

Perceptions of civil servants regarding sexual harassment in the workplace

Publisher: Kosovar Gender Studies Centre

Director of Research: Luljeta Vuniqi

Lead Researcher: Luljeta Demolli

Translator: Xhavit Rexhaj

Technical Editing: Drin Kryeziu

Print: Printing House "Raster" Prishtina

© 2010 Publisher: Kosovar Gender Studies Centre

All Rights reserved

www.kgscenter.net

The research was financed by:

The European Fund for the Balkans/*Think and Link* www.balkanfund.org



Qendra Kosovare për Studime Gjinore
Kosovar Gender Studies Centre

Content

METHODOLOGY	5
ACKNOWLEDGMENTS	7
SUMMARY OF MAIN CONCLUSIONS	9
RECOMMENDATIONS	15
PURPOSE AND SCOPE OF THE STUDY	19
Sexual harassment in the workplace	21
UNDERSTANDING SEXUAL HARSSMENT IN THE WORKPLACE	23
FORMS OF SEXUAL HARASSMENT	25
LEGAL STATUS OF SEXUAL HARASSMENT IN KOSOVO	29
CIVIL SERVANTS IN KOSOVO	31
WOMEN'S POSITION IN DECISION MAKING INSTITUTIONS IN KOSOVO	33
PART ONE OF THE RESEARCH	37
PART TWO OF THE RESEARCH	51
WHAT SHOULD YOU DO IF YOU ARE THE VICTIM	57

METHODOLOGY

Kosova Centre for Gender Studies has designed a tailor made research methodology with the purpose of gathering relevant information available for the research and drafted an assessment of “Perceptions of civil servants regarding sexual harassment in the workplace.”

The research was carried out with 200 employees of the civil service at the central level and with 340 employees at the local level period march-june 2010. The sample of respondents was designed in a way that it represented civil servants from all level of administration, and thus making it possible for the research team to distinguish between these levels and the reflection of these phenomena there. In addition, the research sample included an equal number of men and women respondents, in order to allow for a gender perspective (regarding differences in perception between them) on this phenomenon.

The research with civil servants was carried out through direct semi-controlled interviews with them. This method significantly reduces the mistake factor, especially when having in mind that the interview questionnaires were filled by experienced researchers of the KCGS.

KCGS has made use of other sources of information to also analyze other problems that Kosovo civil servants may face in their workplaces.

Instrument: A questionnaire was used to implement the research and to collect data for this research. It was designed in a medium length that took around 30 minutes to fill. The questionnaire was designed in consultation with professional associates and consultants of the KCGS who are well informed about the issue of sexual harassment at the work place.

Recommendations have been put together and finalized in cooperation with representatives of institutions and civil society during a working meeting with the group of experts.

The report was finalized on August 31, 2010.



ACKNOWLEDGMENTS

First, I would like to express my acknowledgement and gratitude to all respondents who were willing to share their time with us and to participate in our research by filling in the questionnaires. Their readiness for cooperation and support made it possible for us to have the needed data to analyze the issues addressed by this report.

I would like to extend special thanks to the European Fund for the Balkans/*Think and Link* for their financial support.

I express my gratitude to the KCGS staff - Luljeta Demolli, lead researcher, and to Driton Parduži and Sibel Halimi, whose contribution and input was crucial for the successful completion of this report.

Luljeta Vuniqi

Executive Director of the Kosovo Centre for Gender Studies

SUMMARY OF MAIN CONCLUSIONS

- This research can serve as a basis to prove the need for a law on sexual harassment in the workplace, as well as the need for drafting policies against sexual harassment in the workplace.
- The Law Against Decimation, in its Article 2.6 provides that: "Harassment and sexual harassment are considered as gender discrimination." Further, Article 2.7 states that "Sexual harassment includes every form of behaviour that aims at or constitutes violation of personal dignity." The same Law (in Article 2.8) defines sexual harassment as including "any form of unsolicited sexual verbal or nonverbal, physical or symbolic behavior and aims at or results in violation of personal dignity."
- There are no institutional mechanisms to adequately combat the phenomenon of sexual harassment in the workplace. No public institutions have as yet developed such policies.
- Official statistics of civil service show that women usually hold lower positions in this service, leading to increase of their vulnerability.
- Our Research data prove the existence of sexual harassment in workplace.
- Lack of reporting by the side of Kosovo institutions for the level of implementation of the Convention against All forms of Discrimination (CEDAW) leads to multiple consequences, including the issue of sexual harassment in workplace.
- The Agency for Gender Equality and Office for Good Governance, Equal Opportunities and Gender Issues within the Prime-Minister's Office should be responsible for supervising and coordinating the application of the laws and policies against sexual harassment in the workplace within Kosovo institutions.
- Despite the relatively high representation of women in the Assembly of Kosovo and Municipal Assemblies, as members of assembly or municipal assembly councillors, it cannot be argued that the participation

of women in political and public decision-making has as yet reached a satisfactory level. Apart from underrepresented both in leading positions in the Assembly of Kosovo and in local and central executive government institutions.

- There is evident lack of women holding senior positions in central and local level. The same goes for governing boards and councils of various public enterprises where women are severely underrepresented.
- Their inability to positively compare with men in holding leading positions in institutions and in their workplaces comes also as a result of their limited opportunities in the education sector. Apart from education, there is a need for trainings and re-trainings of women in order to increase their opportunities for employment and inclusion in the institutional life.
- Civil servants were asked about security in their workplace and, as can be seen from the graph, 47.3 percent have responded that they feel “safe”, “very safe” are 32.1 percent, neither safe nor unsafe are 16.7 percent, whereas unsafe are 3.4 percent of them. It can be argued that civil employees consider their working places safe in the public sector.
- Asked if their workplace is “safer”, “equally safe” or “less safe” than a similar job in the private sector, 80 percent of them responded that they feel safer in the public sector.
- The most serious problem civil servants face is undisputedly the small salary.
- Asked about presence of sexual harassment in public institutions of Kosovo, respondents have expressed the following views: 35.6 percent think that it “is present”, 41,6 percent say that it is “somewhat present”; according to 12.9 percent it is “not present”, 9.7 percent “do not know” if it is present or not, whereas 2 percent do not have an answer. Thus, we find that the vast majority of civil servants think that the phenomenon of sexual harassment is present in public institutions in Kosovo.
- Answering the question: “Since you have been working in this institution, how many times has it occurred to you or to any of your colleagues to be victim of sexual harassment?”, respondents gave the following answers: 9 percent said the they had been “more than three times” victim of sexual harassment, whereas 7.6 percent said that they

had been victims of harassment “once”. On the other hand, 73 percent stated that they had “never” been victim of sexual harassment. The figure of 16.6 percent of respondents declaring themselves for victims of sexual harassment is a reason for grave concern.

- Answering the question: “Who would you tell if you happened to be a victim of sexual harassment?”, respondents gave different answers. 27.7 percent of them said that they would report to the “manager”, 21 percent would inform their “relatives/friends”, 16 percent would discuss it with their “family”, 12.8 percent referred to “institutions for complaints”, 9.4 percent would not tell “anybody”, whereas 8.5 percent would go to the “police”.
- Lack of a law on sexual harassment has resulted in the lack of adequate mechanisms for filing complaints. Such a situation may result in more powerful supervisors and in further isolation of cases.
- Civil servants were also asked about the efficiency of their institution in reporting cases of sexual harassment, whereas responses were: “efficient”, 51.7 percent; “neither efficient, nor inefficient”, 19.4 percent and “inefficient” 18.3 percent.
- Regarding relation between frequency of incidence and reporting of sexual harassment, most of the respondents (68.2 percent) have said that one incident of harassment suffices to report sexual harassment, whereas 27.3 percent maintained that harassment needs to occur several times in order to be reported.
- The largest part of respondents, 40.6 percent, maintained that “cases of sexual harassment are not reported fearing its potential negative impact on their families.” When adding to this number the 6.9 percent of respondents who refer to “stigmatization” as a reason for not reporting, then we find that even being a victim of harassment may be perceived negatively in the society. Consequently, this mindset may contribute to adding to the reluctance of victims to report cases of harassment.
- Malfunction of the judicial system in Kosovo is among the reasons why cases of sexual harassment are not reported. This is then coupled by disbelief that their case will be adequately treated by the judiciary, blackmailing that they would lose their jobs or that they would be demoted.

