Gender Equality in the Council of Europe and Sexist Hate Speech

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Gender Equality Commission

- Established to ensure the mainstreaming of gender equality into all CoE policies
- Realising de facto equality, bridging gap between commitments at international level and reality of women in Europe
- One member per member state, appointed by Member States
- Gender Equality Rapporteurs: appointed among the members of the steering committees and other intergovernmental structures of the CoE

More on Gender Equality in the CoE

- Transversal Programme on Gender Equality launched in 2012, supporting implementation of Equality standards in MS

- Current priority areas based on the Gender Equality Strategy:
  - Combating Gender Stereotypes and Sexism with particular focus on Media and the Image of Women
  - Guaranteeing Equal Access of Women to Justice
  - Preventing and Combating Violence against Women with focus on ratification and implementation of the Istanbul Convention
  - Achieving balanced participation of women and men in political and public decision making
  - Gender mainstreaming in all policies and measures in the CoE

Istanbul Convention-Convention on preventing and combating violence against women and domestic violence

- Signed by 39 countries, ratified by 20 (also Austria)
- Preventing violence, protecting victims, prosecuting the perpetrators
- Based on the premise that violence against women can not be eradicated without investing in gender equality, only real gender equality and a change in attitudes can truly prevent such violence- recognizes the structural nature of violence against women- as one of the crucial social mechanisms by which women are forced into a subordinate position compared to men
- First legally binding instrument which creates a comprehensive legal framework and approach to combat violence against women
- Violence against women (=all acts of gender based violence) is a violation of human rights and a form of discrimination against women and shall mean all acts of gender based violation 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 ocurring in public or private life

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More on the Istanbul Convention

- Convention also contains a definition of gender: shall mean the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men

- Treaty establishes series of offences; psychological violence, stalking, physical, forced marriage, FGM, sexual harassment…sexist hate speech not specifically mentioned

- Art. 17: MS should encourage the private sector in particular the information tecnology sector to take on the issue of violence against women and elaborate and implement policies (CoE Paper with good practice examples)

Sexist Hate Speech

- Form of violence against women and gender based violence (covered by the Istanbul Convention), any form of verbal or physical abuse .
- Forms of expressions which spread, incite, promote or justify hatred based on intolerance (CoE Rec on Hate Speech from 1997; Hate Speech according to CoE, Gender not mentioned, but should be read as open-ended
- Is often seen as acceptable, harmless and less serious than other forms of hate speech, while in fact it is one of the most widespread and systemic forms of hate, long-standing though underreported problem, member states have duty to fight more resolutely (Muiznieks-Commissioner for Human Rights)
- Very common online: Women are intimitated, threatened with rape; depictions of violence against women, violence against women is trivialised or even glorified); especially women human rights defenders , women journalists and women in politics are a particular target for sexist hate speech

Sexist Hate Speech

- Facebook promised to review Guidelines after protest campaign (Everyday Sexism Project)
- Another example: Women or women´s groups who publicily criticize religious tenets are victims of intimidation, death threats and severe harassment (famous example Malala, young Pakistani woman)(UN Rapporteur Frank la Rue on promotion and protection of the right to freedom of opinion and expression, 2012)
- One of the priorities of the Gender Equality Stategy is combating gender stereotypes and sexism including combating sexism as a form of hate speech
- Guidelines adopted 2013 on gender equality and media: MS should adopt appropriate legal framework to ensure that there is respect for the principle of human dignity and the prohibition of all discriminations on grounds of sex, as well as incitement to hatred and to any other form of gender based violence within the media

Sexist Hate Speech in Austria

- Little awareness that term and Crime „Hate Speech“ also covers women and LGTB, Hate Speech only used in connection with ethnic origin and religion
- Hate speech against women often seen as harmless and „normal“
- Crime according to the Penal Code: Incitement to hatred or violence against groups of persons on different discrimination grounds (gender, sexual orientation included since 2012) ; incitement must be made in public, violence is intended or incitement in a manner that violates human dignity of this group; prison up to 2 years , if in print or broadcast, wide public up to 3, if incitement leads to violence up to 5 yrs
- New Crime: Cybber mobbing – up to 1 year (more focus on person ,not group , but background can also be hate against women or LGTB

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Conclusions

- Perpetrators of sexist hate speech can be pretty sure that they will face no sanctions (even not on a social level), Impunity
- No awareness in the general public but also missing awareness within enforcement authorities like police, public prosecutors, judges…
- Sexist Hate Speech cannot be erased by sanctions alone. (Internet: sheer volume of content posted every day and cross border nature)
- Crucial awareness raising, empowerment of women and LGTB persons , Effective Gender Equality Measures!
- And regulatory measures by media and internet providers