



Gender imbalances in the audiovisual industries

Summary of the discussions

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Summary of the workshop

Strasbourg, 7 December 2018

European Youth Centre
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Introduction

The issue of the representation of men and women in the audiovisual sector has been the subject of constant discussions and debates for years. Gender equality is enshrined in Article 8 TFEU as a fundamental principle of the European Union. Nevertheless, evidence from numerous studies, analyses and statistics on the subject have revealed that gender equality is far from being achieved in the audiovisual sector, both in terms of women's involvement in the sector and in terms of how women are portrayed in the works produced by these industries.

According to a study carried out by the European Audiovisual Observatory, published in 2014,¹ only 16.3% of European films produced between 2003 and 2012 were directed by women, accounting for just 8.9% of total admissions over the same period. In recent years, similar studies have suggested that, across Europe, women remain significantly under-represented in the media workforce, particularly at decision-making levels. This issue is particularly problematic given the unique role played by the audiovisual sector and considering its ability to influence and, ultimately, shape public opinion.

The aim of this workshop, organised by the European Audiovisual Observatory, was to discuss gender imbalances in the media and audiovisual industries in Europe, with a particular focus on legal tools, data collection measures and interesting initiatives which have been implemented to tackle gender inequalities off- and on-screen. The workshop was structured as follows:

- The first session of the workshop aimed at setting the scene, with an overview of the main issues related to gender equality in the media that have been raised at international and national policy levels.
- The second session was devoted to the question of gender imbalances behind the camera in terms of employment in the workforce and at decision-making level, as well as the different lines of action it has generated.
- The third session discussed the issue of the on-screen representation of women in the audiovisual and film sector, and the effectiveness of the measures implemented at national level in this regard.

¹ Talavera, J., Female directors in European films, state of play and evolution between 2003 and 2012, European Audiovisual Observatory, Strasbourg, 2014, <https://rm.coe.int/090000168078b70d>.



- The fourth session, introduced with a presentation of concrete examples of data collection from the film sector, allowed participants, by means of a brainstorming exercise (the “World Café”), to share their final thoughts on what could still be done by the different stakeholders in the audiovisual sectors to improve gender equality both on and off the screen at European and national levels.



Opening of the workshop

Sarah Walter, Financial Officer and Deputy to the Executive Director of the European Youth Centre (EYC), welcomed the participants and thanked the European Audiovisual Observatory for organising such an event. She explained the history of and concept behind the EYC. Built in order to create a safe space for young people to meet and take part in democratic life, the EYC is in charge of running the programme activity of the Youth Department of the Council of Europe (CoE) and hosting external groups that share the values of the CoE. The EYC adopts a non-formal education approach in the various activities developed, with the aim of creating a more interactive way of learning. These include, notably, working on topics such as the No Hate Speech movement and gender issues.

Susanne Nikoltchev, Executive Director of the European Audiovisual Observatory (EAO), welcomed everybody and introduced the topic from the perspective of the EAO. She reminded that gender issues are neither a new phenomenon nor specific to the audiovisual sector. The EAO observes, however, that they gain in dynamics and that there is a clear interest in the background, figures and facts related to gender issues at pan-European level. In this regard, this workshop was meant to hopefully help the EAO to determine its potential role in satisfying some of these information needs.

Maja Cappello, Head of the Department for Legal Information of the EAO, introduced the topic and explained the purpose of the workshop, which was designed to take the form of an informal and active conversation with a multi-stakeholder approach on the causes, mechanisms and initiatives in place behind gender imbalances, and to ask the question of whether and how these issues can be measured.

Session 1 – Setting the scene

The first session of the workshop was chaired and introduced by Sophie Valais, Senior Legal Analyst at the European Audiovisual Observatory.

Gender imbalance is a wide concept which can take various forms in the audiovisual sector, occurring simultaneously on- and off-screen. In both cases, the ways in which women are represented and portrayed raise the important question of how to balance creativity on the one hand, with the dignity of the person on the other, and more specifically, the dignity of women.

Sophie Valais kicked off the session by illustrating this issue with the example of the infamous controversial sequence of the film “Last tango in Paris”, directed by Bernardo Bertolucci in 1972. One particular scene staging the sexual assault of Maria Schneider by Marlon Brando caused a worldwide scandal. When asked about this scene, Bertolucci admitted in an interview given in 2013 that he had intentionally kept certain details of the scene hidden because he “*wanted her reaction as a girl not that of an actress*” and “*wanted her to feel the humiliation and the rage.*”

As highlighted in the conclusions of the CoE Gender Equality Strategy for the period 2018-2023,² violent and degrading content in the media and the normalisation of sexual violence reinforce the idea of women’s submissive role in society. This content feeds into violence and sexist hate speech targeting women, and contributes to maintaining and reinforcing gender stereotypes and sexism. On the other hand, the stereotypical portrayal of women, considered more as banal content, which is screened on TV during prime time can affect the representation of women in society in an even more insidious way.

Because the audiovisual sector serves all members of society, and audiovisual content contributes to building and shaping the representation of genders by society as a whole, public intervention has a role to play, and particular attention to gender equality is required, both in terms of content and the manner in which women are treated and portrayed, and in terms of participation in and access to the sector.

This session discussed the legal and policy framework and the range of initiatives taken in this field, with a focus on the main challenges raised at national and

²CoE Gender Equality Strategy for the period 2018-2023, <https://rm.coe.int/ge-strategy-2018-2023/1680791246>

international levels, as well as the experiences learned by national audiovisual regulators on gender equality and broadcasting.

1.1. Main issues and challenges

Alessia Sonaglioni, Executive Director of the European Women's Audiovisual Network (EWA),³ presented an overview of the most significant initiatives taken by the main stakeholders in the audiovisual and cinema sector at pan-European level and the remaining challenges ahead.

Data collection was presented as the first step to providing a clear picture on the place of women in the cinema industry. After the first pan-European study conducted by the EAO in 2014, "*Female director in European films*";⁴ the EWA launched its own study: "*Where are the Women directors in European films?*"⁵ for the period 2008-2013. Some of the key findings of this study revealed that in Europe, women directors represent, on average, 20% of all active directors, and that films directed by women represent, on average, 10% of all theatrically released films.