-
- According to respondents, most victims of sexual harassment are likely to be women (80%), and the potential perpetrators of harassment are likely to be men (70%). Sexual harassment is more likely to happen to the category of civil servants of 21-35 years of age, whereas civil servants between the age of 35-41 are more likely to be perpetrators of sexual harassment.
 - Professions most affected from sexual harassment, according to civil servants, are: assistants, nurses, practitioners, waitresses, students, pupils, administrative employees, sellers, journalists. On the other hand, sexual harassment is more likely to be carried out by these professions: directors, doctors, politicians, managers, professors, drivers, businessmen, and supervisors.
 - Asked if they were aware of existence of any effective laws, which directly or indirectly address sexual harassment in Kosovo, 42 percent of the respondents answered that they “were aware”, 14.9 percent “were not aware”, whereas 41.8 stated that they “do not know” if there was a law regulating this field or not.
 - Regarding awareness about regulations, policies or codes that specifically address the issue of sexual harassment in the workplace, 39.8 percent answered with “Yes”, 22.2 percent answered with “No, whereas 36.1 percent said they “Do not know” and 2 percent do not have an answer.
 - Civil servants were asked if they had any information about any institutional mechanism where one could report cases of sexual harassment. 76.3 responded positively, whereas 23.7 percent declared that they had no such information.
 - Asked if they were aware of any other institution outside their organization, where citizens may file their complaints on cases of sexual harassment, 65 percent answered by “yes”, whereas 35 percent opted for “no”. The most frequently mentioned institutions were the Institution of Ombudsperson, the Independent Review Commission, Police and Courts.
 - Analyses of complaints submitted by the civil servants show that these institutions do not always recruit staff in line with foreseen procedures and based on merits; promotion is not done in harmony with procedures and based on merits; annual performance evaluation and evalu-

ation for contract renewal is not always objective and fair; work contracts are not issued and/or renewed on time and in harmony with the rule of law and principles, etc.

- Asked if there are any protective measures for victims petitioning against cases of sexual harassment in their workplace, 53 percent of civil servants said that there are no such measures in place, whereas 46.7 percent maintained that there are such measures.
- According to civil servants, the protective measures that should be taken are the following: Firing the perpetrator, withholding part of perpetrators salary, Ensuring confidentiality for the victim and witnesses, removal from office, demotion for the perpetrator, fines and so on.



RECOMMENDATIONS

- Government of Kosovo to draft the law against sexual harassment in the workplace and respective bylaws for its implementation, which would explicitly prevent and address sexual harassment in the workplace.
- The Government of Kosovo to report on the level of implementation of the CEDAW Convention in Kosovo, in line with the requirements of United Nations' CEDAW Committee including reporting on general recommendation No. 19 of the CEDAW Committee that provides against sexual harassment.
- Government of Kosovo to continue increasing monitoring capacities of institutional mechanisms responsible for achievement of gender equality in Kosovo to protect women's rights in the workplace, including also sexual harassment in the workplace.
- Agency on Gender Equality and institutional mechanisms for achieving gender equality and protection of human rights should draft and implement long-term strategies that can have help to change current schemes and models of prejudice regarding the role of men and women in society.
- Kosovo legislation should be harmonized with the directives of the European Union regarding protection of women in the workplace, equal employment opportunities and equal treatment in the workplace.
- The Government, MLSW, and all responsible institutions to enforce implementation of the labour law, gender equality law, and the law against discrimination with a special emphasis on provisions dealing with employment of women and their protection in the workplace both in the public and private sector.
- Trade unions, Ombudsperson and the Independent Review Council to carry out monitoring of the level of implementation of the labour law and level of protection in the workplace aiming at protecting women employees rights in the public and private sector.

-
- The Kosovo Government to draft clear instructions that will define the problem of sexual harassment with the purpose of preventing sexual harassment in the workplace and creating a safer environment in the workplace in the public and private sector.
 - Responsible institutions and civil society to initiate public awareness raising campaigns on the issue of sexual harassment in the workplace.
 - The Government and responsible institutions to establish clear mechanisms that will address complaints and to organize continuous trainings for managers and staff on the issue of sexual harassment and legal procedures, policies and mechanisms that address this problem area.
 - Non-governmental organizations and centres of legal counselling to play an important role by offering services for individuals who are subjected to sexual harassment in the workplace.
 - The Government of Kosovo to set up administrative institutions that will review complaints against sexual harassment in the workplace. This mechanism can turn into a useful solution that will serve at the same time as a protection for the victims of harassment, especially since a court trial may take too long and be too costly.
 - Government of Kosovo must establish mechanisms that ensure for confidentiality and impartiality in addressing complaints against sexual harassment – by allowing for confidential reporting.
 - Non-governmental organizations dealing with gender issues and trainings should engage in and organize continuous training efforts related to sexual harassment in the workplace and on women's rights in their workplace and in employment.
 - To carry out research and monitoring on implementation of the effective legislation by extending sexual harassment in the workplace aiming at finding out about the causes of this phenomenon, including among students (for instance in schools and universities).
 - Government of Kosovo and responsible institutions to ensure gender representation in decision-making structures of the Kosovo institutions.
 - To make sure that there is coordination and cooperation between Kosovo Government, responsible institutions and NGOs dealing with

women's rights with respective United Nations Agencies present in Kosovo with the purpose of informing Kosovo women about their rights.

- The Government and other relevant institutions to bring about equal opportunities for women's training and professional development in areas which are lacking with expertise in the labour market.

PURPOSE AND SCOPE OF THE STUDY

After 1999, the United Nations Interim Administration Mission in Kosovo and the Kosovo Government worked together to finalize the legal infrastructure and to bring about a state of the rule of law. In this context, a broad legal framework was set, which nevertheless did not include the field of sexual harassment that was somehow left aside. As a consequence, there are currently no institutional mechanisms in place that will serve to mitigate this malady. Moreover, there is not a single public institution to have developed its policy against sexual harassment in the workplace. Consequently, there are a very small number of cases of workplace sexual harassment that have been reported so far, in spite of what is believed to be a relatively widespread occurrence. Last year alone, there were several cases of sexual harassment in public institutions that were brought made public by the printed media. Vulnerability of women is confirmed by civil service official statistics, which prove that women regularly hold lower ranking positions within this service thus taking on an inferior role in relation to their male colleagues and supervisors and, consequently, are susceptible of this type of harassment. Another indicator of sexual harassment that places women in an inferior position even before they get employed can be found in vacancy advertisements, which are often discriminatory from the gender perspective.

Ministries or agencies affiliated to them have not produced any reports giving figures on sexual harassment at the workplace. It appears that this issue is being addressed merely by some legal provisions included in laws, which are but not followed by any concrete measures. Thus, central institutions do not even provide against sexual harassment in their internal regulations or in any policies that would serve to prevent sexual harassment at work.

This problem is being ignored and kept outside of the loop, while findings of our research prove that sexual harassment is present in the workplace.

There are only few genuine and systematic studies carried out so far on the working conditions and gender relations in the workplace in private and public enterprises. When aiming to analyse the position of men and women in the labour market it does not suffice to rely only on the two indicators of employment and unemployment. As important as these indicators may be, they need to be complemented by the indicator of meeting of international standards related to the working conditions.

This research will serve as a basis to advocate for a law on sexual harassment in the workplace and the need to develop policies against sexual harassment at work. Consequently, it is expected to bring this issue high on the agenda of policy-makers and lawmakers. The project aspires to win the support of all stakeholders involved in the process of drafting of the law with the purpose of improving the current situation.

Approval and implementation of the law and policies against sexual harassment would help to finalize the legal infrastructure and would build on the work done so far for the implementation of the Law on Gender Equality and the Law Against Discrimination. After the deployment of the EU Mission for the Rule of Law (EULEX) in Kosovo, the circumstances have improved for drafting and approval of such a law. This we base on one of the key objectives of the EULEX mission that refers to providing assistance and support to Kosovo authorities in the field of the rule of law through monitoring and counselling of Kosovo institutions.

SEXUAL HARASSMENT IN THE WORKPLACE

The increasing number of women employed during the last three decades around the world has added to (their vulnerability from) unwanted attention at work. Nowadays, the problem of sexual harassment at work is seen as a serious issue: as a professional hazard and violation of human rights. International labour Organization considers it as violation of fundamental rights of employees, a threat against health and safety, discrimination, unacceptable working conditions and a form of violence, most commonly against employed women.¹ Even though men, just like women, may become victims of sexual harassment, various qualitative and quantitative researches carried out in various societies have proven that women are much more likely to become victims, whereas men perpetrators, of sexual harassment.²

The United Nations Convention on Elimination of all Forms of Discrimination Against Women (CEDAW) stresses gravity of this issue, by describing sexual harassment in the workplace as gender discrimination and a manifestation of violence on gender grounds in its General Recommendation No. 19 of the CEDAW Committee. The CEDAW Committee calls on all State signatory parties to this Convention to undertake all measures to address this problem: "State Parties should include in their reports relevant information on sexual harassment, as well as measures to be taken in order to protect women from sexual harassment and other forms of violence and coercion in the workplace."³

In addition to harmful effects on the victims, sexual harassment has also negative consequences for the enterprise and organization, causes tensions in the workplace, which may altogether damage teamwork, negatively affect on organizational performance and encourage absences from work finally reducing productivity. Thus, civil administration, enterprises and organizations, threaten to loose their best staff members and to create a negative

1 See ILO Resolution on Equal Opportunities and Equal Treatment for Men and Women in Employment, 1985 and ILO Resolution on ILO Action on Women Workers, 1991 – www.ilo.org

2 Kaushik Basu; The Economics and Law of Sexual Harassment in the Workplace; [The Journal of Economic Perspectives](#); Vol. 17, No. 3 (Summer, 2003)

3 CEDAW Committee General Recommendation No.19, 1992 - <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm#recom1>

public image if victims decide to make their problems public.

