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GEC-DC Sexism (2017)2 Revised 3

GENDER EQUALITY COMMISSION

**Drafting Committee to prepare a draft
Committee of Ministers recommendation to prevent and combat sexism
(GEC-DC Sexism)**

Compilation of instruments related to the notion of sexism

The present information document has been prepared by the Gender Equality Unit to support the drafting of a recommendation to prevent and combat sexism. The document includes a list of and extracts from Council of Europe/European Union/United Nations instruments and policy documents related to sexism.

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I Council of Europe Instruments

1. European Convention on Human Rights

Article 14 – Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Protocol 12

Protocol No. 12 establishes a general prohibition of discrimination, removing the limitation of Article 14 of the ECHR that only prohibits discrimination in the enjoyment of one or more rights guaranteed by the Convention and guaranteeing that no-one shall be discriminated against on any ground by any public authority.

2. Case law of the European Court of Human Rights

According to the European Court of Human Rights: ¹ “[...] the advancement of gender equality is today a major goal in the member states of the Council of Europe and very weighty reasons would have to be put forward before such a difference in treatment could be regarded as compatible with the Convention. [...] In particular, references to traditions, general assumptions or prevailing social attitudes in a particular country are insufficient justification for a difference in treatment on grounds of sex. For example, States are prevented from imposing traditions that derive from the man’s primordial role and the woman’s secondary role in the family.” The Court added “[...] gender stereotypes, such as the perception of women as primary child-carers and men as primary breadwinners, cannot, by themselves, be considered to amount to sufficient justification for a difference in treatment, any more than similar stereotypes based on race, origin, colour or sexual orientation.”

3. Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)²

Article 1(b) – Purposes of the Convention

The purposes of this Convention are to:

[...] contribute to the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women.

Article 3 – Definitions

For the purpose of this Convention:

¹ *European Court of Human Rights, Konstantin Markin v. Russia [GC] (No. 30078/06) 22 March 2012, paragraphs 127 and 143.*

² Full text: <http://www.coe.int/en/web/istanbul-convention/home>

- a. 'violence against women' is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life; [...]
- c. 'gender' shall mean the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men;
- d. 'gender-based violence against women' shall mean violence that is directed against a woman because she is a woman or that affects women disproportionately;
- e. 'victim' shall mean any natural person who is subject to the conduct specified [...];
- f. 'women' includes girls under the age of 18.

Article 4 – Fundamental rights, equality and non-discrimination

1. Parties shall take the necessary legislative and other measures to promote and protect the right for everyone, particularly women, to live free from violence in both the public and the private sphere.
2. Parties condemn all forms of discrimination against women and take, without delay, the necessary legislative and other measures to prevent it, in particular by:
 - embodying in their national constitutions or other appropriate legislation the principle of equality between women and men and ensuring the practical realisation of this principle;
 - prohibiting discrimination against women, including through the use of sanctions, where appropriate;
 - abolishing laws and practices which discriminate against women.
3. The implementation of the provisions of this Convention by the Parties, in particular measures to protect the rights of victims, shall be secured without discrimination on any ground such as sex, gender, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, sexual orientation, gender identity, age, state of health, disability, marital status, migrant or refugee status, or other status.
4. Special measures that are necessary to prevent and protect women from gender-based violence shall not be considered discrimination under the terms of this Convention.

Article 6 – Gender-sensitive policies

Parties shall undertake to include a gender perspective in the implementation and evaluation of the impact of the provisions of this Convention and to promote and effectively implement policies of equality between women and men and the empowerment of women.

Article 12 – Social and cultural patterns of behaviour

12.1: Parties shall take the necessary measures to promote changes in the social and cultural patterns of behaviour of women and men with a view to eradicating prejudices, customs, traditions and all other practices which are based on the idea of the inferiority of women or on stereotyped roles for women and men.

Article 13 – Awareness-raising

1. Parties shall promote or conduct, on a regular basis and at all levels, awareness-raising campaigns or programmes, including in co-operation with national human rights institutions and equality bodies, civil society and non-governmental organisations, especially women's organisations, where appropriate, to increase awareness and understanding among the general public of the different manifestations of all forms of violence covered by the scope of this Convention, their consequences on children and the need to prevent such violence.
2. Parties shall ensure the wide dissemination among the general public of information on measures available to prevent acts of violence covered by the scope of this Convention.

Article 14 – Education

1. Parties shall take, where appropriate, the necessary steps to include teaching material on issues such as equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity, adapted to the evolving capacity of learners, in formal curricula and at all levels of education.
2. Parties shall take the necessary steps to promote the principles referred to in paragraph 1 in informal educational facilities, as well as in sports, cultural and leisure facilities and the media.

Article 17 – Participation of the private sector and the media

1. Parties shall encourage the private sector, the information and communication technology sector and the media, with due respect for freedom of expression and their independence, to participate in the elaboration and implementation of policies and to set guidelines and self-regulatory standards to prevent violence against women and to enhance respect for their dignity.
2. Parties shall develop and promote, in co-operation with private sector actors, skills among children, parents and educators on how to deal with the information and communications environment that provides access to degrading content of a sexual or violent nature which might be harmful.

Article 33 – Psychological violence

Parties shall take the necessary legislative or other measures to ensure that the intentional conduct of seriously impairing a person's psychological integrity through coercion or threats is criminalised.

Article 34 – Stalking

Parties shall take the necessary legislative or other measures to ensure that the intentional conduct of repeatedly engaging in threatening conduct directed at another person, causing her or him to fear for her or his safety, is criminalised.

Article 35 – Physical violence

Parties shall take the necessary legislative or other measures to ensure that the intentional conduct of committing acts of physical violence against another person is criminalised.

Article 36 – Sexual violence, including rape

1. Parties shall take the necessary legislative or other measures to ensure that the following intentional conducts are criminalised:
 - a. engaging in non-consensual vaginal, anal or oral penetration of a sexual nature of the body of another person with any bodily part or object;
 - b. engaging in other non-consensual acts of a sexual nature with a person;
 - c. causing another person to engage in non-consensual acts of a sexual nature with a third person.
2. Consent must be given voluntarily as the result of the person's free will assessed in the context of the surrounding circumstances.
3. Parties shall take the necessary legislative or other measures to ensure that the provisions of paragraph 1 also apply to acts committed against former or current spouses or partners as recognised by internal law.

Article 40 – Sexual harassment

Parties shall take the necessary legislative or other measures to ensure that any form of unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment, is subject to criminal or other legal sanction.

Article 42 –Unacceptable justifications for crimes, including crimes committed in the name of so-called 'honour'

1. Parties shall take the necessary legislative or other measures to ensure that, in criminal proceedings initiated following the commission of any of the acts of violence covered by the scope of this Convention, culture, custom, religion, tradition or so-called "honour" shall not be regarded as justification for such acts. This covers, in particular, claims that the victim has transgressed cultural, religious, social or traditional norms or customs of appropriate behaviour. [...]

4. Convention on Action against Trafficking in Human Beings³

Article 3 – Non-discrimination principle

The implementation of the provisions of this Convention by Parties, in particular the enjoyment of measures to protect and promote the rights of victims, shall be secured without discrimination on any ground such as **sex**, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Article 6(d) – Measures to discourage the demand

To discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking, each Party shall adopt or strengthen legislative, administrative, educational, social, cultural or other measures including:

³ Full text: <http://www.coe.int/en/web/anti-human-trafficking/about-the-convention>

[...] preventive measures, including educational programmes for boys and girls during their schooling, which stress the unacceptable nature of discrimination based on **sex**, and its disastrous consequences, the importance of gender equality and the dignity and integrity of every human being.