Similar studies have been conducted at national level in the meantime, contributing to raising awareness of the issue, and inspiring some European and national film funds to adopt specific measures to address these imbalances. The case of the Swedish Film Institute was presented as being the benchmark in Europe, inspiring several countries⁶ to introduce a number of measures in favour of gender equality in the allocation of national public funding, ranging from financial incentives in favour of female-led projects, a points system in favour of projects with women in key creative roles, specific training and data collection, to the gender-balanced composition of selecting committees. At supra-national level, Eurimages has adopted a gender equality strategy and the number of supported films directed by women has steadily increased from 17% in 2012, to 38% in 2018; and the Council of Europe has recently adopted a new recommendation on gender equality in the audiovisual sector.⁷ Moreover, the proposal for a new Creative Europe Programme 2021-2027 now includes gender equality among its

³ Network of women professionals working in the audiovisual sector providing support through networking opportunities and career programmes for its members, and advocating greater gender equality to private and public stakeholders of the industry, <https://www.ewawomen.com/>

⁴Talavera, J., *Female directors in European films, state of play and evolution between 2003 and 2012*, European Audiovisual Observatory, Strasbourg, 2014, <https://rm.coe.int/090000168078b70d>

⁵*Where are the women directors in European films? Gender equality report on female directors (2006-2013)*, European Women's Audiovisual Network, https://www.ewawomen.com/wp-content/uploads/2018/09/Complete-report_compressed.pdf

⁶ Such as Austria, Ireland, Italy, the United Kingdom, Spain, Switzerland and more recently France.

⁷ Recommendation CM/Rec(2017)9 of the Committee of Ministers to member states on gender equality in the audiovisual sector,

https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016807509e6



objectives, and in the Media Programme budget, a line for specific actions against gender discrimination is envisaged.

Furthermore, in recent years, numerous new women networks have been created⁸ in the audiovisual sector, and in September 2018, an Alliance of Women Networks was created to coordinate actions at advocacy level and to give coherence and effectiveness to the actions of national or supranational organisations. Film festivals have also become new players in advocating gender equality. Thanks to the “MeToo” movement, and in particular to the French collective “50/50 for 2020”, the Cannes Film Festival signed a pledge for gender equality in 2018⁹ in order to guarantee transparency both in the selection of films and in the composition of selection and programming committees, and to set a timetable of goals to ensure an even gender ratio within the respective terms. The pledge has since been signed on a worldwide scale by numerous film festivals.

The efforts made in terms of the collection and dissemination of data have led to an increased awareness of the existing gender imbalances. As public money must be fairly allocated, there is a need to monitor the impact of measures implemented by public funds, and to inspire the remaining public funds and publicly financed broadcasts to take action in this regard. However, it was stressed that this range of initiatives and actions was not enough; two aspects in particular have not yet been sufficiently addressed:

- The systemic discrimination against women and other under-represented groups which is imbedded in the overall functioning of the sector. In order to solve structural problems, it is necessary to continue collecting coherent and exhaustive data, and to measure the impact of the progress made. In particular, a new methodology could be encouraged, such as networks analysis with a visualisation component of the networks of creative teams, which would give insights into the culture of production. Adapting this analysis to European industries would help develop strategies on how to achieve change more rapidly.
- The unconscious bias of decision makers on the financing and distribution of content: this could be addressed through specific training actions involving all decision makers in the industry.

⁸ Such as CIMA in Spain, EWA Network, Pro Quote in Germany, FC Gloria in Austria, Deuxième Regard in France and SWAN in Switzerland.

⁹ Charte 5050x2020 pour la parité et la diversité dans les festivals de cinéma, d’audiovisuel et d’image animée, <http://www.5050x2020.fr/docs/5050x2020-Cannes-Charte.pdf>

1.2. Gender Equality and Broadcasting: lessons learned from the EPRA survey

Emmanuelle Machet, Coordinator of the Secretariat of the European Platform of Regulatory Authorities (EPRA),¹⁰ focused on the particular role of national audiovisual regulators and presented the results of a recent comparative report on gender imbalances on- and off-screen.

Some audiovisual regulators have been active in this field for many years, and in terms of cooperation networks, the Mediterranean Network of Regulatory Authorities has been a forerunner in raising regulators' awareness and conducting research on issues pertaining to gender representation on-screen.¹¹ As part of a biannual working group exploring practical solutions to encourage a better representation of society on- and off-screen, EPRA published the report "*Achieving greater diversity in broadcasting – special focus on gender; Benefits and best practices approaches*"¹² on 18 September 2018. The report conducted by UK regulator Ofcom on behalf of EPRA, identified the following general trends:

- There are disparities across Europe between the representation of men and women both on- and off-screen: according to a recent report by the French CSA, in 2017, the overall representation of women on-screen was at 40% while women statistically represent 52% of the French population.¹³
- Women appear less on-screen across a range of genres: as per the same study, in France in 2017, on generalist TV, the majority of experts were men (65%).

¹⁰EPRA is a network of 53 audiovisual regulators from 47 countries in Europe. For 23 years, its main objective has been to foster cooperation and the sharing of best practices and experiences in the field of audiovisual media with a view to ultimately encouraging the independent and professional regulation of audiovisual media.<https://www.epra.org/>

¹¹Declaration on the fight against gender stereotyping in the audiovisual media, MNRA, 14th Plenary Assembly, Lisbon, Portugal, 23 November 2012,<http://www.rirm.org/wp-content/uploads/2018/02/Declaration-on-the-fight-against-gender-stereotypes-2012.pdf>. Joint Declaration on Gender Equality in the Media, 62nd Session of the Commission on the Status of Women, UN, 15 March 2018,http://www.rirm.org/wp-content/uploads/2018/03/Declaration_MNRA_Freedom-of-communication_Gender-Equality_Side-event-CSW2018_UN_15-March-2018_EN_Final.pdf

¹²EPRA Comparative background paper, 4 September 2018, Jones, Jessica, Ofcom (UK), "Achieving greater diversity in broadcasting – special focus on gender; Benefits and best practices approaches", <https://www.epra.org/attachments/achieving-greater-diversity-in-broadcasting-special-focus-on-gender-comparative-background-paper>

¹³ La représentation des femmes à la télévision et à la radio - Exercice 2017, <https://www.csa.fr/Proteger/Droits-des-femmes/Mediatiser-le-sport-feminin/La-representation-des-femmes-a-la-television-et-a-la-radio-Exercice-2017>

- Women are typically subject to a more stereotypical and degrading portrayal than men: according to the CSA in Belgium, women in adverts could be associated with a stereotype nearly 42% of the time.¹⁴
- In off-screen creative roles, women are also generally under-represented, but most significantly in senior and/or technical positions: the share of selected positions by gender in the television industry in 2016 in North Macedonia showed that the number of women working as technical staff amounted to 3 (against 87 men), and there were 119 women in the production staff (against 396 men).¹⁵

