

Sexual harassment

Section 3(4) of Germany's General Anti-Discrimination Act (AGG) defines sexual harassment as a form of discrimination where unwanted conduct of a sexual nature takes place with the purpose or effect of violating the dignity of the person targeted. Conduct of a sexual nature includes unwanted sexual acts and requests to carry out sexual acts, physical contact of a sexual nature, comments of a sexual nature or the unwanted or public display of pornographic images, particularly when such conduct creates an intimidating, hostile, degrading, humiliating or offensive environment.

Examples of sexual harassment include

- Unwanted physical contact
- Suggestive and defamatory remarks obscene
- Jokes and humiliating remarks unwanted sexual advances
- Displaying or passing around photographs or drawings that show persons with little or no clothing or that depict sexual content
- Requests for sexual favours or acts.

Sexual discrimination is defined as treating one person less favourably than another on grounds of sex. Sexual violence is defined as acts such as physical threats, coercion and rape. Sexual violence may result in criminal prosecution.

What to do if you are affected

Unwanted sexual, discriminatory and degrading acts have far-reaching consequences for those affected. Victims can be impacted both physically and emotionally and their motivation and performance in their studies, work and private life can be seriously impaired. If you have been affected, it is crucial that you respond appropriately and that you try to establish boundaries. We recommend that victims of sexual harassment or stalking seek advice and support from trusted individuals or from the appropriate counselling services.

Some people respond to sexual harassment or stalking by choosing not to react. However, passive responses such as ignoring unwanted advances, avoiding the harasser or stalker or trying to make light of the situation are rarely successful. You have a far greater chance of stopping further harassment if you take action directly.

I. Establish boundaries immediately

Start by actively establishing boundaries using unambiguous language. This will make it clear that the other person's conduct is unwanted and will not be tolerated. A loud and clear 'Stop harassing me!' or 'Don't do that!' brings the situation out into the open and establishes a clear boundary.

Examples of how to respond verbally

- 'Stop harassing me!'
- 'Don't do that!'
- 'Don't touch me!'
- 'Stop!'

It is also worthwhile making clear to the stalker or harasser, either in writing or in the presence of witnesses that you do not want any further contact. This should be your first and only personal response. If possible, avoid any further contact, whether in person or by email, telephone, etc. You can also contact the police directly.

You should also document the incident in writing immediately after it has occurred:

- Date, time, place
- Name of the perpetrator
- Details of the incident
- Names of potential witnesses
- Evidence (e.g. letters, emails)

Stalking

The German Criminal Code (StGB) states in Section 238(1) that unauthorized, persistent stalking is a criminal offence punishable by imprisonment of up to three years or a fine. Subsections 1 to 5 further define stalking as: 1. Seeking proximity 2. Trying to establish contact through the use of telecommunications or other means of communication 3. Placing orders for goods or services by misusing personal data 4. Threats to the victim's life, physical safety, health or freedom, and 5. Carrying out a similar or comparable action.

Examples of stalking include

- Unwanted phone calls
- Leaving messages over the internet, by email, mobile phone or voicemail
- Surveillance or observation of a particular person
- Unauthorized recording of audio or visual material
- loitering with intent to intimidate in lecture halls, seminar rooms, student accommodation or in other locations
- Pursuing or approaching another person, repeated attempts to contact them
- Unwanted gifts or ordering the delivery of goods to the victim.

Victims of stalking are subjected to persistent, unwanted and unacceptable observation, obsessive following or invasive harassment that severely diminishes their quality of life. They are afraid, feel powerless or become desperate or increasingly suspicious of others. Stalking can lead to psychological illness.

Victims of stalking are therefore strongly advised to defend themselves as early as possible against the person stalking them. Stalking can be prosecuted under German civil or criminal law.

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II. Tell somebody you trust

It can be helpful to talk to someone you trust. This could be your partner, a friend, a fellow student, colleague or relative. Talking to someone can help you to understand your situation more clearly, reclaim a sense of control and self-confidence and think about further action.

III. Seek help from an official body

The General Student Committee (AStA) can provide confidential advice and information on support services you can contact.