Apart from these, there is also the financial risk in the shape of lawsuits and payments for fines and workers' compensation for these cases.

Even though the new Kosovo legislation, adopted by the Assembly of the Republic of Kosovo, takes full account of international conventions and resolutions, such as the United Nations Convention on Elimination of all Forms of Discrimination Against Women (CEDAW) that is included in the Constitution of the Republic of Kosovo, there are however, no reports drafted on the level of implementation of this Convention in Kosovo as yet. Lack of reporting by Kosovo on the level of implementation of the CEDAW Convention has multiple consequences on the position of women, including on the issue of harassment of women in the workplace.⁴

⁴ CEDAW Committee, without any pre-judgement on the status of Kosovo, has asked from UNMIK to draft a report, in cooperation with Kosovo institutions, on the level of implementation of the CEDAW Convention in Kosovo since 1999. The Report was expected to be submitted before 1st June 2008, but this has not been done yet.

UNDERSTANDING SEXUAL HARASSMENT IN THE WORKPLACE

Sexual harassment is an obvious form of gender-based discrimination, which is not related so much to biologic differences between men and women as much as to the social roles and functions attributed to them and to their perceptions of male and female sexuality in the society.⁵ Sexual harassment is an obvious manifestation of unequal relations of power and, consequently, is not related to the sexual satisfaction by the act, but to the enforcement and recognition of power. Perpetrators of sexual harassment in the workplace usually hold senior positions and use their authority for decision-making and other aspects that can influence employees' career to exercise power or control against their victims. On the other hand, victims do not have any decision-making authority, lack confidence, hold vulnerable or unsecure positions, or are inclined to "suffer in silence"⁶

DEFINITIONS

The perception on what constitutes sexual harassment is different in various societies. It depends largely on the way of socialization of men and women in a given society, on the presence of stereotypes, on social and economical hierarchies existing in public and private realm, as well as on the set concepts and hierarchies in the workplace.

For these reasons, it is impossible to come up with a comprehensive list of harassing behaviour that should be banned. Some acts can easily be identified as sexual harassment. Such are, for instance, unwanted kissing, caressing, physical contact and other similar acts. However, there are numerous other forms of verbal, non-verbal and physical behaviour which can not be clearly classified as sexual harassment. This may vary depending on social and cultural practices of the context in which they occur. Thus, in some cultures, kissing on the cheek when saying hello to a person is seen as a normal act, whereas in other cultures it is considered as a sexual flirt. What is acceptable

⁵ Kaushik Basu; The Economics and Law of Sexual Harassment in the Workplace; *The Journal of Economic Perspectives*; Vol. 17, No. 3 (Summer, 2003)

⁶ Ibid

in some workplaces, such as sexually evocative posters, may be unacceptable and not tolerated in other places.

FORMS OF SEXUAL HARASSMENT

Definition of forms of sexual harassment:

Verbal harassment – comments, jokes, provocative questions, comments sexual in nature, offensive expressions, derogatory labels, or other verbal abuses.

Non-verbal harassment – provocative gestures through moves and touching of one's body to tempt another person.

Visual harassment – exhibiting pornographic posters, photos, or signs and making sexual comments on a person's clothes, ornaments or body.

Psychological harassment – calls for physical sexual intimacy. Pressure to accept social calls, private dating and sexual relations, questioning, interrogation or sexual activities.

Physical harassment – touching, kissing, fondling and rubbing against one's body.

Harassment includes any form of behaviour that aims at or presents violation of one's personal dignity or results in an intimidating, hostile, degrading, or aggressive environment in the workplace.

Even unintended offences are considered as harassment.

Most commonly, sexual harassment consists in acts that are repeated in a set of given circumstances; however, a single act may also be considered as sexual harassment.

Based on an analysis of a number of policies on sexual harassment at workplace in public enterprises and institutions in various countries of the world, employees are not allowed behaviour which is defined as:

- Comments on one's appearance;
- Degrading/offensive sexual words used to describe the person;
- Other verbal and physical behaviour of sexual nature;

-
- Use of pornographic materials;
 - Imposed sexual attention;
 - Comments on the body of one or more persons;
 - Presentation of objects/items sexual in nature in the workplace;
 - Use of obscene words;
 - Instigation to sexual harassment;
 - Asking for sex in exchange for promotion at work or for other benefits;
 - Continuous pressure or demands/appeals for sexual purposes;
 - Touching of a person, holding, hugging and prolonged rubbing against another person's body, or touching their clothes;
 - Asking for and insisting for sexual purposes accompanied with threats and unequivocal conditioning with the job;
 - Sending of harassing messages, including electronic mail;
 - Harassing and disturbing telephone calls, including SMS-s through telephone mobiles;
 - Elusive appeals for sexual purposes;
 - Vulgar or abusive language or action;
 - Exhibiting paintings, drawings, photos, or items that are sexually abusive or tempting in nature;
 - Verbal sexual harassment including words, questions, pestering, discrediting or indirect evocative language against another person;
 - Inappropriate jokes or comments related to a person's gender specific features;
 - Watching, printing, releasing, and distribution of offensive sexual materials in computers at the workplace;
 - Calls accompanied by promises for rewards, threats or other forms of pressure;

-
- Biased representation or unfair evaluation of a person's performance, denying the right to professional development or promotion, or academic or employment opportunities as a result of refusing favours of sexual nature as defined above.

LEGAL STATUS OF SEXUAL HARASSMENT IN KOSOVO

According to the Law on Gender Equality (Article 2.6), “Harassment and sexual harassment are considered as gender discrimination.” Further, Article 2.7 states that: “Harassment includes every form of behaviour that aims at or presents violation of personal dignity.”

The same Law, in its Article 2.8, defines sexual harassment in a way that it includes “any form of unwanted verbal and non-verbal sexual behaviour, physical or symbolic, which at the same time aims at or presents violations of personal dignity.”

The Law Against Discrimination, in its Article 3/c provides a definition of harassment, stating that: “Harassment is considered to have taken place, as defined in Article 2/a, when there is unsolicited behaviour (that includes but is not limited to unasked sexual and or psychological behaviour), which is found in one or more accounts of Article 2/a, and aims at or results in violation of human dignity and creates an intimidating, hostile, degrading, abusive and disdainful environment, as characterised by that person.”⁷

The Law on Gender Equality also foresees sanctions against violators of its provisions.

In case of dismissal of an employee during the time when she/he has requested application of the LGE, or dismissal, temporary dismissal from work, injustice related to safety at work, working conditions or performance evaluation at the time when the employee’s file against sexual harassment or gender based discrimination is being reviewed, the Employer is fined with € 5.000 to € 10.000, whereas the responsible person is fined with € 1.000 up to € 3.000.⁸

Whereas there are provisions in Kosovo legislation against sexual harassment at work in institutions and enterprises, or even in public, still however Kosovo misses relevant policies that would further work against the malady.

⁷ LAD, Article 3/c.

⁸ Article 16 (paragraph 3) (Sanctions) LGE.

The Agency for Gender Equality and Office for Good Governance, Equal Opportunities and Gender Issues within the Prime-Minister's Office should be responsible for supervising and coordinating the application of the laws and policies against sexual harassment in the workplace within Kosovo institutions.

CIVIL SERVANTS IN KOSOVO

Civil administration in Kosovo was gradually established after the settlement of UNMIK administration in 1999, and through gradual transfer of competences to local authorities supported by the international community in Kosovo.

Kosovo civil service is regulated by several legal and sub-legal acts. The first legal document that regulated Kosovo civil service is UNMIK Regulation 2001/36 that was promulgated in December 2001. This regulation determines all definitions and rules for the functioning of Kosovo civil administration. Following this regulation, several sub-legal acts were drafted, such as administrative instructions and orders. On 2005, Assembly of Kosovo approved the law on administrative procedures, which defines procedures for administrative contests resolution, as well as administration and civil servants' rights and obligations. Other legal documents that regulate the behavior and activity of civil service are:

- Administrative Instruction JIAS/PS/SI/2000/2, on Public Officers Employment Circumstances and Conditions;
- Administrative Instruction Nr. 3, on Kosovo Civil Service Officers Income from Consolidated Budget of Kosovo, who are engaged in more than one workplace;
- Administrative Instruction Nr. 2004/7, on Payment for Individual Persons;
- Financial rules and Instructions for Treasury Nr. 2;
- Administrative Instruction Nr. 2005/3, amending Administrative Instruction Nr. 7/2004, on Income of Political Staff in Municipalities;
- Administrative Instruction Nr. 2005/09, on Payment for Employees on Contract;
- Administrative Instruction Nr. 08/2006, on Measures for Increased Efficiency in Public Administration;

-
- Administrative Instruction Nr. 05/2007, which regulates and defines Procedures for Financial Compensation of Maternity Leave for Kosovo Civil Service;
 - Administrative Instruction Nr. 2006/07, for Payments for Individual Persons;
 - Administrative Instruction Nr. MSHP 2006/12, on Measures for Rise in Employment of Civil Servants in Public Administration;
 - Administrative Instruction Nr. 12/2007, on Unification of Income/Benefits of Presidents and Members of Consultation Councils and Commissions established by PISG of Kosovo;
 - Administrative Instruction Nr. 02/2008, on Definition of Payments for Political Appointees; and
 - All decisions of Government of Kosovo regarding benefits and compensations of public administration employees.

