ) **University Personnel:** All academic, administrative, and other employees of Marmara University,
- h) **Administrative Board:** The Administrative Board of Marmara University.

## CHAPTER TWO

### Behaviors Within the Scope of Sexual Harassment and Discrimination

**ARTICLE 5** – (1) The fundamental behaviors falling under the scope of sexual harassment are as follows:

a) **Sexual Harassment:** Includes any verbal, attitudinal, or other behavior of a sexual nature or intent, carried out without the individual's consent and without physical contact. Sexual harassment is categorized into three types according to the nature and severity of the harassing behavior: *simple harassment*, *persistent simple harassment*, and *severe harassment*. While not limited to the following list, examples of these types may include:

- **Simple Harassment:** Sexually motivated disturbing behaviors that do not involve threats, blackmail, or insults.
- **Persistent Simple Harassment:** The repeated occurrence of simple harassment despite prior warnings.
- **Severe Harassment:** Sexually motivated behaviors involving threats, blackmail, insults, or similar acts, or actions intended to cause a person to engage in sexual acts with a third party without their consent. For instance, explicitly stating or implicitly suggesting that refusal of a sexual proposition will negatively affect the person's academic, professional, or student life, or that compliance will result in unmerited benefits.
- b) **Stalking:** Refers to any form of sexual conduct or behavior—whether physical, verbal, written, or conducted through any means of communication—that causes the individual to feel fear and helplessness physically or psychologically, threatens their sense of security, and places them under pressure.
- c) **Sexual Assault:** The violation of an individual's bodily integrity through non-consensual sexual acts.
- ç) **Sexual Abuse:** Acts of sexual assault and sexual harassment directed toward individuals under the age of 18.
- d) **Retaliation:** Situations in which a person's work or educational life is explicitly or implicitly made more difficult as a form of revenge due to their rejection of sexual or emotional advances or offers, or because they objected to or sought to file a complaint about harassment they experienced or believed they experienced.
- (2) **Discrimination** may occur in the form of direct or indirect discrimination.
  - a) **Direct Discrimination:** Occurs when an individual receives less favorable treatment than another person in a comparable situation based on their membership in a particular group.
  - b) **Indirect Discrimination:** Situations in which a provision, criterion, or practice that appears neutral puts individuals from a certain group at a disadvantage compared to those from another group—unless it can be objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

**CHAPTER THREE**  
**Establishment and Duties of the Commission**

**Establishment and Duties of the Commission**

**ARTICLE 6 –**

- (1) The Commission shall consist of five (5) members, including a Chairperson, appointed from among the tenured personnel of the University by the Rector. At least two of the members must be women.
- (2) Members appointed to the Commission must not have any disciplinary record, must have academic or professional experience in the relevant field, and at least one (1) member must be an expert in the field of Law.
- (3) A different commission may be appointed for each application.
- (4) The duties of the Commission are as follows:
  - a) To effectively review and evaluate applications concerning allegations of sexual violence, sexual harassment, and/or discrimination occurring within the University, prepare an "investigation report," and provide an opinion to the Rectorate.
  - b) To organize informational meetings and similar activities to raise awareness about sexual harassment and discrimination.
  - c) To cooperate with authorized individuals, institutions, and organizations when legal and psychological support is deemed necessary.

**CHAPTER FOUR**  
**Application to the Commission, Working Procedures and Principles**

**Application**

**ARTICLE 7 –**

- (1) Individuals who believe they have been subjected to or have witnessed sexual harassment and/or discrimination may apply directly to the Marmara University Commission for Combating Sexual Harassment and Discrimination by using the official Commission Application Form.
- (2) In cases where an application is submitted to other units instead of the abovementioned authority/method, the relevant units shall forward such applications to the Legal Counsel Office within five (5) working days, while maintaining confidentiality.
- (3) The Legal Counsel Office of Marmara University shall register the applications and forward them to the Commission within five (5) working days at the latest.
- (4) The secretarial services of the Commission shall be carried out by the Legal Counsel Office.
- (5) Each application shall be assigned a registration number by the Legal Counsel Office, and all subsequent procedures shall be carried out using this number. The registration form shall not include the applicant's personal identity information. It shall contain the date of the application, its subject, and the demands of the complainant.
- (6) If it is determined that the complainant has deliberately made a false and/or misleading statement regarding the allegation, the relevant provisions of the applicable disciplinary regulations shall be enforced.

