



Strasbourg, 4 November 2013

EPAS (2013) 36rev3

Enlarged Partial Agreement on Sport (EPAS)

**Draft Recommendation of the Committee of Ministers to member states on
gender mainstreaming in sport**

[Draft] Recommendation CM/Rec(2014)XX of the Committee of Ministers to member states on gender mainstreaming in sport

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Noting that sport provides girls and boys, women and men with an environment conducive to education and the social development of the individual, and contributes to fostering good health and well-being in society;

Convinced that sport can promote social inclusion of minorities and other vulnerable or disadvantaged groups and contribute towards better understanding among communities, including in post conflict regions;

Considering that, despite the existence of a wide consensus on the timeless value of lifelong practice of sport and physical activity, women still face challenges in accessing, participating in and benefiting from sport and physical activity, throughout the different stages of the life cycle; and that the issue of discrimination against women and girls in sport and physical activity is a matter of continuing concern;

Mindful that, despite the existence of a considerable number of norms and standards at national, regional and international level guaranteeing the principle of gender equality, the right for everyone to participate in sport and that sport be kept free of any kind of discrimination, namely, on grounds of sex; a gap still persists between standards and practice, between *de jure* and *de facto* gender equality; and discrimination against women and girls, including women and girls from vulnerable or disadvantaged groups, is still evident;

Bearing in mind that the enjoyment of the rights set forth in the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and its protocols must be secured, in particular Protocol N°12;

Recalling that the Recommendation (92) 13 revised of the Committee of Ministers on the European Sport Charter underlines the right for everyone to participate in sport and recommends that sport be kept free of any kind of discrimination, in particular, on grounds of sex;

Taking into account Recommendation (92) 14 revised of the Committee of Ministers to member states on the revised Code of Sports Ethics and, in particular, Recommendation (2010) 9 demanding the “equal participation of women, girls, men and boys in all individual and/or team sports without gender-based discrimination”;

Taking into account Recommendation (98) 14 of the Committee of Ministers to the member states of the Council of Europe on gender mainstreaming, which recommends that the governments of member states encourage decision-makers to “create an enabling environment and facilitate conditions for the implementation of gender mainstreaming in the public sector”;

Taking into account Recommendation (2005) 8 of the Committee of Ministers to the member states of the Council of Europe on the principles of good governance in sport, which states

that the implementation of the principles of good governance in sport is a key to the promotion of gender mainstreaming in sport;

Recalling the Declaration “Making gender equality a reality” of May 2009, whereby the Committee of Ministers urged member states to commit themselves fully to bridging the gap between equality in fact and in law and to accelerate the achievement of this aim by using gender mainstreaming effectively;

Bearing in mind the Parliamentary Assembly Resolution 1092(1996) on discrimination against women in the field of sport and more particularly in the Olympic Games and Recommendation 1701(2005) on discrimination against women and girls in sports;

Bearing in mind political commitments made at specialised Council of Europe Conferences of European Ministers, notably Resolution III adopted by Ministers responsible for Sport (Budapest, October 2004) and in particular, the Resolution adopted by Ministers responsible for Equality between Women and Men (Baku, May 2010), where it was acknowledged that the gap existing between *de jure* and *de facto* gender equality can only be bridged by the adoption of specific legislation, policies and programmes and their implementation through the use of positive action and gender mainstreaming, including gender budgeting;

Having regard that State Parties to the United Nations Convention on the Elimination of all forms of Discrimination Against Women (CEDAW, 1979) condemn discrimination against women in all forms, and agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and of achieving substantive gender equality, including in sport and physical education;

Recalling the Declaration adopted during the Fourth International Conference of Ministers and Senior Officials responsible for Physical Education and Sport (MINEPS IV) and its reference to the Athens Declaration on Women and Sport of 2001;

Recalling the IWG Brighton Declaration on Women and Sport (1994), having the aim of developing a sporting culture that enables and values the full involvement of girls and women in every aspect of sport;