When it comes to the role and powers of regulators, the study has shown significant differences in terms of regulatory responsibilities both on- and off-screen. While on-screen there are general provisions against discrimination (including based on gender), deriving from Article 6 of the Audiovisual Media Services Directive (AVMSD), some regulators are vested with wider powers enabling them to monitor on-screen representation and, sometimes, to sanction providers in breach of the legal provisions. Off-screen, the vast majority of regulators do not have explicit powers, with the exception of several countries.¹⁶ Regardless of this, voluntary, proactive commitments have been undertaken by several regulators, such as BAI in Ireland, which has developed a Gender Action Plan.¹⁷

As far as regulators are concerned, there is a clear drive to address issues of gender representation on- and off-screen, demonstrated by the proactive way in which many regulators have acted. Ensuring diversity is an almost universal theme in the remit of regulators, and might raise the question of how the opportunity can be exploited to increase their statutory competences in this regard. Furthermore, there is potential for greater coordination and co-operation in the activities that regulators undertake, as well as a potential role for media regulator networks (such as EPRA, ERGA,¹⁸ and REFRAM¹⁹) in further developing and supporting this area of work.

The survey clearly revealed the need for more complete and comprehensive data. There would be potential for a Europe-wide initiative to co-ordinate the production and publication of comprehensive, consistent and streamlined data to deliver a more complete picture of the challenges and progress made and to allow for a comparative assessment of the situation across jurisdictions. With regard to the methodology of data gathering, the appendices of Recommendation CM/Rec (2017) 9 of the Council of

¹⁴Gender Diversity in the Wallonia-Brussels Federation Television Programmes, Conseil supérieur de l'audiovisuel (CSA), presentation to EPRA, May 2018.

¹⁵Gender on television, Agency for Audio and Audiovisual Media Services, Republic of North Macedonia, 2012-2016, <http://avmu.mk/wp-content/uploads/2018/04/Collecton-2012-2016.pdf>

¹⁶Such as Spain, Belgium and the United Kingdom.

¹⁷BAI Gender Action Plan, April 2018, https://www.bai.ie/en/media/sites/2/dlm_uploads/2018/04/20180423_BAI_GenderActionPlan_vFinal_AR.pdf

¹⁸Which has a subgroup on gender in their Work Programme 2019, http://erga-online.eu/?page_id=367

¹⁹Réseau Francophone des Régulateurs des Médias, <http://www.refram.org/>.

European on gender equality in the audiovisual sector²⁰ provide useful guidance with regard to measures for implementation as well as on recommended monitoring methods and performance indicators. There is a clear link between on- and off-screen representation. Both aspects need to be addressed, and a ‘silo’ mentality must be avoided.

1.3. Discussion

1.3.1. Evolution of the scope of prohibited grounds for discrimination as defined by the AVMSD

The discussion started with a general question on the definition of gender equality and gender imbalances, particularly with regard to the extended scope of the revised AVMSD. While the 2010 AVMSD referred explicitly to sex-based discrimination in terms of prohibited content, the new AVMSD replaced the explicit mention of sex with a more general reference to “fundamental rights”, which includes not only sex, but also race, ethnic and social origins, religion, etc. The participants were asked how they interpreted this evolution, and if they considered this reference to pluralistic expression explicit enough.

Some of the regulators welcomed this evolution, as it offers more freedom and flexibility for the member states and national regulators to go further in this area, and it includes the protection of other categories of the population subject to discrimination on-screen. In particular, the representative of the North Macedonian media regulator, the Agency for Audio and Audiovisual Media Services (AAAVMS), emphasised that it was essential to have this prohibited ground for discrimination at European level in cases where certain types of discrimination are not enshrined in national legislation. The AAAVMS had experienced a situation in which national legislation had restricted their ability to deal with a case of discrimination based on sexual orientation. However, by using a national provision allowing them to follow the practice of the European Court of Human Rights, they were able to address the problem properly.

For the European Commission, this broader scope was a move in the right direction, but pointed out that the implementation of this article involved acts of and incitement to hatred or violence. Therefore, these high standards do not include more mundane forms of gender imbalance or widespread discrimination on television, which underlines the importance of regulators having more extensive powers.

²⁰https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016807509e6

1.3.2. Addressing the issue of diversity and the need for intersectional approaches

The discussion on the expanded scope of the AVMSD led to a debate on the question of diversity in general, going beyond the issue of sex-based discrimination in the audiovisual sector.

As far as the associations are concerned, the question of diversity is intrinsically linked to gender equality. Some stressed the need for a more inclusive approach in the sector and denounced the lack of initiatives in this area in Europe, underlining, however, that the United Kingdom had been particularly proactive in this regard. Emphasis was placed on the importance of simultaneously addressing issues of gender imbalance and diversity, with minorities tired of being the "next issue". In this regard, the French collective "50/50 for 2020" has a special group working on the issue of intersectionality and recently organised a workshop in collaboration with the French CNC on the issues of parity, equality and diversity in the cinema.²¹

Certain commercial broadcasters highlighted the positive impact of framing diversity more broadly, which can lead to a kind of healthy competition among broadcasters. For example in the United Kingdom, the Parliament legally entrusted OFCOM with the promotion of equal employment opportunities in the broadcasting sector and with ensuring that cultural activity in the United Kingdom, and its diversity, is reflected, supported and stimulated.²² Thus, OFCOM, as well as certain broadcasters, have been collecting and publishing diversity-related data for years. Specifically, in 2015, Channel 4 put in place a charter of 30 initiatives to improve diversity at all levels, on- and off-screen.²³

Representatives of several film institutes praised the work done in the United Kingdom on diversity. However, in view of the legal difficulties involved in collecting such data in several countries, the discussion pointed to the need of focusing on what is feasible and practical, namely gender data, while encouraging stakeholders to remain open to a fully intersectional approach.

Some regulators shared similar views on the need to define diversity more broadly and to include more under-represented groups, but they also raised the existing legal and practical challenges in this regard. The Broadcasting Authority of Ireland (BAI) has for example worked in parallel on the integration and representation of people with disabilities and people from different social classes and religious backgrounds: this was

²¹http://www.5050x2020.fr/docs/50502020_ASSISES-CP.pdf

²² Communications Act 2003 (Articles 337 and 264 (6) (b)), <https://www.legislation.gov.uk/ukpga/2003/21/contents>

²³ "360° Diversity Charter", Channel 4, 12 January 2015, <https://www.channel4.com/media/documents/corporate/diversitycharter/Channel4360DiversityCharterFINAL.pdf>

therefore not an either/or approach, and the work showed that ensuring greater gender equality can have a spill-over effect and lead to more rights for other categories of the population subject to discrimination as well.