WOMEN'S POSITION IN DECISION MAKING INSTITUTIONS IN KOSOVO

An important indicator of public environment for ensuring the inclusion of women and men in the process of policy making, management and administration, is the gender balance government structure and policy-making bodies, as well as gender balance in decision-making.

In Kosovo during 2000 were organized elections in local level, which were the first ones organized in democratic order. During these elections was applied the rule of 30 percent women presence of the general candidate number in municipal consultants lists. However, election results were disappointing, since only 8.6 percent of women were voted for parliamentary representatives in Municipal Assemblies of Kosovo. Such a low percentage of voted women for municipal consultants posted a need to undertake some affirmative measures, like quota of 30 percent, in order to increase the number of women in politics. Therefore, during the second municipal elections organized in 2004, the 30 percent quota was applied that resulted with the gender ratio change also in the local level. Currently, women hold 28 percent of seats in 30 Municipal Assemblies in Kosovo. This decision was very valuable also for the representation of 30 percent in the Assembly of Kosovo. During the current mandate of Assembly of Kosovo (2010), women are represented by 30 percent, namely 37 of the 120 parliamentary representatives are women.

Assembly of Kosovo, during the current mandate, has 13 Assembly Committees, and only two of them are led by women. During the previous mandate, out of 18 Assembly Committees 7 were led by women.

Government of Kosovo consists of 17 ministries⁹. Out of them, only two women hold the position of Minister¹⁰, while three women hold the position of Deputy Minister¹¹.

Despite the relatively high percentage of women representation in Assem-

9 www.ks-gov.net

10 Edita Tahiri – Ministry of Public Service and Justina Shiroka Pula – Ministry of Energy and Mines.

11 Vlora Çitaku – Ministry of Foreign Affairs, Lirie Kajtazi – Ministry of Culture, Youth and Sports and Mybera Shala Mustafa – Ministry of Health.

bly of Kosovo and in Municipal Assemblies, as Parliamentary representatives and municipal consultants, we can not say that women representation in political and public decision-making has reached a satisfactory level. Despite the deficit in leading positions in the Assembly of Kosovo, number of women in leading positions is in disproportion in other central and local governing bodies as well¹². In 2008, 13.71 percent were women in leading positions in central level, while in municipal level the representation of women in leading positions was 7.24 percent¹³.

Regardless of some achievements mentioned above, women continue to be in an unequal position in many life spheres. Economical sector is one of these life spheres where women continue to be represented in an unsatisfactory level. One of the indicators of this unsatisfactory representation is participation in labor market, which is estimated as one of the lowest in Europe, with only around 35 percent of women participating actively¹⁴. Another additional indicator of unsatisfactory representation is also the property and enterprise ownership, being that only 8 percent of property and 6 percent of enterprises are owned by women¹⁵.

If we analyze the administration level where women work, it can be noticed that women are better represented in lower governing levels, while higher management positions are lead by men. This is an issue of concern, since lack of women in higher leading position in central and local level may be seen as their incompetence for completing better paid jobs. Public enterprise boards and different leading councils are other bodies that are characterized by an accentuated lack of women in decision-making positions.

In 2008, 13.71 percent of leading positions in the central level were held by women, whereas at the municipal level, women representation in leading positions was 7.24 percent.

A possible explanation of this phenomenon is that women in Kosovo have a lower level of education than men, which comes as a result of more limited opportunities for education, traditional mindset and the role women had in the society in the past. Public sector is still the biggest employer in Kosovo.

¹² Number of women in leading positions, in central and municipal level, used official data of the Department of Civil Servant Administration, Ministry of Public Service, Government of Kosovo.

¹³ For 2008, in central and municipal level have been analyzed only percentage in leading level. Data were taken from the Department of Civil Service Administration, Ministry of Public Service, Government of Kosovo.

¹⁴ Department for International Development. Study on Dis-Integration in Western Balkans. 28.07.06.

¹⁵ Ibid.

70.159 employers are employed in the public sector, 38 percent (26.545) of which are women.

Women are often subject of economic discrimination and of lack of approach in income or capital. Only 2 percent of total number of loans was given to women.¹⁶

If we continue to analyze the issue more in depth, we will see that it is a result of high norm of inactivity for women, which is around 59 percent. This high norm of inactivity for women is a result of inappropriate work conditions in the labor market. Compared to men, women in general are less flexible in the labor market regarding working hours and other conditions. On the other hand, employers hesitate to employ women, since, among other things, they are considered as “unstable employees” (due to the maternity leave and because they do not do heavy works).¹⁷

A proper institutional environment is necessary for implementation of a proper gender policy, with the aim of fulfillment of different women and men needs in this regard.

Seen from a gender perspective, analysis show that in public administration of Kosovo gender stereotypes are still reproduced when selecting a profession and there is a lack of carrier orientation, which prevents advancement of women and leads to selection of traditional professions. In general, women in Kosovo continue to have professions that were traditionally more concentrated in the field of education, health, agriculture, etc.

These differentiations, or to be more precise this profession and position segregation results also with a differentiation of income. Average monthly income in Kosovo was estimated to be slightly higher than 200 Euro and it is lower for women compared to men¹⁸.

Lack of sensitive policies on gender perspective, work conditions and short maternity leave¹⁹, bring not only decrease in the level of women employment but also reduction of women work in professions traditionally exercised by women.

¹⁶ Challenge of social inclusion in Kosovo, Draft of White Document, Assembly of Kosovo, 2009.

¹⁷ <http://www.riinvestinstitute.org/publikimet/pdf/13.pdf>

¹⁸ Ibid.

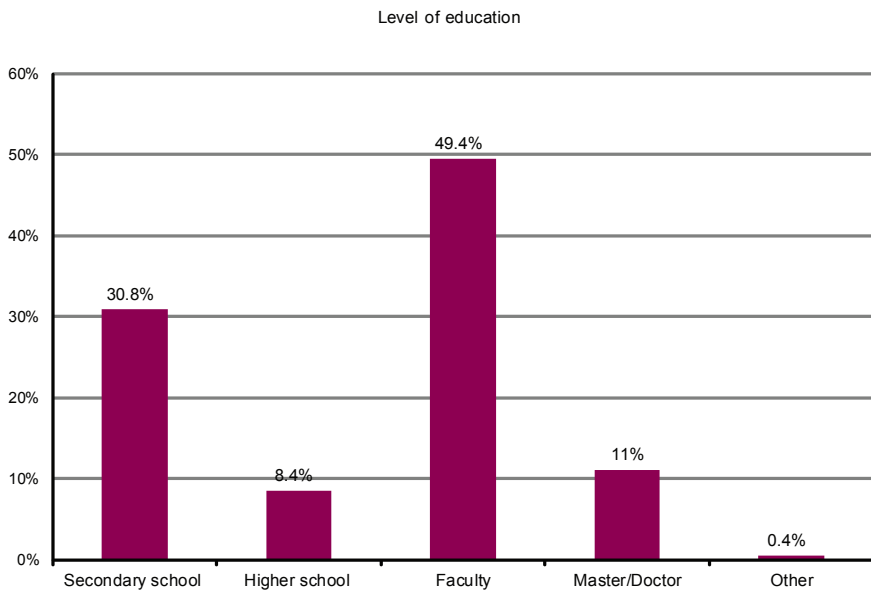
¹⁹ On 30 April 2010, Government of Kosovo approved Draft law on Work. This is the third time, following 2006 and 2008, that Government approves this draft law, with some changes in content. For the third time, Parliamentarian Commission for Health, Work and Social Welfare has reviewed this draft law. One of the points that was contested the most was maternity leave. Government of Republic of Kosovo has foreseen that maternity leave is only 3 months with payment.

Based on official statistics mentioned above, we may conclude that women usually hold lower positions that make them more inferior towards their men supervisors. Another indicator that puts women in a dis-favorable position, even prior to their employment are announcements for jobs and official application forms for vacancies in public administration²⁰, which in many cases are discriminatory regarding gender aspect.

²⁰ Application form for vacancies: http://www.mapl-ks.org/repository/docs/aplikacioniper_pune.pdf; 29.09.2010.

PART ONE OF THE RESEARCH

Below we present an overall outline of the working conditions, including civil servants' perceptions on sexual harassment. A comparative approach in analysing their working conditions and their perceptions on sexual harassment, enables us to identify tendencies and changes taking place in this field and works to highlight most important issues dealing with sexual harassment.