5. European Social Charter (Revised)⁴

Part I

20. All workers have the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of **sex**. [...]

27. All workers have the right to dignity at work.

Part II

Article 20 – The right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex

With a view to ensuring the effective exercise of the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of **sex**, the Parties undertake to recognise that right and to take appropriate measures to ensure or promote its application in the following fields:

- a. access to employment, protection against dismissal and occupational reintegration;
- b. vocational guidance, training, retraining and rehabilitation;
- c. terms of employment and working conditions, including remuneration;
- d. career development, including promotion.

Article 26 – The right to dignity at work

With a view to ensuring the effective exercise of the right of all workers to protection of their dignity at work, the Parties undertake, in consultation with employers' and workers' organisations:

- a. to promote awareness, information and prevention of sexual harassment in the workplace or in relation to work and to take all appropriate measures to protect workers from such conduct;
- b. to promote awareness, information and prevention of recurrent reprehensible or distinctly negative and offensive actions directed against individual workers in the workplace or in relation to work and to take all appropriate measures to protect workers from such conduct.

Part V

Article E – Non-discrimination

The enjoyment of the rights set forth in this Charter shall be secured without discrimination on any ground such as race, colour, **sex**, language, religion, political or other opinion, national extraction or social origin, health, association with a national minority, birth or other status.

⁴ Full text: <https://www.coe.int/en/web/turin-european-social-charter>

6. Gender Equality Strategy 2014-2017⁵

The Council of Europe Gender Equality Strategy 2014-2017 is one of the rare policy documents at international level that specifically mentions sexism in its Objective One “**Combating gender stereotypes and sexism**”. The Strategy 2014-2017 also defines gender stereotypes:

“Gender stereotyping presents a serious obstacle to the achievement of real gender equality and feeds into gender discrimination. Gender stereotypes are preconceived ideas whereby males and females are arbitrarily assigned characteristics and roles determined and limited by their sex. Sex stereotyping can limit the development of the natural talents and abilities of boys and girls, women and men, their educational and professional experiences as well as life opportunities in general. Stereotypes about women both result from and are the cause of deeply engrained attitudes, values, norms and prejudices against women. They are used to justify and maintain the historical relations of power of men over women as well as sexist attitudes which are holding back the advancement of women.”

Objective One of the Strategy 2014-2017 foresees actions on promoting awareness about gender equality with special attention to the prevention of all forms of violence against women, on eliminating gender stereotypes in education, on promoting the role of men in achieving gender equality and on “combating sexism as a form of hate speech and integrating this dimension into Council of Europe action aiming at combating hate speech and discrimination while actively promoting respect for both women and men”. The Strategy 2014-2017 also foresees the identification of “practical measures to:

- promote a positive and non-stereotyped image of women and men in the media,
- abolish women’s image of inferiority and submission as well as stereotypes about men’s masculinity,
- further balanced participation of women and men in decision-making positions in the media, in particular in management, programming and regulatory bodies.”

7. Gender Equality Strategy 2018-2023⁵

Preventing and combating gender stereotypes and sexism remains a priority for the Council of Europe Gender Equality Strategy for 2018-2023. Work in this area builds on the definitions, achievements and proposed activities of the Strategy 2014-2017 in this area and introduces new topics such as stronger focus on the links between gender stereotypes, sexism and violence against women, how sexism affects men and boys and the negative role played by hegemonic masculinities. Other issues included in the Strategy 2018-2023 in relation to the fight against sexism relate to the economic and social settings in which sexism and gender stereotypes are at play, notably the labour market and education systems. It stresses that “Gender stereotypes perpetuate women’s economic and social marginalisation” and addresses the links with unpaid work, which is still predominantly undertaken

⁵ Full text: <http://www.coe.int/en/web/genderequality/gender-equality-strategy>

by women. The Strategy 2018-2023 underlines the need for efficient measures related to all forms of employment discrimination and to the conciliation of private and working life to ensure women's economic empowerment.

The role of media and social media continue to feature prominently in the Strategy 2018-2023, including the need to address on-and off line sexist hate speech and other forms of offensive behaviour.

Some of the relevant new actions foreseen in the Strategy 2018-2023 include:

- support data collection and research on sexism, gender stereotypes and sex-based discrimination;
- build partnerships with relevant stakeholders to curb violent and degrading internet pornography, given its negative influence on gender relations, harmful sexual practices and coercion;
- strive to remove gender stereotypes affecting one or more particular group(s) of women (such as Roma women, women with disabilities, migrant and refugee women) in co-operation with relevant sectors and organisations;
- address gender stereotypes affecting men and boys by engaging them and working in specific sectors such as education, media and the private sector;
- review the implementation of Committee of Ministers Recommendation No. R (96) 51 on reconciling work and family life, and consider updating it;
- support actions to promote equal economic independence for women and men and remove obstacles to women's labour market participation; encourage more men to take on caring responsibilities and to make use of flexible working arrangements and other family friendly measures.

8. Recommendations adopted by the Committee of Ministers

Recommendation No. R(85)2 on legal protection against sex discrimination exhorts member states to take or reinforce measures for the promotion of equality between women and men, including through legislation in the field of employment, social security and pensions, taxation, civil law, the acquisition and loss of nationality and political rights. The Appendix to the Recommendation refers to the need to give consideration to the adoption of special temporary measures designed to accelerate the realisation of *de facto* equality between men and women in those areas where inequalities exist. In addition, member states are encouraged to adopt suitable machineries and legislation containing effective remedies and sanctions in order to discourage discrimination.

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Recommendation No. R (85)7 on teaching and learning about human rights in schools: The appendix to Rec. (85)7 suggests some relevant human rights topics to teach at school: **Paragraph 3.1.** The study of human rights in schools will be approached in different ways according to the age and

circumstances of the pupil and the particular situations of schools and education systems. Topics to be covered in learning about human rights could include

- i. the main categories of human rights, duties, obligations and responsibilities;
- ii. the various forms of injustice, inequality and discrimination, including sexism and racism.

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Recommendation No. R (90)4 on the elimination of sexism from language requests member states to promote the use of language reflecting the principle of equality and to take measures with a view to:

1. encouraging the use, as far as possible, of **non-sexist** language to take account of the presence, status and role of women in society, as current linguistic practice does for men;
2. bringing the terminology used in legal drafting, public administration and education into line with the principle of sex equality;
3. encouraging the use of **non-sexist** language in the media.

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Recommendation No. R (2002) 5 on the protection of women against violence encourages member states to guarantee by law the protection and fulfilment of women's fundamental rights to assure the punishment of violent acts and provide protection to victims. The Recommendation also asks member states to recognise that violence against women is an urgent societal problem based on the "unequal power relations between women and men" and to promote national and international coordination in collecting data and researching on equality issues.

Appendix to Recommendation No. R (2002) 5 specifically refers to sexism in its paragraph 20 related to media, stating that member states should "encourage the elaboration of codes of conduct for media professionals, which would take into account the issue of violence against women and, in the terms of reference of media watch organisations, existing or to be established, encourage the inclusion of tasks dealing with issues concerning violence against women and **sexism**."