Recalling the Olympic Charter defining the role of the IOC as to encourage and support the promotion of women in sport at all levels and in all structures with a view to implementing the principle of equality of men and women;

Convinced that gender stereotypes and traditional gender roles, including the traditional gender models of masculinity and femininity in the world of sport, affect access to and participation in many levels and fields of sport, affect the organisational cultures of sport administrations and sporting bodies; but also that sport and its media coverage can contribute to perpetuate or to challenge gender stereotypes throughout Europe;

Considering that, despite the progress achieved, gender segregation and inequalities persist between women and men in sport, (in particular with regard to sexual orientation, cultural minorities and disabilities) namely regarding access to, and practice of sport, physical education and activity; access to responsibilities, participation in sport's ruling bodies and decision-making roles; access to resources, wages, financial incentives and sport facilities; media representation of women athletes and of women's sport; reintegration into the labour market after finishing the athletic career; violence including harassment and abuse;

Convinced that, in order to achieve *de facto* equality between women and men in sport and via sport, the structural character of gender inequality must be addressed by adopting the strategy of gender mainstreaming and involving all the relevant institutions and actors in its implementation. Given the significance of the gender gaps in many fields of sport, redressing this situation continues to require positive action and the development of specific targeted programmes for women and girls, including the regular monitoring and assessment of such processes.

Recommends that the governments of member states:

- I. adopt and/or review their legislation and/or policies pertaining to sport with a view to implementing the strategies and measures outlined in this Recommendation and its Appendix;
- II. promote and encourage policies and practices aimed at introducing, implementing and monitoring gender mainstreaming in all fields and at all levels of sport, including special measures, and create specific mechanisms to this end;
- III. ensure that this Recommendation and its explanatory memorandum are brought to the attention of the relevant political institutions, public authorities, sport organisations, education institutions and other sport-related institutions;
- IV. encourage co-operation between those stakeholders at national level responsible for and having impact on sport, physical education and gender equality policies;
- V. monitor and evaluate gender mainstreaming policies, practices and results at national level and report on the steps taken and progress achieved in this field to the relevant bodies of the Council of Europe;
- VI. co-operate at international level with a view to exchanging information and sharing good practices.

Invites the Enlarged Partial Agreement on Sport (EPAS) of the Council of Europe to monitor the implementation of this recommendation.

Calls on the Secretary General to transmit this recommendation to intergovernmental organisations, international sport and sport-related organisations.

Appendix to Recommendation Rec (2014)XX

Definitions

For the purpose of the present recommendation:

Sport refers to all forms of physical activity, which, through casual or organised participation, aims at expressing or improving physical fitness and mental well-being, forming social relationships or obtaining results in competition at all levels.

Gender shall mean the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men.

Gender equality means an equal visibility, empowerment and participation of both sexes in all spheres of public and private life. Gender equality is the opposite of gender inequality, not of gender difference, and aims to promote the full participation of women and men in society. It means accepting and valuing equally the differences between women and men and the diverse roles they play in society.

Discrimination against women means any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Balanced participation of women and men in political and public decision making means that the representation of either women or men in any decision-making body in political or public life should not fall below 40%.

Gender mainstreaming means the (re)organisation, improvement, development and evaluation of policy processes, to ensure that a gender equality perspective is incorporated at all levels and stages of all policies by those normally involved in policy making.

Gender budgeting means the application of gender mainstreaming to the budgetary process, namely, gender-based assessment of budgets, bringing a gender perspective into all levels of that process, and restructuring revenue and expenditure to promote gender equality;

Gender-sensitivity encompasses the ability to acknowledge and highlight existing gender differences, issues and inequalities and incorporate these into strategies and actions.

Gender impact assessment entails assessing the consequences that a measure has from the perspective of both women and men. The purpose is to promote gender equality and to prevent effects that are unwanted from a perspective. Gender impact assessment is carried out to avoid unintended negative consequences and improve the quality and efficiency of policies.