Graph 1

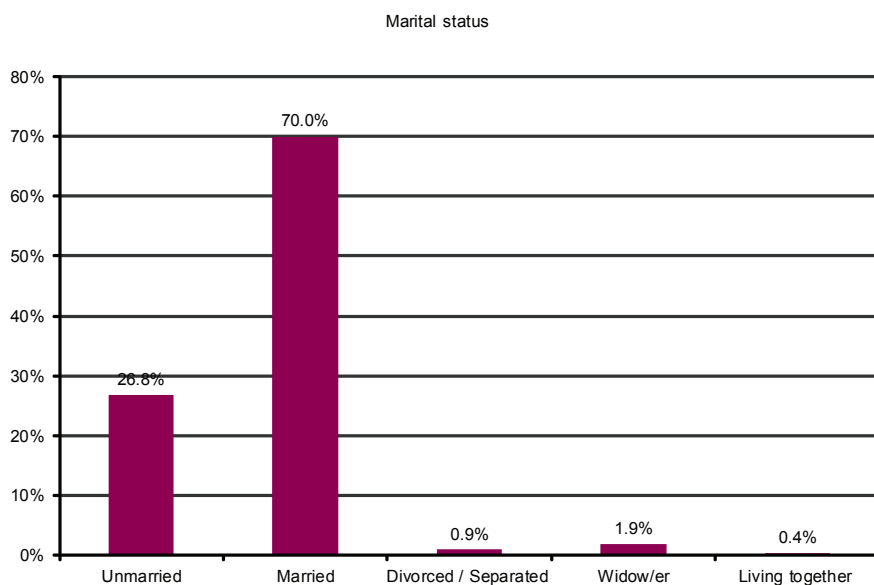
Public administration seems to have largely engaged staff who have completed their university studies. However, there is also a relative percentage of those with secondary education. As can be seen from the graph, 49.4 percent of civil servants have got a university degree, 30.8 percent have completed secondary education, 11 percent hold a specialization / a master's degree or a PhD, and 0.4 percent have other education. This shows that efforts to reform civil service in Kosovo by raising the level of their qualifications, does

not seem to be a priority. However, there is a situation of complete lack of information regarding employment opportunities in Kosovo.

Currently, there are very weak links between the government and private institutions regarding coordination of efforts for inclusion of qualified persons. The private sector is more attractive since the average salary in this sector is higher than that in the public sector.²¹

Seen from the gender perspective, women are barely present in decision-making in the public administration. Their level of education is significantly lower than that of men. As a result, being under-qualified, it is more difficult for them to successfully compete at work.

Apart from education, there is strong need training and retraining of women in order to increase and expand on their opportunities for employment and inclusion in the institutional life.

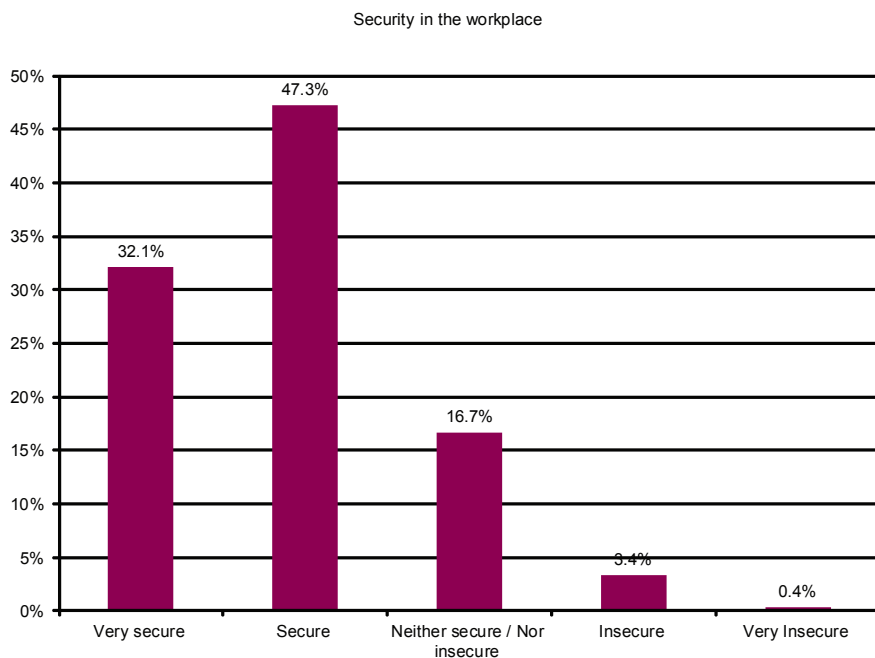


Graph 2

The research has shown that the largest part of the civil service in Kosovo is married (70 percent), whereas only 26.8 percent are not married. Research data also show that there is a very small number of separations and divorces

²¹ <http://www.gapinstitute.org/repository/docs/AnalizaLigjiPunes.pdf>

among the civil servants, with only 0.9 percent of respondents have declared to be separated.

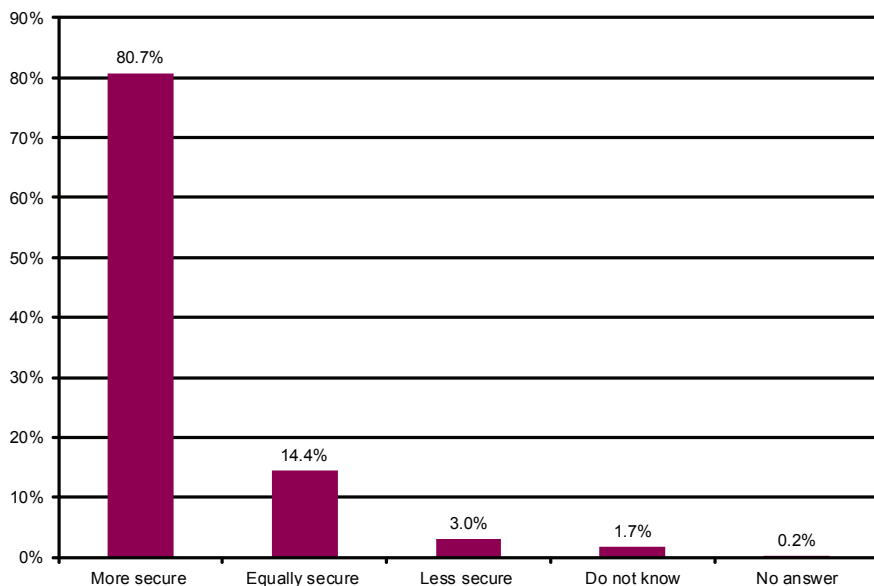


Graph 3

Civil servants were asked about security in their workplace and, as can be seen from the graph, 47.3 percent have responded that they feel secure, very secure are 32.1 percent, neither secure nor insecure feel 16.7 percent, whereas insecure 3.4 percent of them.

It can be said that civil servants feel very secure in the public sector. There may be more reasons for this: working contract, working hours, a break during the working hours, maternity leave, additional payments and paid sick leave.

Your workplace is more secure, equally secure, or less secure, than workplaces in the private sector



Graph 4

Another phenomenon is that civil servants feel safer in the public than in the private sector. Asked if their workplace is “more secure”, “equally secure” or “less secure” than a similar job in the private sector, 80 percent of them responded that they feel more secure in the public sector, equally secure are 14.4 percent, whereas 3 percent consider their workplace less secure than a similar in the private sector. There are differences in the average level of salaries in the public and private sector favouring the latter. As we will see in the next graph, salary level is the most important aspect of one’s job in the public sector. However, it seems that higher salaries in the private sector still do not provide the needed security and working conditions to the employees.

Based on data made available in the recent years, women are mainly employed in the public sector, including education, health, agriculture and other services, whereas men prefer the sector of economy with most of them in the private sector.²²

Unemployed women tend to look for jobs in those sectors where women are already more concentrated (health, education, administration, etc). This

²² Labour Market and Unemployment in Kosovo, RIINVEST, 2008, pg. 47.

implies a strong rivalry between men and women in the above mentioned sectors and, as a result, numerous women remain outside the labour market.

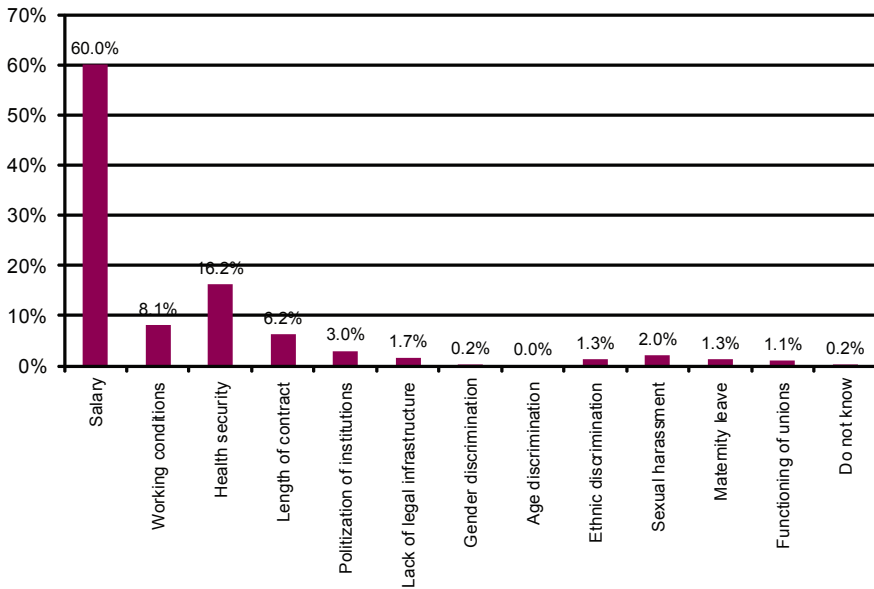
The stronger presence of women in activities of the public sector, such as education (66.3 percent) and social welfare and health (86.5 percent), makes them more vulnerable from losing their jobs in case of job cutbacks in order to reduce public spending; this is even more true if Kosovo would be subject to macroeconomic stability without any safeguards against curtailment of jobs.