1.3.3. Soft Law Instruments and the CoE Recommendation on gender equality

The CoE Recommendation on gender equality in the audiovisual sector and its appendices, adopted in 2017, were discussed among the participants, leading to a debate on the opportunities and flexibility offered by soft law instruments.

Eurimages mentioned the annexes of the recommendation, which contain guidelines and examples of concrete methods for monitoring and data collection on gender, whose elaboration was based on the work currently done in Eurimages, and which can be adapted and implemented by regulators and others within their own organisations.²⁴

Another recommendation on gender equality and media was elaborated by the Council of Europe in 2013, together with a specific handbook to advise member states on how to facilitate its implementation,²⁵ underlining the need for better data collection and providing guidance to achieve a better legal framework.

Regulators shared valuable examples of the beneficial aspect of this non-binding instrument and of the practical relevance of the handbook. The Irish regulator BAI developed their gender action plan on the basis of this recommendation; the flexibility it provides allows them to adapt it to the structure of their organisation, as BAI also provides production support for films, TV and radio. More generally, regulators emphasised the practical aspect of having a non-binding instrument which allows them to adapt it to their own organisation and their own sector, and to go further, unreservedly, if necessary.

²⁴ Appendix I - Guidelines for improving gender equality in the audiovisual sector: measures for implementation, Appendix II - Recommended monitoring methods and performance indicators, Appendix III – Reference instruments, https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016807509e6

²⁵ Recommendation CM/Rec(2013)1 of the Committee of Ministers of the Council of Europe on gender equality and media, https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805c7c7e; Handbook on the implementation of Recommendation CM/Rec(2013)1, <https://rm.coe.int/1680590558>

1.3.4. Data collection: Key Challenges and the Need for a Consistent Methodology

The need for more data has been unanimously affirmed by the participants, mainly because it is essential to provide evidence of the reality and extent of gender imbalances in the audiovisual sector. Although soft law instruments such as the CoE recommendation have provided valuable guidance on how to collect data, the discussion highlighted several challenges with regard to data collection.

Regarding the nature of the data collected, difficulties arise when data collection goes beyond the scope of gender and includes other under-represented groups. In the debate on the issue of diversity, the participants raised the legal and practical challenges of collecting such data. The example of France was mentioned, where collecting information on categories such as race, religion or sexual orientation is strictly regulated by law, and is only possible in a limited number of case exceptions.²⁶

Difficulties in collecting data also arise when a particular category of worker is involved. Representatives of the industry mentioned the case of the self-employed, which often goes beyond the requirement for transparency imposed on broadcasters. They are therefore excluded from the data collection and not represented in the statistics.

More generally, the reluctance of some “gate-keepers” in the audiovisual domain to release and share more data was denounced, as well as the lack of legal obligations to produce and publish these data. Some film institutes added that those challenges might increase when it comes to digital platforms.

With regard to methodology, certain producers stressed the importance of adopting a common and comprehensive methodology in order to share and compare data at pan-European level, but also to have a precise analysis of the situation, thus enabling it to be dealt with correctly.

1.3.5. Sharing concrete steps and best practices and calling for greater practical achievements

Many participants called for more proactive action at the highest level, with a particular focus on practical achievements. They enriched the discussion by providing various examples of initiatives and actions to address gender imbalances.

²⁶Loi n° 78-17 du 6 janvier 1978 relative à l'informatique, aux fichiers et aux libertés (Article 8), <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000886460>



On the question of the imbalances between male and female experts that appear on the screen, the example of French CSA was mentioned, aiming at reaching gender equality in the number of experts on-screen by the end of their mandate. Another example of a concrete initiative is Expertalia,²⁷ a Belgian database containing data relating to male and female experts from ethnic minorities.

From the perspective of the industry, UNI MEI referred to the Framework of Actions on gender equality to promote gender equality in the audiovisual sector, adopted with other social partners of the EU Audiovisual Sectoral Social Dialogue Committee.²⁸ Channel 4's internal research on the gender pay gap revealed that it had one of the largest gender gaps among broadcasters, which led it to commit to a voluntary target of a 50/50 gender balance in their top 100 earners by 2023.²⁹

As for film institutes, the Swedish Film Institute presented their one-day "Green Card"³⁰ training programme for producers seeking funding, which aims to raise awareness of power structures between men and women and the gender imbalances in the industry.

On the producers' side, they called for greater parity in the representation of associations and other representative bodies of the audiovisual industry, which could be linked to an obligation of transparency or the creation of a label. They also highlighted two urgent problems of gender imbalances on-screen; namely, the representation of women in advertising and in reality television. In these two sectors, new conventions have been defined in France in order to ensure better gender equality on the screen.

²⁷ <http://expertalia.be/>

²⁸ <https://www.uniglobalunion.org/news/framework-actions-gender-equality-audiovisual-sector>

²⁹ Gender and Bame Pay report 2018, Channel 4, <https://s3-eu-west-1.amazonaws.com/c4-cp-assets/corporate-assets/2018-10/181019%20-%20Channel%204%20Pay%20Report%202018%20-%20FINAL.pdf>

³⁰ <https://variety.com/2017/film/global/swedish-film-institute-launches-sexual-conduct-education-program-1202615474/>; <https://www.filminstitutet.se/sv/om-oss/press/pressmeddelanden/2018/information-om-green-card/>

Session 2 – Gender imbalances behind the camera

The second session of the workshop was chaired and introduced by Julio Talavera, Senior Analyst of the Department for Legal Information at the European Audiovisual Observatory.