Gender-based violence is both a form of discrimination and a violation of the victim's fundamental freedoms. It can be defined as violence directed against a person because of that person's gender (including gender identity/expression) or as violence that affects persons of a particular gender disproportionately.

[Gender-based violence against women] shall mean violence that is directed against a woman because she is a woman or that affects women disproportionately.]

Multiple discrimination shall mean any combination of discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

Temporary special measures are measures adopted with the purpose “to accelerate the improvement of the position of women to achieve their *de facto* or substantive equality with men, and to effect the structural, social and cultural changes necessary to correct past and current forms and effects of discrimination against women, as well as to provide them with compensation. These measures are of a temporary nature”.

I - The governments of member states are invited to implement the following measures:

Legal framework and policy

Legislation

1. incorporate the principle of equality between women and men and gender mainstreaming into national laws on sport and physical education and/or into the existing body of legislation and/or regulations pertaining to sport;
2. assess the gender impact of future laws on sport and physical education or pertaining to sport and, where necessary, review existing laws from a gender equality perspective;
3. bring the terminology used in legal drafting into line with the principle of equality between women and men;

Policies and programmes

4. ensure that gender perspectives are included in all areas of decision-making and leaders, managers and officials are trained to apply gender mainstreaming policies and practices in all decision-making processes;
5. ensure that public bodies related to sport and physical education are gender-balanced;
6. draw up action plans based on qualitative and quantitative data on women and men in sport and allocate resources at all levels to bring the gender mainstreaming strategy into sport and physical education policies and programmes, including in-built monitoring and evaluation;
7. plan, design and manage sport, recreation and physical activity facilities to ensure that they are safe, affordable and accessible to girls and boys, women and men, including from vulnerable and disadvantaged groups, in their roles as participants, spectators and officials, and encourage schools, local authorities and sports clubs and relevant decision-makers to implement any conversion work needed to meet these requirements;
8. eliminate sexist stereotypes and distortions and progressively adopt a non sexist and inclusive language in all documents and materials including written documents, video games, websites, films and advertising, produced, edited and/or distributed by the public authorities responsible for framing and implementing this Recommendation;
9. adopt strategies against stereotyping based on sex, sexual orientation and other forms of discrimination and protect all people who challenge social norms by their free choice and practice of sport;
10. use gender budgeting to promote equal access to, and enjoyment of, sport resources by women and men, namely as regards funds, facilities, human resources including training and coaching, time, space and equipment to participate and compete;
11. ensure that public authorities request gender equality criteria before granting subsidies to sports organisations;

12. ensure the equal treatment for women and men in terms of grants, pay, prize-money and bonuses, including in professional sport and competitions;
13. study the impact of sport and physical education policies on girls and boys, women and men, providing qualitative and quantitative instruments for gender impact assessment;
14. establish concerted action between the ministries responsible for sport and physical education, the ministry responsible for equality between women and men, civil society organisations promoting women's participation in sport and the sport organisations, in particular when drawing up national action plans and implementing and assessing programmes, in order to address the needs of, and issues concerning girls and boys, women and men in sport, recreation and physical activity and to ensure consistency between the different policies;
15. ensure that issues of women and men from vulnerable and disadvantaged groups are systematically mainstreamed into all aspects of sport policies and programmes by taking into consideration the intersections of gender, age, race, ethnicity, sexuality and (dis)ability, and provide specific tailored support where appropriate;
16. provide support for the work of civil society organisations promoting gender equality in sport;

[Specific programmes and policies for increasing women's participation in sport throughout the life cycle

17. identify the reasons for the drop-out of women and girls from sporting activities, and from organised and competitive sport, and implement programmes and practices to prevent it and to facilitate their return to sport;
18. identify the specific issues of health and safety which can endanger women's participation in sport and sport careers throughout the different stages of the life cycle and take the necessary measures to address them;
19. identify the needs and preferences of women as regards the sport practice throughout the life cycle and develop programs to meet these needs and preferences, systematically involving women and girls participants, including women and girls from vulnerable and disadvantaged groups, athletes and leaders in this process;]