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Recommendation No. R (2003) 3 on balanced participation of women and men in political and public decision-making

The Explanatory Memorandum to Rec. (2003)3 draws attention to the use of language as a thread for sexism: "Language, the symbolism of which is important, must **not consecrate the hegemony of the masculine** model. Language must **be gender neutral** (for example 'person') or refer to both sexes ('his/her'). The Committee of Ministers of the Council of Europe, as early as in 1990, adopted Recommendation No. R (90) 4 [...] on the elimination of sexism from language. A clear evolution towards the elimination of **sexism** from language can be seen when comparing, on the one hand, the European Convention on Human Rights (ECHR) and on the other the Charter of Fundamental Rights

of the European Union. To give an example, in the ECHR, the systematic use of the pronoun 'his' has been replaced in the Charter with 'his or her'.

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Recommendation No. R (2007) 13 on gender mainstreaming in education calls on member states to promote and encourage measures aimed at implementing gender mainstreaming at all levels of the education system and in teachers' education. It puts forward a set of comprehensive measures to ensure effective gender mainstreaming in education. The Appendix to Recommendation makes specific references to sexism in several paragraphs:

Regarding initial and in-service education and training for teachers and trainers:

Paragraph 21: including, in initial and in-service training, content which allows teachers to reflect on their own identity, **beliefs, values, prejudices, expectations, attitudes and representations of femininity/masculinity, as well as their teaching practice**; teachers should be encouraged to challenge **sex-stereotyped** attitudes and beliefs, which can inhibit boys' and girls' personal development and prevent them from realising their full potential.

Regarding course programmes, school curricula, subjects and examinations:

Paragraph 27: making education for private life part of the school curriculum, when necessary, in order to encourage boys and girls to be self-reliant in this area, make them more responsible in their emotional and sexual relationships and behaviour, **combat sexist role stereotyping**, and prepare young people for a new gender partnership in private and public life.

Regarding teaching materials:

Paragraph 29: encouraging teachers to analyse, challenge and so help to eliminate **sexist stereotypes and distortions** which these textbooks, materials and products may convey in their content, language and illustrations.

Paragraph 30: encouraging teachers to analyse and counter **sexism** in the content, language and illustrations of comics, children's books and games, video games, websites and films, which shape young people's attitudes, behaviour and identity.

Regarding teaching methods and practices:

Paragraph 36: ensuring that **non-sexist** language is used, and account taken of the gender dimension in teaching practice and throughout schools.

Regarding educational and career guidance:

Paragraph 40: encouraging and training guidance staff to use gender mainstreaming, so that they can analyse and **counter the effects of sexist socialisation** when necessary.

*Regarding Preventing and **combating sexist violence**:*

Paragraph 45: providing guidelines to help schools to ensure that respect for human beings is the basis of their activity, and prevent/combat any forms of individual or collective violence or

discrimination which generate unsafe situations, fear, persecution, psychological or sexual harassment, physical assault or sexual violation of girls and boys in ordinary school life;

Paragraph 46: “raising the awareness of education staff and training them to detect, analyse, respond to, and combat all forms of **sexist violence**.”

Regarding media:

Paragraph 55: encouraging exploration of the role which the media can play in teaching and helping young people (girls and boys) to **develop critical attitudes to sexist representations of femininity, masculinity and gender relations in society**.

Regarding research on gender and education issues:

Paragraph 56: initiating and supporting research on gender and education, for example:

- research on **sexism** in the oral and written language used in the classroom and elsewhere in schools, including inter-pupil communication;
- research on innovative projects on gender stereotyping and pupil behaviour, **representations of masculinity and femininity, new identities for girls, and relations** between girls and boys, with special reference to aggressive and abusive behaviour.

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Recommendation No. R (2007) 17 on gender equality standards and mechanisms provides an extensive list of measures to achieve gender equality in practice, taking into account human rights and the integration of a gender perspective in legislation in all sectors. It recommends specific gender equality standards in private and family life, education, science and culture, economic life, social protection, health, including sexual and reproductive matters, violence against women, trafficking in human beings, conflict and post-conflict situations and specific situation of vulnerable groups exposed to multiple discrimination. Gender stereotypes, traditional gender roles and prejudice are mentioned throughout the Recommendation, for example in Paragraph 187 of the Explanatory Memorandum: “To remedy or redress the present effect of past discrimination based on the grounds of sex, to **reduce structural disadvantages and to overcome gender stereotypes and prejudices still existing in many societies** which hamper the effective realisation of gender equality and limit women’s and men’s full enjoyment of human rights on equal terms, a wide range of specially tailored actions and measures is required. Specific actions, mainly addressed to women, and gender mainstreaming into all policies and plans are the main aspects of a dual approach to the building of gender equality.”

Recommendation No. R (2007) specifically mentions sexism with regard to language. Paragraph 17 states “Actions of member states must be targeted at the **promotion of the use of non-sexist language in all sectors, particularly in the public sector** and at all levels and in all forms of education and in media.” Paragraph 18 provides the following “Elements indicating states’ political will and commitment to gender equality in this regard include the following:

- i. adoption/existence and implementation of norms imposing an obligation on the public sector to **use non-sexist language in official documents**, particularly in legal texts, policy papers, programmes, forms and questionnaires;
- ii. existence of a clear mandate of gender equality institutions and other relevant institutions to **monitor the implementation of the principle of the use of non-sexist language**; [...]
- iv. existence of initiatives to encourage the elimination of **discriminatory expressions**, which **describe women and men in terms of their physical appearance** or of the qualities and gender roles attributed to their sex.”

Regarding media, paragraph 48 paragraph iii states: “iii. encouragement, to the extent consistent with freedom of expression, of adoption and implementation of self-regulatory measures, guidelines, codes of conduct or other forms of regulations within media organisations that include the matter of sex-based discrimination/gender equality, **promote the use of non-sexist language** and the presentation of non-stereotyped images and exclude the use of violent or degrading materials”.

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Recommendation No. R (2013) 1 on gender equality and media stresses that media freedom and gender equality are intrinsically inter-related since they are both fundamental rights and that the former can advance the latter. The text also highlights how gender inequalities are reproduced in the media sector: women are under-represented in media ownership, in information production and journalism, in newsrooms and management posts; sexist stereotypes and the scarcity of counter-stereotypes affect the quality of media content, particularly with respect to “political events and election campaigns”.

CM Rec. (2013)1 specifically mentions combating sexism, whereby media organisations are requested to promote measures aimed at “a non-stereotyped image, role and visibility of women and men, **avoidance of sexist advertising, language and content which could lead to discrimination on grounds of sex, incitement to hatred and gender-based violence**” (paragraph 4). In relation to Media literacy and active citizenship, measures should be considered to “Promote gender sensitive media literacy for the young generation, prepare young people to approach different forms of media content responsibly and enable them to acquire a critical view of media representations of gender and to **decode sexist stereotypes**; enhance the gender equality perspective in the media literacy programmes for young people of different ages as a factor for broad human rights education and active involvement in the democratic processes” (paragraph 5 point xiv of the Appendix). More generally, the Recommendation requires members states to “adopt an appropriate legal framework intended to ensure that there is **respect for the principle of human dignity** and the prohibition of all discrimination on grounds of sex, as well as **of incitement to hatred and to any form of gender-based violence within the media**” (Paragraph 1 of the Appendix).

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Recommendation CM/Rec(2016)4 of the Committee of Ministers to member States on the protection of journalism and safety of journalists and other media actors mentions in paragraph 2 that “journalists and other media actors are often specifically targeted on account of their gender, gender identity, sexual orientation, ethnic identity, membership of a minority group, religion, or other particular characteristics which may expose them to discrimination and dangers in the course of their work. Female journalists and other female media actors face specific gender-related dangers, including sexist, misogynist and degrading abuse; threats; intimidation; harassment and sexual aggression and violence. These violations are increasingly taking place online. There is a need for urgent, resolute and systemic responses.”