Although this does not represent the general picture of the situation, several key findings from national studies in European countries provide a better understanding of the various forms gender imbalances can take behind the camera, such as:

- Share of key positions by gender in the film industry: in Austria, for the period 2012-2016, female directors accounted for 21% of the total number of film directors in the country.³¹ In Sweden, during the same period, women were under-represented in the lighting department (0%), in sound editing (5%) and as directors of photography (12%), and represent the majority of staff in other categories, such as casting (91%), costume design (90%) and make-up (83%).³²
- Average budget for films directed by women: in France, with regard to the average budget for French-initiative films, the average difference between a female-directed film and a male-directed film was around EUR 3.9 million in 2008, falling to (but remaining at) EUR 2,0 million in 2017.³³
- Share of employees in broadcasting companies: in the United Kingdom, in 2017-2018, while the share of female employees constituted the majority of employees in several of the main UK broadcasting companies (Sky, BBC), and nearly half in the others (UK Based TV Industry, Channel 4, Viacom), when it comes to the level of senior management roles, women represented 41%, against 59% for men.³⁴

³¹Österreichischer Film Gender Report 2012-2016 - Zentrale Ergebnisse, <https://equality.filminstitut.at/de/gender-reports/>

³²Swedish Film Institute

³³ La place des femmes dans l'industrie cinématographique et audiovisuelle, les études du CNC, mars 2019, https://www.cnc.fr/professionnels/etudes-et-rapports/etudes-prospectives/la-place-des-femmes-dans-lindustrie-cinematographique-et-audiovisuelle_951200

³⁴ Diversity and equal opportunities in television 2018, Monitoring report on the UK-based broadcasting industry", Ofcom, 27 september 2018, <https://www.Ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/guidance/diversity/diversity-equal-opportunities-television>



- Gender pay gap: in France, only script supervisors, stuntwomen and casting directors earn more money than men in the film industry (a female scriptwriter earns 18% more than a male scriptwriter); in all other cases women are paid less. The widest pay gap concerns directors: a male director earns 42.4% more than a female director.

1.4. Gender equality in film funding

Helen Ahlsson, Film Commissioner at the Swedish Film Institute, addressed the issue of gender imbalances in film funding, presenting the activity of the Swedish Film Institute (SFI) in that respect. Their strategy is based on three pillars: quality (in terms of relevance, originality and craft), gender equality, and diversity. In terms of quality, the key strategy is to ensure that different stories and perspectives are told. In terms of gender equality, their main activity is based on constant monitoring and extensive data collection.

Regarding the monitoring methodology, it mainly consists of the publication of annual gender equality reports and monthly meetings during which the film commissioners are informed about the current state of affairs concerning the distribution of funds between men and women in key positions (directors, producers, and scriptwriters). In the event of severe gender imbalances, film commissioners thus have the opportunity to address the issue. In the end, no quota has yet been set up, but the Swedish Government has set a target value of 50/50 for gender distribution.³⁵ With regard to the scope of data collection, the SFI has been collecting data since 2000, focusing, *inter alia*, on the following issues:

- *Funding application for film production and development schemes with women in a key role*: this monitoring procedure covers a range of audiovisual works. Depending on the type of film concerned, the proportion of films with a woman in a key role tends to be more balanced for documentaries, short films and low-budget films, for example, but more imbalanced when it comes to development support for high-budget films.³⁶
- *Representation of female directors in awards and festivals*: this monitoring procedure aims to measure the impact of films with women in a key role in terms of quality. For example, in the Swedish national awards, Guldbaggen, for the period 2011-2018, women represented 56% of all awards (including directing, scriptwriting

³⁵ The 2013 Film Agreement (section 4), https://www.filminstitutet.se/globalassets/_dokument/filmavtal/the-2013-film-agreement.pdf

³⁶ With regard to the proportion of feature-length fiction films with a woman in a key role supported by the fund: an imbalance was clearly detected until 2013, between 2013 and 2016 parity was reached, with 49% of female directors, 44% of female screenwriters and 54% of female producers. The figures then decreased in terms of female directors (29%) and female screenwriters (25%) in 2017-2018 (however, the proportion of female producers reached 63%).

and producing). In international film festivals, (Berlinale/Cannes/Toronto/IDFA) in 2018, the share of women directors was 50%.

- *Film budget*: the last report “The Money Issue”³⁷ focused on the budget for projects with women involved in a key role, and revealed that as the budget increases, the percentage of women involved decreases.³⁸
- *Film with women in a leading role*: the proportion of scripts with a woman in the leading role tends to increase when written by a woman (50% of the leading roles are distributed to women in the case of a female scriptwriter; 24% in the case of a male scriptwriter). Moreover, the average age for leading actors is 38 for women and 45 for men.

1.5. Discussion

1.5.1. Typology and Assessment of gender equality measures implemented by film funds

The film institutes shared their experiences and presented the measures implemented within their organisations to improve women's access to industry, especially in key positions where they are currently under-represented. As of 2019, the French CNC is offering a 15% support bonus to film projects with a balanced female representation, determined on the basis of a points system targeting key positions.³⁹ Eurimages, in addition to collecting gender data related to its funding and monitoring as well as to the gender balance of its selection commission, follows a similar strategy to that of the Swedish Film Institute, that is to say, setting a target value of 50/50 for the allocation of funds between men and women by 2020,⁴⁰ and a dashboard method whereby film commissioners are informed of the current gender breakdown of funding. SFI has also extended its monitoring procedure to the distribution of roles.

As concerns regulators, the Irish regulator BAI, which also provides production support, has begun to collect data on the gender breakdown of its funding and is

³⁷https://www.filminstitutet.se/globalassets/_dokument/sfi-gender-equality-report-2018---lowres.pdf

³⁸ For example, for low-budget films, the proportion of female producers reached 51% and 47% for women in a leading role, while for high-budget films, the proportion of female producers is at 37% and 25% for women in a leading role.

³⁹https://www.cnc.fr/professionnels/actualites/le-cnc-sengage-pour-la-parite-legalite-et-la-diversite-femmeshommes-dans-le-cinema-francais_865514

⁴⁰ EURIMAGES Gender Equality Strategy (2018-2020): Aiming for 50/50 by 2020, <https://rm.coe.int/eurimages-gender-equality-strategy-2018-2020-aiming-for-50-50-by-2020/1680760bff>

proactively trying to spread it evenly between men and women. It was also mentioned that film funds in Spain have implemented measures in the form of a point system based on female participation in the project which is used to assess the eligibility of the project. However, the limited effectiveness of this type of measure was pointed out, since in some situations, women's names can be used simply to obtain the required number of points. From the producers perspective, some producers also pinpointed the difficulties of implementing positive discrimination measures in favour of writers when it comes to producing TV programmes, as it is the broadcasters who tend to select the writers.

1.5.2. Monitoring, data collection, and training to raise awareness of gender imbalances

The majority of participants felt that monitoring, both internally and externally, and sharing data with the general public was essential to generate a spill-over effect leading to awareness and actions.