One of the reasons why employment in the public sector was more appealing to women was the presence of maternity leave. However, the new draft Labour Law that was introduced in June 2010, also contains a provision (Article 48) on maternity leave that has been widely contended. According to this provision, employed women are entitled to 12 weeks of unpaid maternity leave.

The issue of employment in Kosovo is more complicated because of the high unemployment rate and the presence of the informal market.²³ Apart from what official sources and data say, it is very important to see how women perceive their own (un)employment status and the related activity status. This needs to be analysed carefully since often they may consider themselves to be unemployed despite being engaged in economic activities (doing crafts, preparing food for weddings, preparing and selling dairy products, etc.). According to the traditional concept, by “employed” we understand a full-time or part-time work for a specified period, but not the work done occasionally in or out of home, regardless of the payment.

²³ According to the data made available by the Agency for Registration of Businesses, there are 99.647 businesses currently registered in Kosovo.

Most serious security issues you face in your workplace



Graph 5

In the cluster of problems related to security issues at work (salary - 60 percent, health insurance - 16.2 percent, length and validity of contracts - 6.2 percent, politization by institutions - 3 percent, etc.), it can be clearly seen that the most serious problem faced by Kosovo civil servants is the small salary level.

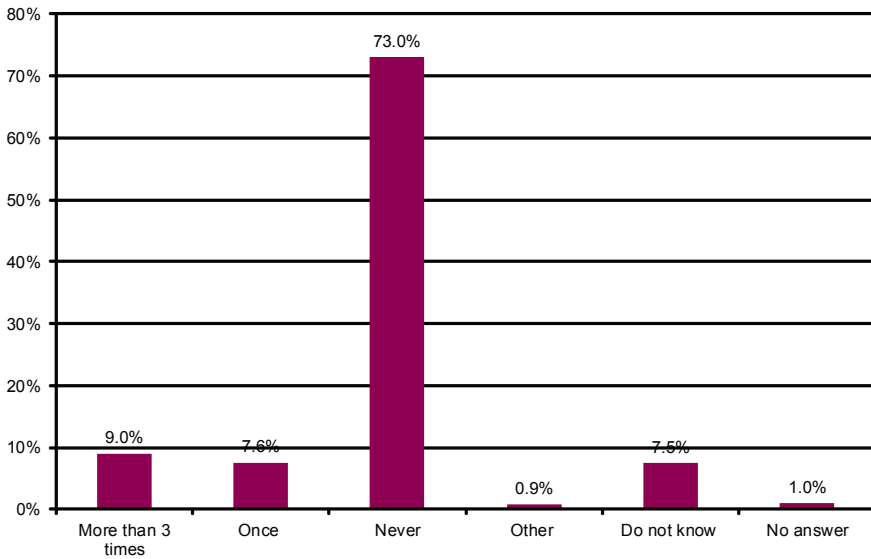


Graph 6

The issue of sexual harassment in the workplace in Kosovo is not a new phenomenon to the Kosovo civil servants. Asked: “Is the phenomenon of sexual harassment is present in public institutions of Kosovo?”, respondents have answered the following: 35.6 percent think that it “is present”; 41,6 percent say that it is “somewhat present”; according to 12.9 percent it is “not present”, 9.7 percent “do not know”, whereas 2 percent do not have an answer.

Incidents of sexual harassment are occasionally addressed by the Kosovo media, but there are no treatments of incidents that have taken place or any analyses on the way to approach these cases. Institutions responsible to deal with complaints coming from civil servants do not have any data on cases of sexual harassment. In addition, so far there have been no awareness raising initiatives or campaigns by government institutions regarding sexual harassment in the workplace.

How many times (if ever) you, or a person you know, have been a victim of sexual harassment since you have been working in this institution?



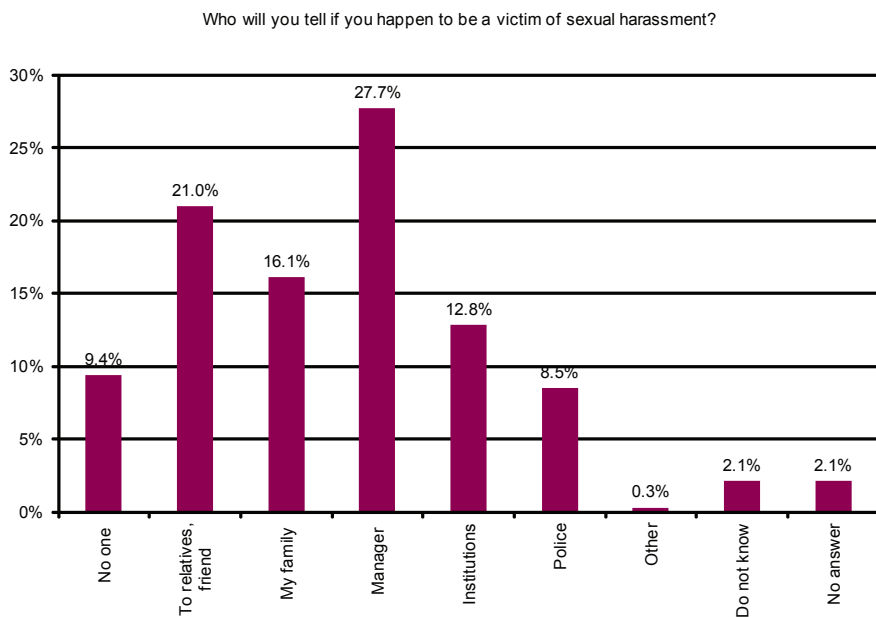
Graph 7

This question was phrased in a way that would take in consideration the fact that they may feel more willing to talk about cases they have heard about, than about their personal experiences with sexual harassment. Thus, when asked the question: “Since you have been working in this institution, how many times has it occurred to you or to any of your colleagues to be victim of sexual harassment?”, respondents gave the following answers: 9 percent said the they had been “more than three times” victim of sexual harassment, whereas 7.6 percent said that they had been victims of harassment “once”. On the other hand, 73 percent stated that they had “never” been victim of sexual harassment.

Statistics show that women are most frequent victims of sexual harassment. However, it happens that cases of sexual harassment are treated and interpreted in such a way that they are seen as having brought the situation on themselves. The argument of provocation may be used with the purpose to make the victim responsible; this results on the victim being punished in two ways: by not being offered any protection and by being held responsible for having instigated the act on herself. The option of responses “more than

three times victim of sexual harassment in the workplace” (9 percent), clearly shows that cases of sexual harassment in public institutions are not cases isolated cases.

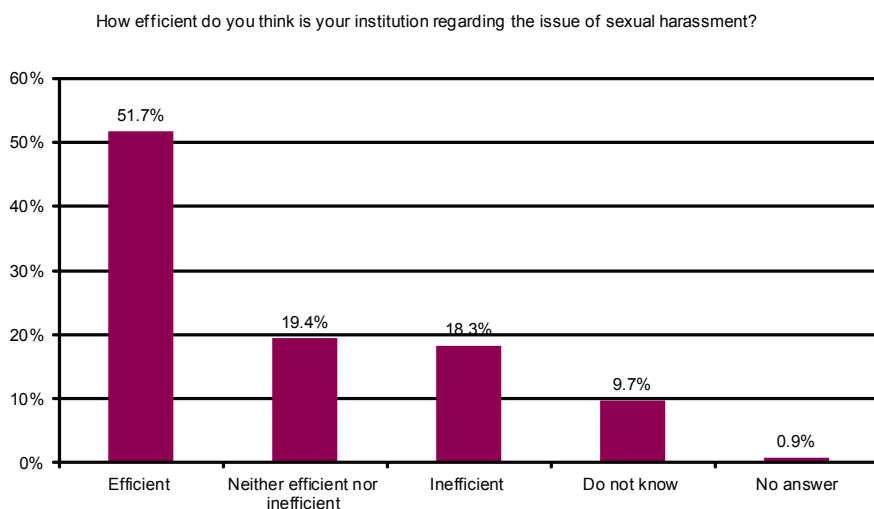
This proves that Kosovo civil servants are victims of sexual harassment, but these cases are not reported. Data about reported cases in relevant institutions are not made public, in particular because the phenomenon of sexual harassment is not being addressed adequately. Lack of awareness and confidence to report cases is related to the consequence that a person may have after doing so. As a result, victims may build an understanding that there are no ways out of situations of sexual harassment or sexual assaults.