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Recommendation CM/Rec(2017)9 of the Committee of Ministers to member States on gender equality in the audiovisual sector aims at including a gender perspective at all levels of the audiovisual sector. It includes a reference to the strategic objectives of the Council of Europe Gender Equality Strategy 2014-2017 as well as several paragraphs on the need to fight sexism, gender stereotypes and sexist hate speech.

The Recommendation’s preamble states that “[t]he audiovisual sector is well placed to **shape and influence perceptions, ideas, attitudes and behaviour prevalent in society**. It reflects the reality of women and men, in all their diversity. Audiovisual content can either hinder or hasten structural change towards gender equality”.

In its “Guidelines for improving gender equality in the audiovisual sector: measures for implementation”, the Recommendation identifies several barriers preventing women from working in the industry on equal terms with men, including “**[c]onscious and unconscious gender bias at all levels of the industry**”. It continues by stating that “[h]aving more female-created audiovisual content would impact positively on the **portrayal of women and men**, promote equality and encourage fairness in our society. Furthermore, one of the most important ways to encourage women to create audiovisual content is by ensuring greater visibility of their works on television, cinema screens and on digital media platforms”.

Measures to implement the Recommendation should include “supporting awareness-raising initiatives and campaigns on **combating gender stereotypes, including hate speech and sexism in the audiovisual sector**” and “**promoting non-stereotypical images, and avoiding sexist advertising, language and content which could lead to discrimination on grounds of sex, incitement to hatred and gender-based violence**”. Support research measures include to “[p]romote research on the **impact of the audiovisual sector in the shaping of values, attitudes, needs and interests of women and men**”.

Finally, measures to encourage the ongoing development of media literacy include the “[promotion of] gender-sensitive media literacy for the younger generations, prepare young people to approach

different forms of audiovisual content responsibly and **enable them to acquire a critical view of representations of women and men and to decode sexist stereotypes**".

9. European Commission against Racism and Intolerance's (ECRI) General Policy Recommendation (GPR) No. 15 on combating hate speech

General Policy Recommendation (GPR) No. 15 is the first Council of Europe instrument that includes a definition of 'hate speech' based on sex and gender in **Paragraph 9** of the Explanatory Memorandum : "Hate speech for the purpose of the Recommendation entails the use of one or more particular forms of expression – namely, **the advocacy, promotion or incitement of the denigration, hatred or vilification of a person or group of persons, as well any harassment, insult, negative stereotyping, stigmatization or threat of such person or persons and any justification of all these forms of expression** – that is based on a non-exhaustive list of personal characteristics or status that includes "race", colour, language, religion or belief, nationality or national or ethnic origin, as well as descent, age, disability, **sex**, gender, gender identity and sexual orientation".

10. Strategy for the Rights of the Child (2016-2021)

The Council of Europe's Strategy for the Rights of the Child contains a reference to sexism in its paragraph 35 "To fight discrimination on the grounds of gender and promote equality between girls and boys, the Council of Europe will continue to address stereotypes and **sexism**, notably in media and education, as well as oversexualisation".

11. Internet Governance Strategy 2016-2019

Paragraph 10(d)

[The] Council of Europe will focus on: [...]

- c. monitoring action taken to protect everyone, in particular women and children, from online abuse, such as cyber-stalking, **sexism** and threats of sexual violence.

12. Resolutions and Recommendations adopted by the Parliamentary Assembly of the Council of Europe

PACE Resolution 1751 (2010) on combating sexist stereotypes in the media (adopted on 25 June 2010):

- 6. The Assembly calls on member states to strengthen training and education activities and to:
 - 6.2. include, in gender equality legislation, provisions aimed at combating sexist stereotypes
 - 6.6. put in place structures to monitor and/or strengthen self-regulatory mechanisms for reporting on stereotyped portrayals, drawing, where they prove effective, on the mechanisms for denouncing sexist advertising;

7. The Assembly furthermore calls on national parliaments to:

7.1. sexist stereotypes in the media by adopting legal measures to penalise sexist remarks or insults, incitement to gender-based hatred or violence and defamation of an individual or group of individuals on the grounds of their sex;

7.4. members of parliament to adopt non-sexist language and not to resort to sexist stereotypes in the course of their parliamentary activities.

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PACE Resolution 2120 (2016) Women in the armed forces: promoting equality, putting an end to gender-based violence (adopted on 21 June 2016)

6. In the light of the above, the Assembly calls on the Council of Europe member States:

6.1.1. adapt recruitment campaigns so as to eliminate stereotypes and attract more women into the armed forces, including in operational roles;

6.1.9. carry out research into the reasons for the difficulties encountered in recruiting greater numbers of women for military duties, the reasons why the military careers of women are often shorter than those of their male counterparts and the reasons why women and men leave the armed forces before retirement age or the end of their contracts;

6.2.1. make an active commitment at all levels of the chain of command to change mentalities and the internal culture in the armed forces so that all differences are positively accepted and turned to account;

6.2.2. include teaching on the gender dimension in all stages of military training and make sure that both women and men teach in military academies;

6.3.1. ensure that the legislation applicable to members of the armed forces, including the criminal law where appropriate, explicitly prohibits all forms of gender-based violence and is both comprehensive and effectively implemented; also ensure that internal codes of conduct include strict provisions in this connection, which are widely known and applied at all levels;

6.3.2. adopt and ensure the systematic application of a zero-tolerance policy vis-à-vis gender-based violence and send the message to all military personnel that such behaviour will not be accepted in the armed forces;

6.3.7. define effective penalties and apply them to the perpetrators of violence, as simply transferring the victim of a sexual assault is not an appropriate response;

6.3.8. sign and/or ratify, if they have not yet done so, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence

o o o

PACE Resolution 2144 (2017) “Ending cyberdiscrimination and online hate” (adopted on 25 January 2017)

7. In the light of the above (...) the Assembly calls on the Council of Europe member States:

7.1. in view of the international dimension of online communications, to:

7.1.2. work together to ensure that harmonised and comprehensive definitions of hate speech can be applied in cases of online hate, and draw in this respect on the recommendations of the European Commission against Racism (ECRI) and Intolerance in its General Policy Recommendation No. 15 on combating hate speech;

7.2. with regard to national legislation, to:

7.2.1. ensure, in conformity with the case law of the European Court of Human Rights, that the national law allows for the effective prosecution of online hate speech, while fully respecting freedom of expression and in particular the freedom to criticise the actions of public authorities;

7.2.2. ensure that national legislation covers all forms of online incitement to violence against a person or a group of persons, bullying, harassment, threats and stalking, so that these can be effectively prosecuted under national law;

7.2.3. amend national legislation or policy guidelines wherever necessary to ensure that the full range of characteristics considered as grounds of protection under discrimination law are taken into account in online hate cases, including sex, colour, ethnicity, nationality, religion, sexual orientation, gender identity, political or other opinion, disability or other status;

7.3. with regard to the enforcement of national legislation, to:

7.3.1. provide training to police, prosecutors and judges on the seriousness of all forms of online hate, including online hate speech, bullying, harassment, threats and stalking;

7.5. with regard to internet intermediaries, to:

7.5.2. encourage internet intermediaries to establish clear and effective internal processes to deal with notifications regarding hate speech;

7.5.3. promote efforts by such intermediaries to ensure that content that amounts to online hate speech, bullying, harassment, threats or stalking on any of the grounds mentioned in paragraph 7.2.3 above is rapidly removed, without prejudice to the possibility of taking legal proceedings against its author;

7.5.5. establish by law, where this has not already been done, the responsibility and role of internet intermediaries as regards the removal of online hate-motivated content, using as far as possible a notice-and-take-down approach.