Representatives of the industry stressed the importance of monitoring gender balance in their own organisations, emphasising the need to address the issue in a transparent manner. In addition, some participants stated that the mere public announcement of gender data collection had had a considerable impact. For example, once the Irish regulator BAI had publicly announced the start of data collection, the number of female applicants increased in two rounds of funding: in the case of female writers, this percentage rose from 19% to 46%. Representatives of the industry also pointed out that, with regard to the statistics on gender equality presented by the representative of the Swedish Film Institute, the figures for women film directors and producers not supported by the funds also progressed in parallel.⁴¹

Participants shared examples of proactive measures taken as a result of the awareness of their internal gender imbalances. Channel 4, in response to its gender pay gap, put in place a number of measures, such as women's development programmes and diversity guidelines. ARTE has introduced indicators on social responsibility, equality and divergence in the strategic planning tool of their organisation, and it was explained how they address the issues of gender imbalances in their programme conference and among their voting members.

Certain film institutes added that the monitoring of the gender breakdown internally allowed them to have better knowledge of the situation and to determine, for example, whether the gender pay gap stemmed from the fact that women had difficulty in accessing major positions.

⁴¹ Increasing from 10% of female directors and 26% of female producers for the period 2000-2005, to 23% of female directors and 36% of female producers in 2017-2018.

1.5.3. Determining monitoring methodology and key indicators

Many participants emphasised the importance of keeping the monitoring procedure simple, and some thought that it should be limited to monitoring key positions. Representatives of regulators and film institutes pointed out that monitoring, as such, would not necessarily cost much money, manpower or time, but could simply involve introducing specific boxes in the application form which would require candidates to indicate the gender of key positions. However, one regulator indicated that indicators other than key positions should also be examined, such as editors and directors of photography.

Furthermore, certain producers stressed the importance of defining the relevant indicators. They referred to differences in the definition of key positions depending on the type of sector involved; this varied between the film, television and animation sectors. Representatives of associations expressed a similar point of view, highlighting the difficulties encountered in defining the decision maker in TV series and fiction, and how this definition could also vary from one country to another.

In addition, representatives of associations and film institutes also stressed the need to take the budget question into account when calculating the gender distribution of key positions. They emphasised the importance of women creators being able to access high budgets, because it is these type of productions that have the greatest impact and that shape people's perception of society. They mentioned a study conducted by Directors UK female directors working in the UK film and TV industry:⁴²in terms of access to high-end drama, research has shown, firstly, a clear imbalance between men and women, and secondly, that the decision to hire television directors was influenced by co-optation.

1.5.4. Cooperative approaches and networking

Many participants expressed how the MeToo movement offered more visibility to gender imbalances in the audiovisual and cinema industry. In addition, they shared examples of proactive initiatives and simple measures that contribute to creating greater awareness of and interest in the issue of gender imbalances among the various stakeholders. These initiatives and measures range from creating specific training courses, fighting against unconscious bias and organising specific events, to creating specific awards and networking.

⁴²Cut Out of the Picture: A study of gender inequality among directors within the UK film industry, Directors UK, May 2016, <https://www.directors.uk.com/news/cut-out-of-the-picture>

Representatives of associations presented their experiences and strategies. The French collective 50/50 by 2020 gave the examples of the 82 women's march on the red carpet⁴³ and the Charter for Parity and Inclusion⁴⁴ initiated at the Cannes Film Festival in 2018, which had an international impact, as well as the workshop jointly organised with the CNC, where they advocate concrete measures, namely the 15% Bonus. The example of AAMMA was made, an association of professional women in the audiovisual industry in Andalusia whose main strategy consists in ensuring that it is present in large numbers at key events and positioning itself in order to secure a place at the negotiating table. Eurimages stressed the importance of organising events in Europe, inviting local women's associations and entrusting the local film fund with the organisation of these meetings.

In terms of collaborative approaches, some emphasised the importance of collaborating with unions in the field of cinema. UNI MEI mentioned that, in the course of their research, many types of unions interested in this subject had developed concrete initiatives and actions aimed at improving the working conditions of women workers. For example, the UK campaign "Safe space"⁴⁵, developed by Equity, addresses the problem of sexual harassment in the industry. The Irish regulator BAI has started collaborating with guilds of directors and writers to conduct studies on pay and funding differentials between women and men.

Several participants insisted on the importance of networking and emphasised that gender imbalances were not a skills issue; women did not need more training, they just needed to work. Therefore, efforts should be more focused on supporting networks. Regulators and film institutes added that the film and audiovisual sector was a very organic industry, and denounced the existence of a strong perception of risk aversion by attaching female directors to film projects.

1.5.5. The case for renewing creativity

Representatives of the industry mentioned that one of the spill-over effects of collecting data was also the quality criteria, stressing how important it is to show that improving gender equality does not necessarily mean an infringement of artistic freedom, as some might say, or result in sterile production, but actually leads to a creative renewal, later acknowledged in prizes and festivals. Some film institutes underlined the need for data to refute the perception of risks associated with women directors; they believe that it will prove to be an opportunity to renew both creativity and audiences.

⁴³<https://eu.usatoday.com/story/life/movies/2018/05/13/cannes-film-festival-82-women-march-parity/605184002/>

⁴⁴ 5050x2020 Charter For Parity And Inclusion In Cinema, Audiovisual And Animation Festivals, <http://5050x2020.fr/docs/5050x2020-Cannes-Charter.pdf>

⁴⁵<https://www.equity.org.uk/getting-involved/campaigns/safe-spaces/>





Session 3 – Gender imbalances on-screen

The third session of the workshop was chaired and introduced by Maja Cappello, Head of the Department for Legal Information of the European Audiovisual Observatory.

She began with the definition of perception, which is by nature subjective, quoting Anaïs Nin: *“We don’t see things as they are, we see them as we are”*. Because of this subjectivity, freedom of expression is fundamental to the audiovisual sector. Not only because every member of the audience has a unique perception of a film or a TV show, but also because plurality of opinion and diversity of artistic visions are more likely to cater for the unique ways in which members of the audience see the world. The importance of freedom of expression was highlighted by the European Court of Human Rights in its Handyside judgment of 1976, stating that such freedom *“is applicable not only to “information” or “ideas” that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb the State or any sector of the population.”*

In this line of thought, the perception of what is acceptable to the general population in the sense of the principle of freedom of expression is subjective and evolves over time. As such, the media can promote attitudes or misrepresent particular categories of the population such as children, minorities and women. Many studies and statistics can demonstrate this gender imbalance on the screen, revealing for example that women represent 29.2% of the speaking characters and only 19.5% of the working characters, or that male characters received twice the amount of screen time as female characters in 2015 (28.5% compared to 16.0%) and spoke twice as often as female characters (28.4% compared to 15.4%) in 2015.⁴⁶

⁴⁶ Geena Davis Institute on Gender and Media, <https://seejane.org/research-informs-empowers/data/>

2.1. Women in film and TV fiction

Dearbhal Murphy, Deputy General Secretary of the International Federation of Actors (FIA), presented the impact of gender imbalances in film and TV fiction on the working lives of performers, and ways to address these issues.