Specific programmes and policies on formal and non-formal physical education in particular at local authority level

20. encourage the authorities responsible for school and out-of-school education to integrate the principles of gender equality and the strategy of gender mainstreaming into physical education and sports curricula;
21. take into account, in planning physical education and sports curricula and teaching methods and practices, of girls' and boys', women's and men's physical differences, different levels of ability, experiences, attitudes, values, including cultural values, needs and preferences, and cater for these differences by a gender sensitive and inclusive instruction;
22. encourage, enable and support physical education and sports teachers and instructors to promote equality between girls and boys in sport and to manage problem situations caused

by gender differences and intercultural issues pertaining to access to and practice of physical activity, physical education and sport;

Specific programmes and policies to combat gender-based violence

23. adopt and implement policies and measures in co-operation with sport authorities and organisations to prevent and combat gender based violence against women and girls in sport, namely, physical intimidation or violence, moral, physical and sexual harassment and abuse;

24. devise programmes to combat gender-based bullying, harassment and violence, with regard to the practice of physical activity, physical education and sport and encourage schools, local authorities and sports clubs to implement them;

Awareness raising and training

25. promote awareness initiatives and initial and in-service training on gender equality, gender mainstreaming and diversity for the staff of ministries responsible for framing and implementing this Recommendation and for the different actors of the sport system;

26. raise awareness, in the relevant ministries and among relevant stakeholders about gender hierarchies, gender segregation and inequalities still existing between women and men in sport;

27. launch and promote awareness campaigns for the promotion of equality between women and men in accessing, participating in and benefitting from sport and physical activities, throughout the different stages of the life cycle;

28. when implementing and managing awareness raising campaigns on preventing and combating violence against women, include specific measures related to gender based violence in sport and physical education;

29. identify [women] role models and gender sensitive [men] athletes, coaches, journalists and other leaders and involve them in the promotion of equality between women and men in sport;

Data collection and research

30. ensure that the statistics based on individuals produced by ministries and authorities responsible for framing and implementing this Recommendation are broken down by sex, published regularly and disseminated to the relevant stakeholders;

31. provide qualitative and quantitative data collected on women in sport and women's sport, including systematic gender analysis, to relevant stakeholders at national, regional and local level, namely to decision-makers, in order to increase gender awareness and to encourage them to take appropriate action;

32. promote, support and disseminate qualitative research on the barriers faced by women and girls as regards their access to and participation in all levels and fields of sport including those impeding the advancement of women to leadership, coaching and decision-making positions and on women's needs and desires in the sphere of physical activities and sport throughout the different stages of the life cycle;

33. promote research on the media coverage of women and women's initiatives in the field of sport;

Monitoring and reporting

34. implement this recommendation by regularly monitoring and evaluating gender mainstreaming policies, practices and results; publishing the findings and disseminating them widely among the parties concerned.

II – the Governments of member states are invited to encourage sport organisations at national, regional, and local level, bearing in mind their autonomy, to:

35. ensure that the achievement of real gender equality through gender mainstreaming is a part of the organisation's mission and strategy for the development of sport and that they regularly report on the practices and results, publish the findings and disseminate them widely among the parties concerned;

36. create gender sensitive and transparent selection, recruitment, appointment and election procedures and practices to increase the number of women participating at all levels of the sport organisation, including in coaching, management and other leadership positions, and promote the creation of databases on women leaders in sport as a resource for those seeking candidates for leadership positions; ensure that statistics regarding individual participation and representation in all areas and all levels of the organisation, including in executive bodies, coaching and other leadership or decision-making positions are broken down by sex, published regularly and disseminated;

37. identify barriers faced by women and girls, including from vulnerable or disadvantaged groups, as regards their access to and participation in all levels and fields of sport, including those impeding their advancement to competitive sport, coaching, management and other leadership positions;

38. adopt policies which allow a balance of family life and sporting roles with a special focus on athletes, coaches and other leaders and managers;