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PACE Recommendation 2098 (2017) Ending cyberdiscrimination and online hate (adopted on 25 January 2017)

3. The Assembly therefore asks the Committee of Ministers to:

3.1. review and update its Recommendation No. R (97) 20 on “hate speech”, in order to ensure that it continues to provide an effective basis for combating all forms of this phenomenon, including online hate, and that it covers all the grounds on which victims may be targets of hate speech.

o o o

PACE Recommendation 2177 (2017) Putting an end to sexual violence and harassment of women in public space (adopted on 29 June 2017)

8. In the light of these considerations, the Assembly calls on Council of Europe member and observer States to:

8.1. sign and ratify without delay, if they have not yet done so, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, “Istanbul Convention”) and to ensure its full implementation, which presupposes the inclusion of sexual violence and harassment in public space in national criminal codes;

8.2. put an end to impunity by prosecuting perpetrators of sexual violence and harassment in public space;

8.3. conduct inquiries into sexual violence and the harassment of women in public space in order to gain a better understanding of the magnitude of the phenomenon and initiate action that may help eliminate the taboos surrounding this issue;

8.4. launch and support awareness-raising campaigns on the need to prevent and combat sexual violence and harassment in public space, including campaigns that call on witnesses of violence to react and intervene, and campaigns that specifically target men;

8.5. include awareness raising about the respect for human dignity and non-violent conflict resolution, and more specifically about gender equality, gender stereotypes and the role of women in our societies in general education curricula to address this issue from different angles; and to develop targeted learning modules on, for example, the impact of sexual violence and harassment on victims, or on how to behave when confronted directly or indirectly with attacks against women; special emphasis must be put on programmes aimed at educating or re-educating parents to enhance their approach or understanding of what violence against women is and why it must be eradicated;

8.6. develop teaching methods and school activities that help address the causes of violence, avoiding reproducing imbalanced power relationships and gender-based stereotypes, and provide opportunities for pupils to control their physical or psychological tensions in a non-violent manner;

8.7. provide school teachers and staff with mandatory training, so that they can: a) learn to detect the potential victims of violence (children subjected to abuse, witnesses of parental quarrels); b) better

understand the different forms of violence (physical, psychological, verbal and behavioural); and c) learn how to oppose them;

8.8. ensure the regular presence in schools of specialised counsellors, mediators and/or psychologists, who should be available for pupils, their parents and teachers, and should be trained to help those who have experienced violence, including victims, perpetrators and bystanders;

8.9. carry out preventive action in facilities accommodating refugees and asylum seekers, thus enabling discussions to take place on the equality values and social codes prevailing in their new environment;

8.10. launch a dialogue with the media on their responsibility for providing objective information on sexual violence and harassment in public space and encourage them to give prominence to awareness campaigns and to associations working to combat violence against women;

8.11. launch a dialogue with the providers of new media services or products, such as internet access or service providers, providers of mobile telecommunications media and sellers of videos and video games, to foster their commitment to the fight against gender stereotypes and gender-based violence through adequate self-regulatory measures as well as control and complaints mechanisms, and encourage closer co-operation between new media providers and national governments in combating and prohibiting the dissemination of media outlets with gender-based violence content, including through timely and prompt exchange of information and reaction when sexually disturbing media content is put on the internet;

8.12. adopt and vigorously implement a zero-tolerance policy towards violence against women in public space, by ensuring the visible presence in sufficient numbers of police officers who have been educated and trained to help victims of violence at major events, and by regulating and controlling the consumption of drugs and alcohol at events with a high risk of disturbances and violence;

8.13. design so-called welcoming towns and cities by taking into account gender dimension in urban planning and in public transport so as to ensure the security and well-being of everyone.

13. Instruction No. 33 of 1 June 1994 concerning the use of non-sexist language at the Council of Europe

This Instruction was adopted after the adoption by the Committee of Ministers of Recommendation No. R (90) 4 of 21 February 1990 on the elimination of sexism from language and after the Committee of Ministers in 1992 expressed the desire that a technical revision of the Staff Regulations be carried out to remove all sexist connotations, in accordance with the said Recommendation. The instruction states the following:

“Article 1: Sexism shall be removed from language at all levels of the Council of Europe.

Article 2: The use of non-sexist language in all Council of Europe texts, publications and audiovisual material shall be governed by the guidelines in this instruction.

Article 3: This instruction shall apply to both official languages of the Council of Europe (English and French), with due regard for the features specific to each language. Where appropriate, the guidelines shall also be applied in other languages.

Article 4: In the course of their duties, Council of Europe staff members shall use non-sexist language in accordance with the guidelines set out in the Appendix hereto.

Article 5: Persons commissioned by the Council of Europe to prepare documents and audiovisual material shall likewise apply the guidelines in their work.

The language of commissioned documents shall be checked for sexism and amended if necessary.

Article 6: The guidelines shall be observed when Council of Europe audiovisual material is prepared. They shall likewise be observed by staff members who, in the course of their duties, have occasion to be interviewed by the press, radio or television.

Article 7: Directors, Deputy Directors, Heads of Division and Heads of Section shall ensure that the guidelines are properly applied.

Article 8: The Secretary General will report on progress in the annual report on equality between women and men. “

14. Seminar on "Combating Sexist Hate Speech" jointly organised by the Council of Europe No Hate Speech Movement campaign and the Gender Equality Unit (10-12 February 2016)⁶

The [report of the seminar](#) on "Combating Sexist Hate Speech highlights the discussions that took place during the Seminar, including the resulting proposals and ideas suggested by participants. In particular, participants discussed the definition of 'sexist hate speech', which "takes its roots in sexism, the supposition, belief or assertion that one sex is superior to the other. Sexism is often expressed within the context of traditional stereotyping of social roles on the basis of sex, and results in discrimination practiced against members of the supposedly inferior sex. Hate speech towards women occurs worldwide, offline and online, in every sphere of daily life: at school, in the family and social circles, in the public space, at work, and in times of crisis and peace. Although it has taken a whole new dimension through the Internet, the root causes of sexist hate speech preceded the technology as it is fundamentally linked to unequal power relations between women and men and gender inequalities".

The seminar participants also stressed that sexist hate speech is rampant in Europe and that women are disproportionately affected, in particular some groups of women (e.g. young women, female politicians, women journalists or women's rights defenders). They discussed some of the forms of sexist hate speech, that can be expressed online or offline, notably victim blaming and re-victimisation; "slut-shaming"; body-shaming; "revenge porn" (the sharing of explicit or sexual images without consent); brutal and sexualised threats of death, rape and violence; offensive comments on appearance, sexuality, sexual orientation or gender roles; but also false compliments or supposed jokes, using humour to humiliate and ridicule the target. Several causes for sexist hate

⁶ See the Background note on sexist hate speech prepared in view of the seminar and the Seminar report available on: <http://www.coe.int/en/web/genderequality/sexist-hate-speech>

speech are put forward in the report, including “the hegemonic masculinity in our societies, the culture of sexism and rape, the existence of double standards, the normalisation of sexualised and violent language, and expectations of women and men’s sexuality and roles in society.”