Discussions on the specific work experience of female performers in the industry were considered very early by the FIA and led to the adoption of the "Women's Charter" in 1976, which contains a set of objectives such as: "*Pay and conditions equal to that of male performers for work of equal value*", "*Freedom from inequitable casting practices, sex-role stereotyping and age discrimination*", "*Freedom from sexual harassment*". With regard to gender imbalances, the representation of women on screen directly affects the professional life of women in the industry, as under-representation means fewer job opportunities, more difficulties in maintaining a career and a lower level of income for performers. A study conducted in 2008,⁴⁷ focusing on how being a woman impacts performers' experience in the industry, revealed that women performers tend to consider their gender to be a handicap in accessing work.

Moreover, gender imbalances can be related to wider societal issues. First, they can constitute a kind of unique self-reinforced vicious circle: on the one hand, they arise from sexism and inequality in society, and in the labour market generally, but on the other hand, they also tend towards reinforcing it by representing it and feeding it back again in this feedback loop. For example, during the 2008 FIA study, performers tended to blame this situation on "gate-keepers" (namely directors and producers), who explained that they were merely responding to the wishes of the industry and the public viewers. Moreover, researchers have pinpointed that acting itself was a gender-integrated profession. In addition, the MeToo movement has also added another dimension to the reflection on the work experience of female performers. Since the start of this movement, there has been a new awareness of the toxic power dynamic that impacts the working environment of women in the industry and contributes to the gender imbalances. In summary, the reductive and often sexualised portrayal of women in films, television and video games; the bias in access to funding; a wide-spread problem of sexual harassment; as well as work-life balance issues all contribute to gender imbalances. As a result, it is not possible to address gender imbalances on the screen without considering off-screen gender imbalances.

Several initiatives to address the under-representation of women on-screen may be mentioned. For example, the "NEROPA" approach⁴⁸, which consists in having the casting director, director and producer of a given production brainstorm individually then

⁴⁷ Age, Gender and Performer Employment in Europe, Report On Research For The International Federation Of Actor's (Fia) Project 'Changing Gender Portrayal: Promoting Employment Opportunities For Women In The Performing Arts', Deborah Dean, FIA, 2008 Industrial, <http://www.fia-actors.com/uploads/ENGLISH.pdf>

⁴⁸ NEURolesParity: A Method for more Gender-balanced Casts, <http://neropa.stieve.com/en/>

together on which characters could be gender neutral,⁴⁹ and then distributing them equally between men and women. The campaign of the French collective 50/50 for 2020 or the work of the Swedish Film Institute can be mentioned as well, especially as they allow actresses to take ownership of the discussion and gain more visibility. In addition to the CoE recommendation on gender equality in the audiovisual sector, several legal instruments can be mentioned, such as:

- 2011 European Framework of Action on Gender Equality in the Audiovisual Sector⁵⁰
- 2009 FIA Handbook of Good Practices to Combat Gender Stereotypes and Promote Equal Opportunities in Film, Television and Theatre in Europe⁵¹
- FIA 2018 Combatting Sexual Harassment: Resources, Inspiration, Good Practice⁵²

2.2. Women in advertising

Justina Raižytė, Development and Policy Manager at the European Advertising Standards Alliance (EASA), addressed the issue of how women are portrayed in advertisements.

With regard to the representation of women in advertising, studies have shown that while “only men” are featured in around 20% of the ads, “only women” are featured in only 5% of the ads. Moreover, whilst male voice-over is heard in about 80% of the ads, female voices are heard in less than 3%, and only in 3% (of this already existing 3% of women’s representation) are women presented as inspirational leaders, in less than 1% as problem-solvers and less than 0.03% as funny or engaged in lively conversation.

From the point of view of consumer concerns, statistics from the most recent data collection revealed that 10% of consumer complaints in Europe were related to gender portrayal in ads,⁵³ and were mainly related to gender stereotyping (42%) or the portrayal of the human boy (26%). Furthermore, market research has shown that around 64% of all consumer spending is controlled by women,⁵⁴ although 59% of women think there is a

⁴⁹that is, when gender is not actually a character aspect as such for the story

⁵⁰<https://www.uniglobalunion.org/news/framework-actions-gender-equality-audiovisual-sector>

⁵¹<https://fia-actors.com/media/press-releases/press-releases-details/article/handbook-of-good-practices-to-combat-gender-stereotypes-and-promote-equal-opportunities-in-film-tel/>

⁵²<https://fia-actors.com/policy-work/sexual-harassment-and-gender-equality/combating-sexual-harassment-resources-inspiration-and-good-practice/>

⁵³The majority of complaints are directed towards misleading advertising. In the sub-category of complaints regarding decency and social responsibility, around 40% were in relation to gender. EASA Annual European statistics survey 2017.

⁵⁴World Economic Forum: The Global Gender Gap Report 2016, October 2016

problem with the way women are presented in ads,⁵⁵ and 85% of women say advertising needs to catch up with the real world.

Handling complaints is the primary means of combating harmful gender representation, in addition to providing training and conducting research.⁵⁶ Some valuable examples of handling complaints, as well as the main types of harmful gender portrayal that can be found in advertisements, were shown: gender stereotyping; the portrayal of the human body (specifically, the portrayal of unattainable or unhealthy body images); sexualisation (whose definition may vary from one country to another); and objectification (consists in treating the human body in a sense by reducing it to an object).

As a final remark, progressive advertising⁵⁷ is 25% more effective, according to the awards and return of investment it receives. Several initiatives and researches have been undertaken to combat this constant imbalance between the sexes in advertising, namely: the Guide developed by the World Federation of Advertisers,⁵⁸ the Unstereotype Alliance,⁵⁹ convened by UN Women at the Cannes Film Festival in 2017, the award-winning ad campaign Always, etc.

2.3. Discussion

2.3.1. How to balance creativity, freedom of expression and inclusion of gender equality?

The discussion kicked off with a question on how to balance creativity and inclusion, and whether one could remain creative and at the same time be mindful of those limits and more or less act like an accountant (referring to the 50/50 assignment of neutral roles). In other words, should figures-based equality matter more than creative freedom, and can there be creativity outside the rules and limits?