Graph 8

Answering the question: “Who would you tell if you were a victim of sexual harassment?”, respondents gave different answers. 27.7 percent of them said that they would report to the “manager”, 21 percent would inform their “relatives/friends”, 16 percent would discuss it with their “family”, 12.8 percent referred to “institutions for complaints”, 9.4 percent would not tell “anybody”, whereas 8.5 percent would go to the “police”.

These answers show that potential victims of sexual harassment would react in different ways. The strategy not to report the harassment opted for by the victims depends on several different factors, such as losing the job, different blackmails, negative reflection in the family, lack of adequate treatment of the case, etc. The fact that 27.7 of the respondents have said that they would report the case to their “manager” in case that they became a victim of sexual harassment shows that they would choose the shortest way in order to eliminate all possible consequences for them. The supervisor should be the first person to know, but this should be regulated adequately by laws or relevant policies. Lack of a law on sexual harassment has resulted in the lack of adequate mechanisms for filing complaints. Such a situation may result in more powerful supervisors and in further isolation of cases.



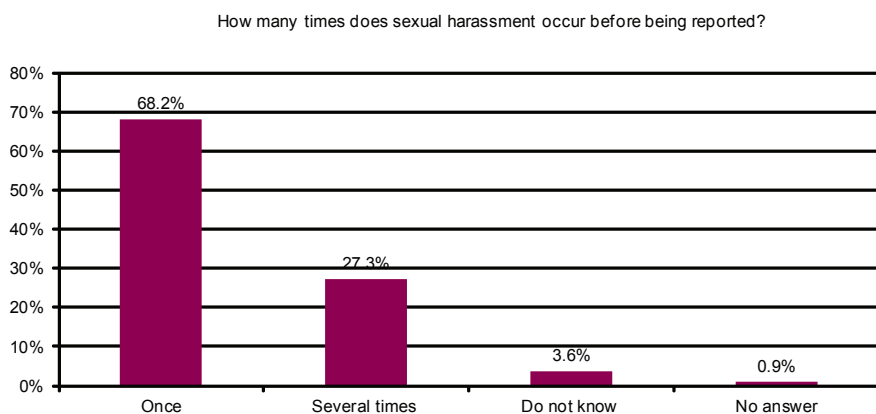
Graph 9

Civil servants were also asked about the efficiency of their institution in reporting cases of sexual harassment, whereas responses were: “efficient”, 51.7 percent; “neither efficient, nor inefficient”, 19.4 percent and “inefficient” 18.3 percent.

Media and various organizations have often published reports on Kosovo public administration stating that the civil service here is politicized, inefficient, and unprofessional. Evidence supporting this claim include reports from the Institution of the Ombudsperson and from the Independent Supervisory Council. In efforts to build a professional civil service, Kosovo Govern-

ment has engaged in a series of activities and several important decisions. The Strategy and Action Plan for Reforming of Public Administration 2006-2011 were approved by the Kosovo Government in March 2007. In June of that year a cross sector working group and a central coordinating mechanism to monitor implementation of these two documents was established. The Government has allocated then a fund of € 6 million for the implementation of the action plan 2007-2009, and had established working group in several sectors. These working groups still continue being non-functional. Also, in November 2006 an administrative instruction was approved for increasing efficiency of public administration. This administrative instruction determined procedures for performance evaluation, transfer and promotion of civil servants. In spite of all these, the above mentioned reports show that the reforms in the public administration sector are at a standstill.

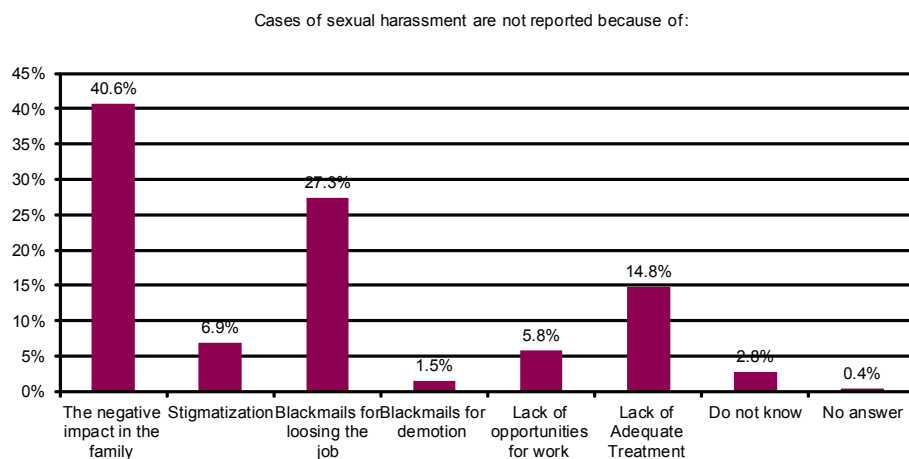
Regarding institutions responsible for the implementation of anti-discriminatory measures and procedures, the European Commission Progress Report on Kosovo for 2007 shows that more needs to be done to improve their administrative capacities. Thus, the Report specifically points out that: "Administrative capacity of key institutions for the implementation of anti-discrimination law, such as Office for Good Governance, courts, and human rights units in ministries still remain very low."



Graph 10

Regarding coincidence between occurrence and reporting, most of the respondents (68.2 percent) have said that one incidence of harassment suffices to report sexual harassment, whereas 27.3 percent maintained that harassment needs to occur several times in order to be reported. 3.6 percent

said that they “did not know”, whereas 0.9 percent had no answer.



Graph 11

The largest part of respondents, 40.6 percent, maintained that “cases of sexual harassment are not reported fearing negative impact on the family.” When adding to this number the 6.9 percent of respondents who refer to “stigmatization” as a reason for not reporting, then we find that even being a victim of harassment may be perceived negatively in the society. Consequently, this mindset may contribute to add to the reluctance of victims to report cases of harassment.

Other responses refer to the weaknesses of the justice system in Kosovo and to the lack of belief that their complaints on harassment will be adequately addressed by the legal path.

27.3 percent of the respondents have said that “blackmails for loosing one’s job” are among the reasons for not reporting cases of sexual harassment with relevant institutions, 1.5 percent mention “blackmail of demotion”, whereas 14.8 percent pointed out “inadequate treatment of reported cases.” 5.8 percent maintained that the reason rests in the lack of other employment alternatives.

Most frequent victims of sexual harassment are:

Women 80% Men 20%

Potential perpetrators may be:

Women 30% Men 70%

Civil servants said that sexual harassment is most likely to happen to servants in the age group of **21- 35 years**

Regarding the age group of most likely perpetrators, respondents think that they belong to the group of **28-50 years of age**.

Within this group, they separated the category of civil servants in the age of 35- 41 years

Which professions are more affected by sexual harassment?

- Assistants
- Nurses
- Interns
- Waiters/Waitresses
- Students
- Administration officers
- Salespersons
- Journalists

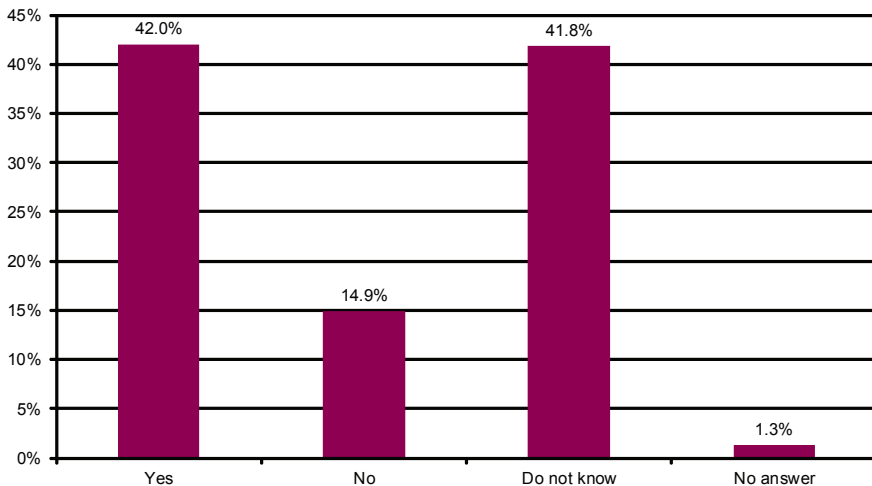
Sexual harassment perpetrated by the following professions

- Directors
- Doctors
- Politicians
- Managers
- Professors
- Teachers
- Chauffeurs
- Businessmen

PART TWO OF THE RESEARCH

Lack of gender perspective in internal policies of institutions is reflected directly in the lack of policies on sexual harassment or in the lack of addressing of these cases by the given institution. In countries with a developed democracy, gender issues are no longer merely issues pertaining to men and women, but they have to do with human rights and guaranteeing equality for all people, including disadvantaged groups. Institutional mechanisms that regulate functioning of the civil administration in Kosovo should become more aware of the need to set up the legal infrastructure that would regulate the issue of sexual harassment in the workplace, which is an essential condition for providing better working conditions for all.

Are there any effective laws that that directly or indirectly address the issue of sexual harassment in Kosovo?