With regards to freedom of expression, participants stressed that sexist hate speech has the effect of silencing women and of limiting their movements and that freedom of expression is not an absolute right and cannot be accepted as way to silence women and girls.

The seminar also resulted in a set of proposals for actions to combat sexist hate speech through different contexts, including the suggestion for the Council of Europe Committee of Ministers to “adopt a recommendation on combating sexism”, and to “use non-sexist language during meetings and in documents by minding the terminology and the connotation of words in all languages (e.g. ‘*droits humains*’ as opposed to ‘*droits de l’homme*’)”.

15. Plan of Action on strengthening judicial independence and impartiality (2016-2021)

Action 2.4 Counter the negative influence of stereotyping in judicial decision making

Remedial action by member States

Measures should be introduced to tackle the harmful impact of stereotyping on judicial decision making. Education and training for judges should be organised to ensure that judicial stereotyping does not compromise the rights of vulnerable groups to access an impartial tribunal. A gender balance in the judiciary should be sought and all efforts should be undertaken to fight gender stereotyping within the judiciary itself.

16. Human rights in culturally diverse societies: Guidelines adopted by the Committee of Ministers and Compilation of Council of Europe standards

Gender equality

32. Member States should ensure equality between women and men in culturally diverse societies and the systematic integration of the gender equality dimension in the framework of securing human rights and fundamental freedoms. Gender equality should be ensured regardless of traditional or cultural attitudes.

Countering stereotypes

35. Member States should promote mutual respect and diversity and counter negative stereotypes, prejudices and any form of intolerance.

The role of the media and information society

69. Member States are reminded that media and the information society should play an active role in promoting mutual understanding, respect and cultural diversity, and in countering negative stereotypes, prejudices and any form of intolerance.

The role of the private sector

71. Member States are reminded that the private sector can play an active role in promoting cultural diversity and countering negative stereotypes in their operation and activities and that they should be encouraged to do so.

Human rights education and training

73. Member States should adopt practical measures to promote education as a key to combating intolerance, breaking down stereotypes, developing intercultural dialogue, including its religious dimension, building trust and mutual respect and promoting sincere support for the shared values of living together.

II United Nations Standards

1. United Nations Convention on the elimination of all forms of discrimination against women (CEDAW)

Article I: Discrimination

For the purposes of the present Convention, the term "discrimination against women" shall mean 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.

Article 2: Policy Measures

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women. (...)

Article 3: Guarantee of Basic Human Rights and Fundamental Freedoms

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Article 5: Sex Role Stereotyping and Prejudice

States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women. (...)

Article 10: Education

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women: (...)

(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods. (...)

2. Relevant CEDAW Committee General recommendations

General recommendation No. 28 - forty-seventh session, 2010 - The Core Obligations of States Parties under Article 2 of the Convention on the Elimination of All Forms of Discrimination against Women

Relevant quotes from General recommendation No. 28:

- 9: (...) The obligation to protect requires that States parties protect women from discrimination by private actors and take steps directly aimed at eliminating customary and all other practices that prejudice and perpetuate the notion of inferiority or superiority of either of the sexes, and of stereotyped roles for men and women. (...)
- 22. Inherent to the principle of equality between men and women, or gender equality, is the concept that all human beings, regardless of sex, are free to develop their personal abilities, pursue their professional careers and make choices without the limitations set by stereotypes, rigid gender roles and prejudices. (...)

General recommendation No. 33 - sixty-first session, 2015 - on women's access to justice

Relevant quotes from General recommendation No. 33

- 7. (...) Under article 5 (a) of the Convention, States parties have an obligation to expose and remove the underlying social and cultural barriers, including gender stereotypes, that prevent women from exercising and claiming their rights and impede their access to effective remedies.
- 8. Discrimination against women, based on gender stereotypes, stigma, harmful and patriarchal cultural norms and gender-based violence, which affects women in particular, has an adverse impact on the ability of women to gain access to justice on an equal basis with men. In addition, discrimination against women is compounded by intersecting factors that affect some women to degrees or in ways that differ from those affecting men or other women. (...)

Part C of General recommendation No. 33 comprehensively addresses "Stereotyping and gender bias in the justice system and the importance of capacity-building" and Part D of General recommendation No. 33 comprehensively addresses "Education and raising awareness of the impact of stereotypes". The issue of gender stereotypes is also addressed in the section on "Justiciability, availability, accessibility, good quality, provision of remedies and accountability of justice systems", in relation to "Raising awareness through civil society, the media and information and communications technology" and regarding criminal law.

3. Beijing Declaration and Platform for Action⁷

Strategic Objective B.4 Develop non-discriminatory education and training

- 83 (a) Elaborate recommendations and develop curricula, textbooks and teaching aids free of gender-based stereotypes for all levels of education, including teacher training, in association with all concerned - publishers, teachers, public authorities and parents' associations;
- (b) Develop training programmes and materials for teachers and educators that raise awareness about the status, role and contribution of women and men in the family, as defined in paragraph 29 above, and society;
- in this context, promote equality, cooperation, mutual respect and shared responsibilities between girls and boys from pre-school level onward and develop, in particular, educational modules to ensure that boys have the skills necessary to take care of their own domestic needs and to share responsibility for their household and for the care of dependants;
- (c) Develop training programmes and materials for teachers and educators that raise awareness of their own role in the educational process, with a view to providing them with effective strategies for gender sensitive teaching;
- (d) Take actions to ensure that female teachers and professors have the same opportunities as and equal status with male teachers and professors, in view of the importance of having female teachers at all levels and in order to attract girls to school and retain them in school;
- (e) Introduce and promote training in peaceful conflict resolution;
- (f) Take positive measures to increase the proportion of women gaining access to educational policy- and decision-making, particularly women teachers at all levels of education and in academic disciplines that are traditionally male-dominated, such as the scientific and technological fields;
- (g) Support and develop gender studies and research at all levels of education, especially at the postgraduate level of academic institutions, and apply them in the development of curricula, including university curricula, textbooks and teaching aids, and in teacher training;
- (h) Develop leadership training and opportunities for all women to encourage them to take leadership roles both as students and as adults in civil society;
- (i) Develop appropriate education and information programmes with due respect for multilingualism, particularly in conjunction with the mass media, that make the public, particularly parents, aware of the importance of non-discriminatory education for children and the equal sharing of family responsibilities by girls and boys;
- (j) Develop human rights education programmes that incorporate the gender dimension at all levels of education, in particular by encouraging higher education institutions, especially in their graduate and postgraduate juridical, social and political science curricula, to include the study of the human rights of women as they appear in United Nations conventions;

⁷ The Beijing Declaration and Platform for Action contains countless references to equality between women and men and to eliminating sex-based discrimination in its twelve Strategic Objectives. Only references that were considered most relevant to the prevention and fight against sexism were included in this paper.