39. ensure that sponsors support both women's and men's programs equally and that grants, pay, prize-money and bonuses available for women and men are equal, including in professional sport and competitions;

40. develop strategies and implement special measures, where necessary, until a balanced participation of women and men is reached at all levels of the sport organisations in terms of membership, practice, competition, coaching, leadership, management and national and international representation, and ensure the regular monitoring and evaluation of these policies;

41. conduct training and implement mentoring and shadowing programs for women in order to encourage and qualify them for leadership roles and create opportunities for them to exercise these roles;

42. [set a special target of at least 20% of all decision-taking posts in sport organisations to be held by women by 2020, on the basis of the target set up by the IOC regarding the representation of women in international federations;]

43. implement policies and adopt codes of conduct regarding violence against girls and boys, women and men in sport and clearly describe the complaint process, disciplinary actions and appeal procedures;
44. use a non-sexist and inclusive language in documents produced, edited and distributed and a balanced representation of women and men in all publications, videos and advertisements, including positive images of women and girls in sport;
45. ban discrimination from the sporting arenas, and encourage and support women and girls from vulnerable or disadvantaged groups, namely with regard to race, ethnic origin, sexual orientation, to participate in sporting activities, training and competitions;
46. create safe, affordable, accessible and culturally appealing environments and facilities for attendance to sport events, sport practice, training and competition, for women of all age groups, including from vulnerable or disadvantaged groups;
47. implement and support, when needed, any conversion work, namely sanitary facilities and other infrastructures, in order to accommodate both girls and boys, women and men, and their needs and lifestyles;
48. develop training and/or awareness workshops on gender equality, gender mainstreaming and diversity to provide staff, coaches, athletes, managers and other leaders with the necessary tools to implement gender mainstreaming and gender equality in the organisation, and to win support, in particular from decision-makers;
49. raise awareness about the gender segregation, imbalances, gender hierarchies and the forms of violence against women and girls existing in various levels and fields of the organisation's sport, namely by having recourse to gender sensitive male athletes and coaches;
50. identify the reasons for the drop-out of women and girls from sporting activities, and from organised and competitive sport, and implement programmes and practices to prevent it and to facilitate their return to sport;
51. identify the specific issues of health and safety which can endanger women's participation in sport and sport careers throughout the different stages of the life cycle and take the necessary measures to address them;
52. identify the needs and preferences of women as regards the sport practice throughout the life cycle and develop programs to meet these needs and preferences, systematically involving women and girls participants, including women and girls from vulnerable and disadvantaged groups, athletes and leaders in this process;
53. identify [women] role models and gender sensitive [men] athletes, coaches, journalists and other leaders and involve them in the promotion of equality between women and men in sport.

III - the Governments of member states are invited to draw the attention of the media, bearing in mind their editorial independence, on the need to:

54. increase the coverage and the visibility of sportswomen and of women's sport in the media, including by highlighting the successes of top-level sportswomen and women who have succeeded in and through sport as examples;

55. address the stereotyped and often negative portrayal of women's sport in the media by eliminating the sexualised representation, marketing and promotion of women in sport and women's sport, namely by avoiding[/not reproducing] prejudice and clichéd gender images and reflecting the progress of gender equality in sport;

56. convey a non-stereotyped image of women and men in sport and of women's sport, by not reproducing sexist representation and eliminating sexist content and language which could lead to discrimination on grounds of sex, incitement to hatred and gender-based violence and by reflecting the progress of gender equality in sport;

57. ensure a balanced participation through the employment of female sport journalists and support their careers among the editorial staff;

IV - The Council of Europe is invited to take initiative to look for opportunities to:

58. co-operate at European level to monitor and evaluate the progress of balanced participation of girls and boys, women and men in sport on the basis of internationally comparable data broken down by sex, and collect, analyse and disseminate this information to the member states and other European and international institutions;

59. promote, in co-operation with the member states and other European and international institutions, the exchange of information, know-how and "good practices" favouring equality between girls and boys, women and men in sport.