Graph 12

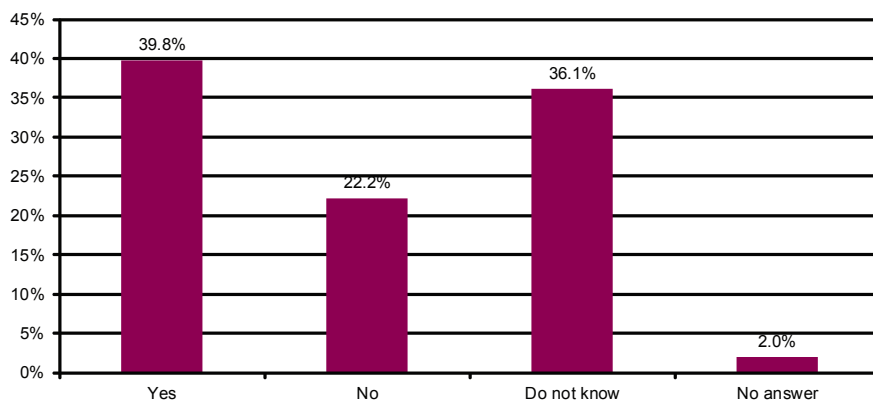
The respondents were asked if they were aware of “existence of any effective laws, which directly or indirectly address sexual harassment in Kosovo.” 42 percent of them answered that they “were aware”, 14.9 percent “were not aware”, whereas 41.8 stated that they “do not know” if there was a law regulat-

ing this field or not. This tells about a relatively low level of awareness on laws and policies, since 56.7 of them either are “not aware of” or “do not know” about the existence of such laws.

However, respondents think that the following laws to a large extent directly or indirectly address sexual harassment in Kosovo:

- Law Against Discrimination
- Law on Gender Equality
- Criminal Code of Kosovo

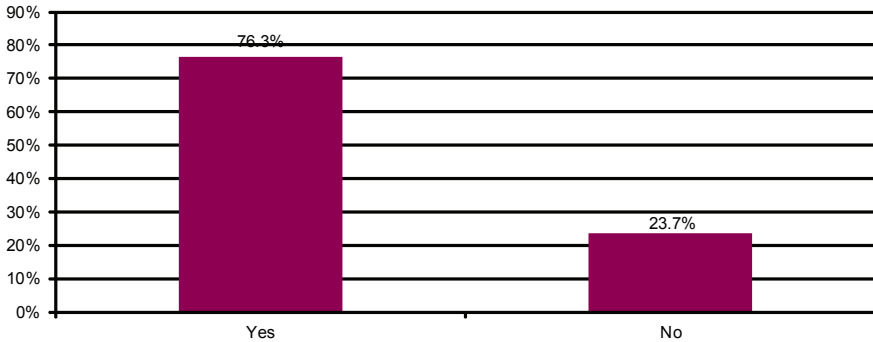
Are you aware of any regulation/policy/code that specifically addresses sexual harassment in your institution?



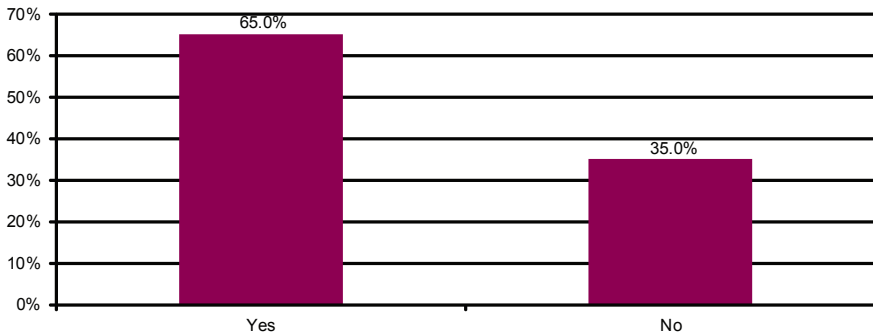
Graph 13

In this context, the interviewees were asked if they are aware if any regulations, policies or codes, which specifically address the issue of sexual harassment in the workplace. 39.8 percent answered with “Yes”, 22.2 percent answered with “No”, whereas 36.1 percent said they “Do not know” and 2 “Do not have an answer.”

Is there any mechanism where one can report cases of sexual harassment in the institution where you work?



Is there any institution outside your workplace where people can complain against sexual harassment?



Graph 14 – 15

Civil servants were asked if they had any information about any institutional mechanism where one could report cases of sexual harassment. 76.3 responded positively, whereas 23.7 percent declared that they had no such information.

Respondents who said that they are aware of mechanisms where they can report their cases of sexual harassment have listed the following mechanisms:

- Their supervisor
- Disciplinary committee

-
- Steering / Governing Board
 - Office for Gender Equality
 - Office for Complaints and Appeals
 - Human Rights Units
 - Boxes for Complaints
 - Permanent Secretary

The respondents were asked if they were aware of any other institution outside their organization, where citizens may file their complaints on cases of sexual harassment. 65 percent answered this question with “yes”, whereas 35 percent opted for “no”. The most frequently mentioned institutions were the Institution of Ombudsperson, Police and Courts.

Annual work reports of independent institutions, such as Ombudsperson and the Independent Supervisory Council, show that these institutions do not meet the needed standards of disciplinary commissions and therefore can not meet their roles and responsibilities in line with the effective law.

Analyses of complaints submitted by the civil servants show that these institutions do not always recruit staff in line with foreseen procedures and based on merits; promotion is not done in harmony with procedures and based on merit; annual performance evaluation and evaluation for contract renewal is not always objective and fair; work contracts are issued and renewed in time and in harmony with the rule of law, etc.

An analysis from the gender perspective of complaints submitted to the Ombudsperson during 2007 and 2008 shows that 25 percent of these complaints were submitted by women and the majority of 75 percent by men²⁴. This, however, does not necessarily reflect the real state of affairs in institutions, but rather a complex reality of social and cultural aspects that make women hesitate to report such cases.

While these institutions are very accurate about the types of complaints, offering gender specific data²⁵, they remain short of offering data about complaints on sexual harassment in the workplace. This fact brings to surface the

²⁴ Luljeta Vuniqi, The Study on the Impact on Women from the Cutbacks in the Kosovo Civil Service, Prishtinë, Kosovar Center for Gender Studies, 2009

²⁵ Ibid

dilemma of whether there are really no complaints of this nature or is it that these institutions are reflecting these data in their annual reports?

In the Independent Supervisory Council of Kosovo the petitioner is expected to use the internal procedure of the organization; thus, he/she should initially file a complaint in the Appeal's Commission of the authority and then in the Independent Supervisory Council. Exceptionally, in cases foreseen by law, the petitioner may address the Council directly.

The Institution of Ombudsperson receives and investigates complaints from every person in Kosovo who believes that his or her rights have been violated by any public authority in Kosovo.

One of the issues pertaining to reporting of cases of sexual harassment is the need for protective measures for the victims of such harassment.

Asked if there are protective measures for victims petitioning against cases of sexual harassment in their workplace, 53 percent of civil servants said that there are no such measures in place, whereas 46.7 percent maintained that there are such measures.

According to civil servants, the protective measures that should be taken are the following:

- Firing the perpetrator,
- Withholding part of perpetrators salary,
- Ensuring confidentiality for the victim and witnesses,
- Removal from office,
- Demotion for the perpetrator,
- Imposing fines.



WHAT SHOULD YOU DO IF YOU ARE THE VICTIM

- Make it clear to the person who is harassing you to stop such behaviour, since pretending that nothing is happening is not a solution;
- Take notes (including dates) of various incidents and witnesses;
- Inform the management (preferably in writing) if the perpetrators continues harassing you and ask from them to order him/her to stop with sexual harassment;
- Talk to colleagues you trust. Do not keep your problem only to yourself, because you can be helped;
- Gather information from specialised organizations (NGOs), who can provide advice and assistance in cases of sexual harassment;
- Every person is entitled to report violations of policies on sexual harassment;
- Every person who is aware of such violations are required to report them with the competent officer/manager;
- You can also file a request in the with the appeals panel of your institution/ organization. If you opt for this form, you are entitled to be accompanied by a person selected by you;
- All those involved in proceedings of your complaint are required to safeguard confidentiality of the identity of all involved parties;
- A person filing a false report causes a breach of disciplinary codes;
- Victims of sexual harassment are entitled to legal and judicial protection;
- The issue of sexual harassment is also a criminal act as provided in the General Criminal Code of Kosovo and you may file a criminal lawsuit against perpetrators of sexual harassment;
- This policy does not stop the victim of sexual harassment to take other more adequate measures for ensuring one's rights.

Katalogimi në botim – (CIP)

Biblioteka Kombëtare dhe Universitare e Kosovës

305-055.2(496.51)(048)

Perceptions of civil servants regarding sexual harassment in the workplace / Lead Researcher Luljeta Demolli.
– Pristina : Kosovar Gender Studies Centre, 2010. - 60 f. ;
24

1. Demolli, Luljeta

ISBN 978-9951-558-09-4