- (k) Remove legal, regulatory and social barriers, where appropriate, to sexual and reproductive health education within formal education programmes regarding women's health issues;
- (l) Encourage, with the guidance and support of their parents and in cooperation with educational staff and institutions, the elaboration of educational programmes for girls and boys and the creation of integrated services in order to raise awareness of their responsibilities and to help them to assume those responsibilities, taking into account the importance of such education and services to personal development and self-esteem, as well as the urgent need to avoid unwanted pregnancy, the spread of sexually transmitted diseases, especially HIV/AIDS, and such phenomena as sexual violence and abuse;
- (m) Provide accessible recreational and sports facilities and establish and strengthen gender-sensitive programmes for girls and women of all ages in education and community institutions and support the advancement of women in all areas of athletics and physical activity, including coaching, training and administration, and as participants at the national, regional and international levels;
- (n) Recognize and support the right of indigenous women and girls to education and promote a multicultural approach to education that is responsive to the needs, aspirations and cultures of indigenous women, including by developing appropriate education programmes, curricula and teaching aids, to the extent possible in the languages of indigenous people, and by providing for the participation of indigenous women in these processes;
- (o) Acknowledge and respect the artistic, spiritual and cultural activities of indigenous women;
- (p) Ensure that gender equality and cultural, religious and other diversity are respected in educational institutions;
- (q) Promote education, training and relevant information programmes for rural and farming women through the use of affordable and appropriate technologies and the mass media - for example, radio programmes, cassettes and mobile units;
- (r) Provide non-formal education, especially for rural women, in order to realize their potential with regard to health, micro-enterprise, agriculture and legal rights;
- (s) Remove all barriers to access to formal education for pregnant adolescents and young mothers, and support the provision of child care and other support services where necessary.

Strategic Objective D. Violence against women

113. The term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. Accordingly, violence against women encompasses but is not limited to the following: (...)

- (b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution. (...)

117. Acts or threats of violence, whether occurring within the home or in the community, or perpetrated or condoned by the State, instil fear and insecurity in women's lives and are obstacles to

the achievement of equality and for development and peace. The fear of violence, including harassment, is a permanent constraint on the mobility of women and limits their access to resources and basic activities. (...)

D.2. Study the causes and consequences of violence against women and the effectiveness of preventive measures (...)

(d) Encourage the media to examine the impact of gender role stereotypes, including those perpetuated by commercial advertisements which foster gender-based violence and inequalities, and how they are transmitted during the life cycle, and take measures to eliminate these negative images with a view to promoting a violence-free society.

Strategic Objective F.6 Promote harmonization of work and family responsibilities for women and men

180 (b) Design and provide educational programmes through innovative media campaigns and school and community education programmes to raise awareness on gender equality and non-stereotyped gender roles of women and men within the family; provide support services and facilities, such as on-site child care at workplaces and flexible working arrangements;

Strategic Objective G. Women in power and decision-making

183. Women have demonstrated considerable leadership in community and informal organizations, as well as in public office. However, socialization and negative stereotyping of women and men, including stereotyping through the media, reinforces the tendency for political decision-making to remain the domain of men. Likewise, the underrepresentation of women in decision-making positions in the areas of art, culture, sports, the media, education, religion and the law have prevented women from having a significant impact on many key institutions.

Strategic Objective J. Women and the media

234. During the past decade, advances in information technology have facilitated a global communications network that transcends national boundaries and has an impact on public policy, private attitudes and behaviour, especially of children and young adults. Everywhere the potential exists for the media to make a far greater contribution to the advancement of women.

235. (...) The lack of gender sensitivity in the media is evidenced by the failure to eliminate the gender-based stereotyping that can be found in public and private local, national and international media organizations.

236. The continued projection of negative and degrading images of women in media communications - electronic, print, visual and audio - must be changed. Print and electronic media in most countries do not provide a balanced picture of women's diverse lives and contributions to society in a changing world. In addition, violent and degrading or pornographic media products are also negatively affecting women and their participation in society. Programming that reinforces women's traditional roles can be equally limiting. (...)

237. Women should be empowered by enhancing their skills, knowledge and access to information technology. This will strengthen their ability to combat negative portrayals of women internationally and to challenge instances of abuse of the power of an increasingly important industry. Self-regulatory mechanisms for the media need to be created and strengthened and approaches developed to eliminate gender-biased programming. (...) Women therefore need to be involved in decision-making regarding the development of the new technologies in order to participate fully in their growth and impact. (...)

J.2. Promote a balanced and non-stereotyped portrayal of women in the media.

Actions to be taken (...)

243. By Governments and international organizations, to the extent consistent with freedom of expression:

- (e) Promote the concept that the sexist stereotypes displayed in the media are gender discriminatory, degrading in nature and offensive. (...)

Strategic Objective J.2. Promote a balanced and non-stereotyped portrayal of women in the media

245 By the media, non-governmental organizations and the private sector, in collaboration, as appropriate, with national machinery for the advancement of women:

- (a) Promote the equal sharing of family responsibilities through media campaigns that emphasize gender equality and non-stereotyped gender roles of women and men within the family and that disseminate information aimed at eliminating spousal and child abuse and all forms of violence against women, including domestic violence;

Strategic Objective L. The Girl Child

262. Girls and adolescents may receive a variety of conflicting and confusing messages on their gender roles from their parents, teachers, peers and the media. Women and men need to work together with children and youth to break down persistent gender stereotypes, taking into account the rights of the child and the responsibilities, rights and duties of parents as stated in paragraph 267 below.

267. The International Conference on Population and Development recognized, in paragraph 7.3 of the Programme of Action, 14/ that "full attention should be given to the promotion of mutually respectful and equitable gender relations and particularly to meeting the educational and service needs of adolescents to enable them to deal in a positive and responsible way with their sexuality", taking into account the rights of the child to access to information, privacy, confidentiality, respect and informed consent, as well as the responsibilities, rights and duties of parents and legal guardians to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the Convention on the Rights of the Child, and in conformity with the Convention on the Elimination of All Forms of Discrimination against Women. In all actions concerning children, the best interests of the child shall be a primary consideration. Support should be given to integral sexual education for young people with parental support and guidance that stresses the responsibility of males for their own sexuality and fertility and that help them exercise their responsibilities.

Strategic Objective L.2 Eliminate negative cultural attitudes and practices against girls

277. By Governments and, as appropriate, international and non-governmental organizations:

- (a) Promote an educational setting that eliminates all barriers that impede the schooling of married and/or pregnant girls and young mothers, including, as appropriate, affordable and physically accessible child-care facilities and parental education to encourage those who have responsibilities for the care of their children and siblings during their school years to return to, or continue with, and complete schooling;
- (b) Encourage educational institutions and the media to adopt and project balanced and non-stereotyped images of girls and boys, and work to eliminate child pornography and degrading and violent portrayals of the girl child;
- (c) Eliminate all forms of discrimination against the girl child and the root causes of son preference, which result in harmful and unethical practices such as prenatal sex selection and female infanticide; this is often compounded by the increasing use of technologies to determine foetal sex, resulting in abortion of female foetuses;
- (d) Develop policies and programmes, giving priority to formal and informal education programmes that support girls and enable them to acquire knowledge, develop self-esteem and take responsibility for their own lives; and place special focus on programmes to educate women and men, especially parents, on the importance of girls' physical and mental health and well-being, including the elimination of discrimination against girls in food allocation, early marriage, violence against girls, female genital mutilation, child prostitution, sexual abuse, rape and incest.

4. Beijing+20 Report of the UN Economic Commission for Europe

The [Regional review of progress: regional synthesis](#) presented at the Economic Commission for Europe Beijing+20 Regional Review Meeting in 2014 refers to the eradication of gender stereotypes in relation to different sectors: the media, education and training, decision-making and the girl child. The report stresses as a general challenge that "The eradication of discrimination and gender stereotypes, for example in the media and the education system, has been slow." Under the decision-making section, it states: "Traditional norms and stereotypes continue to work against women's political involvement."; and in relation to the media it stresses that: "The number of complaints about discriminatory or degrading advertisements, or the sexualization of girls in media is constantly high."

5. UN Sustainable Development Goals (SDGs)

SDG 5: Achieve gender equality and empower all women and girls

Relevant targets under SDG5:

- (...) 5.1: End all forms of discrimination against all women and girls everywhere.
- 5.2.: Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.
- (...)