Other counselling services offered at Saarland University include the university's gender equality officer and the Mental Health Counselling Service (PPB) run by Saarland Student Services (Studierendenwerk). All consultations are, of course, confidential and free of charge. After you have given an account of the details of the incident, you can discuss with the counsellor your options for taking matters further and agree on the next steps to take. You are welcome bring a person you trust with you to the consultation.

Disciplinary measures and consequences

Deregistration

Students can be deregistered on the basis of Section 82(4), sentences 3 and 4 of the Saarland Higher Education Institutions Act (SHSG) and/or Section 238 of the German Criminal Code (StGB).

Disciplinary measures

- Exclusion from a course or other teaching activity
- Exclusion from using university facilities
- Withdrawal of IT access authorizations
- Ban from entering university premises
- Deregistration

House rules and right of access

According to the house rules issued by Studierendenwerk Saarland (Saarland Student Services), every person in a location where these rules apply (in particular student halls of residence) must behave in a manner that does not compromise order, safety or security. The Studierendenwerk maintains order at its premises and enforces its rules governing right of access. It shall be entitled to remove any individuals from its premises who behave in a disorderly manner or disturb the peace. Please contact the Studierendenwerk directly at info@stw-saarland.de.

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University support services

Mental Health Counselling Service (PPB)

run by Studierendenwerk Saarland

Saarbrücken Campus

Building B6 2

Homburg Campus

Building 74 (Mensa), upper floor

Tel.: +49 681 302-2515

(to arrange appointments for both the Saarbrücken and Homburg campuses)

Email: ppb@stw-saarland.de

Gender Equality Officer at

Saarland University

Gender Equality Office

Saarbrücken Campus, Building C3 1 (Annex)

Tel.: +49 681 302-4795

Email: gleichstellung@uni-saarland.de

General Student Committee (AStA)

Saarland University

Saarbrücken Campus, Building A5 2

Tel.: +49 681 302-2900 | Office

Email: frauen@asta.uni-saarland.de or international@asta.uni-saarland.de

Studierendenwerk Saarland (Saarland Student Services), the General Student Committee (AStA) and the Gender Equality Office at Saarland University expressly oppose sexual harassment and sexual abuse, particularly any sexualized, discriminatory and degrading behaviour or acts. Forms of sexualized, discriminatory and degrading acts and behaviour include:

Sexual discrimination

Treating a person less favourably or unfairly because of their sex, sexual orientation or gender identity

Sexual harassment

Verbal and physical assault

Sexual violence

*Coercion and rape**

* Adapted from: Recommendation of the 24th General Assembly of the German Rectors' Conference (HRK) on 24 April 2018 in Mannheim: Gegen sexualisierte Diskriminierung und sexuelle Belästigung an Hochschulen (*Against sexual discrimination and sexual harassment at universities*)

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Reporting a crime

Criminal behaviour can be reported at any police station.

Local police stations:

Polizeiinspektion St. Johann, Saarbrücken
Karcherstraße 5
66111 Saarbrücken
Tel.: +49 681 932-1233

Polizeiinspektion Homburg/Saar
Eisenbahnstraße 40
66424 Homburg/Saar
Tel.: +49 6841 1060

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External advice centres

Crisis Hotline 'Frauennotruf Saarland'

(support and counselling hotline for women affected by rape, sexual abuse, domestic violence and other forms of harassment)

Nauwieserstraße 19

66111 Saarbrücken

Tel.: +49 681 36767

info@frauennotruf-saarland.de

www.frauennotruf-saarland.de

Confidential help for victims of sexual violence

(confidential forensic medical examinations)

Tel.: +49 681 844944

www.spuren-sichern.de

Weißer Ring – Saarland Regional Office

(voluntary organization providing nationwide support to victims of crime)

Halbergstraße 44

66121 Saarbrücken

Tel.: +49 681 67319

saarland@weisser-ring.de

saarland.weisser-ring.de

Telephone helpline 'Gewalt gegen Frauen'

(national support and counselling hotline for women affected by violence)

Tel.: 08000 116 016 (in multiple languages)

info@hilfetelefon.de

www.hilfetelefon.de

Police crime prevention and victim support service

Tel.: +49 681 962-0

Further information on victim support or on reporting a crime is available at:

www.polizei-beratung.de