**Working Procedures and Principles**

ARTICLE 8 –(1) Marmara University shall act in accordance with the principle of confidentiality at all stages of handling allegations of sexual harassment and/or discrimination. This includes maintaining confidentiality with respect to the alleged

perpetrator and the victim, the complainant, and any witnesses. Members of the Commission and all individuals responsible for the implementation of this Directive must show the utmost respect for the privacy of those who report sexual harassment/discrimination and those who are accused. At every stage of the implementation of this Directive, it is essential to ensure the confidentiality of all parties and witnesses with respect to third parties, and to prevent any risk to their safety.

(2) The Commission shall treat all applications with seriousness and shall conduct the necessary investigation in an effective and timely manner.

(3) In the acceptance of applications and in providing support to the complainant, the statement of the applicant shall be taken as the basis, and the relevant parties shall be heard. Particularly at the initial stage, the complainant is not expected to prove the occurrence of the act of sexual harassment or assault.

(4) Due care and attention shall be paid to preventing secondary victimization and avoiding any behavior that may violate human dignity.

(5) The Commission shall convene upon the call of the Chairperson with a quorum of two-thirds of its full membership and shall make decisions by a simple majority of the full membership. Votes shall be cast as either acceptance or rejection.

(6) For the Commission to consider an allegation of sexual violence, harassment, or discrimination, the behavior does not have to be continuous. Verbal or written threats indicating that such acts may occur, if they pose an imminent and real danger, may also be subject to review by the Commission.

(7) The agenda, announcement of meetings, and distribution of duties shall be determined by the Chairperson.

(8) All applications shall be evaluated actively and promptly. No application shall be left unresolved. The Commission aims to include applications in the meeting agenda and reach a decision on the allegations within three (3) months at the latest, based on fundamental principles and relevant legislation.

(9) Commission members shall not attend meetings if they are related to the complainant and/or the accused up to the third degree by blood or marriage, or if they themselves are the complainant and/or the accused.

(10) The Commission may seek written or verbal information from the relevant parties and may request information and documents from units, limited to the scope of the application. The requested information and documents must be provided to the Commission.

(11) The Commission evaluates the alleged incidents of sexual harassment and/or discrimination based on concrete information, documents, and findings.

(12) During the investigation and evaluation phase, the Commission shall conduct correspondence with external persons, institutions, and organizations through the Rectorate.

(13) All information related to the incident subject to the complaint and the complainant and the accused shall be kept confidential at every stage.

(14) The Commission shall prepare a report on the results of the investigation and evaluation and submit it to the Legal Counsel Office for forwarding to the Rectorate. The report shall be forwarded to the Rectorate by the Legal Counsel Office within three (3) business days at the latest. The Rector may request a re-examination of the application by the Commission if deemed necessary. Following the relevant procedures, the outcome of the investigation and evaluation shall be communicated to the applicant in writing.

(15) Records related to sexual harassment and discrimination incidents at the University shall be maintained by the Legal Counsel Office.

(16) Regardless of the support process, the victim retains the right to directly apply to the relevant authorities within the scope of disciplinary and penal provisions.

(17) If there is a shared working environment between the person alleging sexual violence or harassment and the accused, the Commission shall cooperate with the relevant units of the Rectorate to change the shared educational or working areas of the parties to prevent escalation of the issue. It is essential that the person who commits sexual harassment/discrimination is not employed in positions and/or environments where they may cause new victimizations by repeating similar behaviors.

## **CHAPTER FIVE**

### **Miscellaneous and Final Provisions**

#### **Confidentiality**

##### **ARTICLE 9 –**

(1) Members of the Commission are obligated to comply with confidentiality rules regarding any information they obtain.

(2) Documents related to the Commission's investigations, evaluations, and correspondence must be kept in a specially protected archive by the Legal Counsel Office for at least five (5) years.

#### **Entry into Force**

##### **ARTICLE 10 –**

(1) This Directive shall enter into force on the date it is approved by the Marmara University Senate.

#### **Execution**

##### **ARTICLE 11 –**

(1) The provisions of this Directive shall be executed by the Rector of Marmara University.

**Annex-1**

**REPUBLIC OF TURKEY  
MARMARA UNIVERSITY  
COMMISSION FOR COMBATING SEXUAL HARASSMENT AND  
DISCRIMINATION  
APPLICATION FORM**

Name: .....

Surname: .....

Turkish ID Number: .....

Department/Unit: .....

Position: .....

- Name of the person(s) you accuse of sexual harassment and/or discrimination:

Name: .....

Surname: .....

Department/Unit: .....

Position: .....

Gender: .....

- Have you initiated any legal proceedings related to your application? ( ) Yes ( ) No
- Please explain your allegations in detail along with any evidence: (Attach evidence and documents such as medical reports, correspondence, emails, etc., to the Application Form.)

**I hereby declare that the above statements are true and accurate.**

**I accept full legal and administrative responsibility regarding my statements.**

Date and Signature