- 5.B: Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women.
- 5.C: Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels.

SDG 16 Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

Relevant targets under SDG16

- (...)16.1: Significantly reduce all forms of violence and related death rates everywhere
- 16.3: Promote the rule of law at the national and international levels and ensure equal access to justice for all.

III European Union Standards

6. Treaty on the European Union

Article 2: The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

Article 3: 1. The Union's aim is to promote peace, its values and the well-being of its peoples. (...) It shall combat social exclusion and discrimination, and shall promote social justice and protection, equality between women and men, solidarity between generations and protection of the rights of the child.

Article 8: In all its activities, the Union shall aim to eliminate inequalities, and to promote equality, between men and women.

Article 157: (...)

3. The European Parliament and the Council, (...), shall adopt measures to ensure the application of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation, including the principle of equal pay for equal work or work of equal value.

4. With a view to ensuring full equality in practice between men and women in working life, the principle of equal treatment shall not prevent any Member State from maintaining or adopting measures providing for specific advantages in order to make it easier for the underrepresented sex to pursue a vocational activity or to prevent or compensate for disadvantages in professional careers.

7. European Union directives

Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast).

Article 2 – Definitions:

1. For the purposes of this Directive, the following definitions shall apply:

- (a) 'direct discrimination': where one person is treated less favourably on grounds of sex than another is, has been or would be treated in a comparable situation;
- (b) 'indirect discrimination': where an apparently neutral provision, criterion or practice would put persons of one sex at a particular disadvantage compared with persons of the other sex, unless that provision, criterion or practice is objectively justified by a legitimate aim, and the means of achieving that aim are appropriate and necessary;
- (c) 'harassment': where unwanted conduct related to the sex of a person occurs with the purpose or effect of violating the dignity of a person, and of creating an intimidating, hostile, degrading, humiliating or offensive environment;

(d) 'sexual harassment': where any form of unwanted verbal, non-verbal or physical conduct of a sexual nature occurs, with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment;

(...)

2. For the purposes of this Directive, discrimination includes:

- (a) harassment and sexual harassment, as well as any less favourable treatment based on a person's rejection of or submission to such conduct;
- (b) instruction to discriminate against persons on grounds of sex.

Directive 2004/113/EC of the European Parliament and of the Council of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services.

Directive 2004/113/EC includes the same definitions as the ones listed in article 2§1 regarding Directive 2006/54/EC, it prohibits direct and indirect discrimination as well as harassment and sexual harassment (deemed to be discrimination on the grounds of sex) in its scope of application.

Article 3 of Directive 2004/113/EC - Scope

- 1. (...) this Directive shall apply to all persons who provide goods and services, which are available to the public irrespective of the person concerned as regards both the public and private sectors, including public bodies, and which are offered outside the area of private and family life and the transactions carried out in this context.
- 2. This Directive does not prejudice the individual's freedom to choose a contractual partner as long as an individual's choice of contractual partner is not based on that person's sex.
- 3. This Directive shall not apply to the content of media and advertising nor to education.
- 4. This Directive shall not apply to matters of employment and occupation. This Directive shall not apply to matters of self-employment, insofar as these matters are covered by other Community legislative acts.

Directive 2007/65/EC amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities

Article 3b Member States shall ensure by appropriate means that audio-visual media services provided by media service providers under their jurisdiction do not contain any incitement to hatred based on race, sex, religion or nationality.

Article 3e (a) (ii): audio-visual commercial communications shall not: (...) include or promote any discrimination based on sex, racial or ethnic origin, nationality, religion or belief, disability, age or sexual orientation.

8. European Commission Strategic Engagement

The Strategic Engagement does not contain any direct reference to sexism. It refers to gender stereotypes in relation to education and a general statement regarding mainstreaming the topic in the

different activities undertaken in the framework of the Strategic Engagement: “Across all priority areas, attention will be paid to the role of men, dismantling gender stereotypes and promoting non-discriminatory gender roles.”

9. European Parliament

Recent resolution

European Parliament resolution of 14 March 2017 on equality between women and men in the European Union in 2014-2015 (2016/2249(INI))

(...) 14. Calls on all Member States to tackle the gender equality issue, sexism and gender stereotypes in their education systems at all levels and to ensure that the goals of their education systems include education in the respect for fundamental rights and freedoms and in equal rights and opportunities for women and men, and that their quality principles include elimination of the obstacles to genuine equality between women and men and the promotion of full equality between them; (...)

35. Underlines the close links between stereotypes and the markedly growing number of harassment cases against women and sexism on the internet and on social media, which also bring about new forms of violence against women and girls, such as cyber-bullying, cyber-harassment, the use of degrading images online and the distribution on social media of private photos and videos without the consent of the people involved; highlights the need to fight these from an early age; underlines that such situations may emerge from a lack of protection from public authorities and other institutions, which are supposed to create a gender-neutral environment and denounce sexism; (...)

38. Calls on the Commission and the Member States to include measures to protect women and LGBTI people against harassment in the workplace; calls on the Commission to revise the current EU Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law⁸, in order to include sexism, bias crime and incitement to hatred on grounds of sexual orientation, gender identity and sex characteristics (...).

Recent report

Report adopted on 08.04.2016 on gender equality and empowering women in the digital age (2015/2007(INI))

(...) O. whereas the impact of sexism and gender stereotyping is an obstacle to equality between women and men, and a burden for economic development and the competitiveness of the EU, further widening the already significant digital gender gap in the fields of ICT, media and related industries; whereas existing gender stereotypes make it difficult for women to fully develop their capacities as users, innovators and creators; whereas there is a need for clear political will, concrete actions and the participation of civil society to change that;

55. Calls on the Commission to propose legislation to address sexism and gender stereotypes in education and the media, as part of the recast Equal Treatment Directive;

⁸ OJ 328, 6.12.2008, p. 55.

56. Calls on the Commission to develop a code of conduct for its own communications and the communication of the EU agencies in order to foster the empowerment of women, and to combat stereotypes and sexism and the underrepresentation and misrepresentation of women; (...)

61. Calls on the Commission to launch and support e-literacy and training programmes, as well as awareness campaigns, thereby raising awareness of the potential risks of the digital world and how to counter them among the relevant parties concerned, such as students at all levels of education, teachers, and education and law enforcement professionals; calls on the Commission to promote campaigns against sexism and gender stereotypes in social and digital media and to use the potential of digital media to eliminate stereotypes.

IV Other international organisations

10. OECD

Recommendation of the Council on Gender Equality in Public Life:

III. 3. Consider measures to tackle the root causes of barriers to women's access to decision-making positions, and to improve women's image in society by developing information campaigns and awareness-raising programmes about gender stereotypes, conscious and unconscious biases and social and economic benefits of gender equality while addressing double or multiple discrimination."

Recommendation of the Council on Gender Equality in Employment, Education and Entrepreneurship

I.A.2. "reviewing and where necessary adapting school and early childhood education curricula, teaching and school practices to eliminate gender discrimination and stereotyping";

I.B.5. providing incentives to fathers to use flexible work entitlements, promoting a more temporary use of part-time work among men and women, providing incentives for women to participate more hours in the labour force, and raising awareness of gender stereotypes to encourage a more equal sharing of paid and unpaid work (household responsibilities) between men and women;

I.D. "(...); tackling stereotypes, segregation and indirect discrimination in the labour market, notably against part-time workers; promoting the reconciliation of work and family life".