Some of the regulators responded that this issue was less about creativity and more about the narrative. They did not see the creative limitations, only the narrative trends, and the real challenge for gender equality on-screen was to find a way to change

⁵⁵European Commission / Special Eurobarometer 465 Report: Gender Equality 2017, November 2017

⁵⁶ Such as Depictions, Perceptions and Harm, A report on gender stereotypes in advertising, ASA (UK), <https://www.asa.org.uk/resource/depictions-perceptions-and-harm.html>

⁵⁷Advertisements where people are empowered, not objectified, and endowed with a multi-dimensional personality.

⁵⁸A guide to progressive gender portrayals in advertising, The case for unstereotyping ads, World Federation of Advertisers (WFA), https://www.wfanet.org/app/uploads/2018/05/WFA-Gender-guide_final.pdf

⁵⁹ <http://www.unstereotypealliance.org/en>

these trends and to make women's voices heard. With women representing about half of the population, a counterweight to this number should be seen on the screen, which is not yet the case.

In this regard, the Irish media regulator BAI is currently considering a round of funding around women's stories. On freedom of expression, some regulators pointed out that although it is a foundation of democratic society, it didn't equate to freedom of reach, and thus the right to express an opinion doesn't imply that this opinion should travel worldwide and become a truth in itself. Representatives of the Council of Europe added that the definition of limits to creativity required a case-by-case evaluation and that it was ultimately for the Court to establish them, before stressing the importance of changing the narrative.

2.3.2. On-screen actions: from the handling of complaints to the prohibition of certain advertisements

Participants expressed their views and experiences on the type of on-screen actions that could be enforced in order to tackle gender imbalances on-screen, ranging from monitoring and conducting studies on the portrayal of women and the handling of complaints, to the banning of certain advertisements.

Some participants mentioned that complaints from consumers and viewers contribute to empowering citizens and transforming the narrative. Others pointed out that the handling of such complaints was crucial and that, more generally, monitoring the representation of women on-screen and combating stereotypes were essential to protect viewers, especially minors, because whenever stereotypes appear on the screen, society is in some way feeding on it. One regulator argued that it was also the role of regulators to be generally more active in promoting women's rights. Furthermore, representatives of associations for the protection of consumers stressed that there had been growing concern on the consumer side of things.

With regard to the prohibition of certain advertisements, it was mentioned that, thanks to a new law introduced in Belgium in 2016⁶⁰ the Belgian regulator CSA was now in the position of acting in situations that go beyond simple discrimination and therefore could monitor and challenge programmes that do not portray equality between women

⁶⁰Décret du 2 juin 2016 modifiant le décret coordonné du 26 mars 2009 sur les Services de Médias Audiovisuels en vue de renforcer l'attention sur l'égalité entre les femmes et les hommes, http://www.etaamb.be/fr/decret-du-02-juin-2016_n2016029311.html

and men. Since the introduction of this law, two editors have been prosecuted for infringement of equality between women and men.⁶¹

2.3.3. Off-screen actions to combat gender imbalances on-screen

Some participants underlined the link between on- and off-screen, and the fact that addressing gender imbalances issues off-screen will provide positive results on-screen.

Regulators shared the fact that direct cooperation with businesses had resulted in positive experiences, and stressed that sharing and spreading the data collected with businesses and broadcasters could be a powerful tool to raise awareness. In particular, it was highlighted that working directly with brands was particularly positive, as it is ultimately their image that is portrayed on-screen, so if consumers don't like the way they are selling the product, they won't buy it. Along the same lines, several participants welcomed the use of non-binding instruments, such as self-regulation, adopted by advertisers, which allows them to become more aware of the limits and make better choices to reach the public. Charters and other more preventive instruments such as specific training and media literacy initiatives were also mentioned.

Representatives of the European Commission added that they had started measuring and monitoring gender balance participation among applicants within the 14th Sub-programme of Creative Europe (MEDIA). They pointed out that a gender criterion may not always be the right answer, as there are specificities in some areas, such as the distribution of roles, and that training sessions for women should be favoured.

2.3.4. Main challenges encountered on linear platforms

Participants shared their experiences and perspectives on the specific challenges of women's representation on linear platforms and in traditional media.

The representative of the Council of Europe stressed the need for better regulation of the media coverage of women during elections and political campaigns, which can be considered as a sort of advertisement in a very crucial and democratic sector. The portrayal of women is very important in this regard, since the stereotypes promulgated

⁶¹ Lidl: atteinte à l'égalité entre les femmes et les hommes, 5th October 2017, <http://www.csa.be/documents/2759>

during these campaigns touch an area directly related to democracy and thus call for a more specific focus. The CoE conducted a study on this topic.⁶²

The Polish media regulator is also measuring and analysing the role and portrayal of women during electoral campaigns. Some of the regulators and broadcasters discussed other specific issues related to gender representation which they had discovered through monitoring and handling complaints:

- The issue of the media coverage of women's sports has been analysed by the Croatian regulator AEM, as they had recently launched a national campaign on that topic.⁶³
- The lack of female experts appearing on-screen, stressed by some broadcasters, is an issue which could be tackled with specific training for women and journalist editors.
- The portrayal of gender-related violence has been analysed by the Greek media regulator NCRTV, whose study revealed that violent acts were not framed as sexist or oriented, and any other cases of indirect victim blaming.

Although the cultural context always makes a difference, there are certain types of stereotypes that are problematic in each country. One regulator pointed out that with regard to the yearly analysis of gender portrayal conducted on advertising, there was a difference between the advertisements targeting a worldwide audience and those produced for individual regions, as the latter tend to contain more sexist or patriarchal messages.

2.3.5. New challenges created by non-linear platforms and social media

Some producers highlighted the fact that in most countries, the audience is based on non-linear platforms and social media networks, less regulated than more traditional media. They advocated new technical and legal tools on social media to address this issue, giving the example of the AVMSD and how it addresses the issue of incitement to violence or hatred and public provocation to commit terrorist offences.

It was recalled that the scope is always an issue, whether it is the distinction between sex-based discrimination and gender imbalances in a broader sense, or between linear

⁶² Media, elections and gender - Study on media coverage of elections with a specific focus on gender quality (2018), <https://edoc.coe.int/en/media/7612-media-elections-and-gender-study-on-media-coverage-of-elections-with-a-specific-focus-on-gender-quality.html>

⁶³ <https://www.e-mediji.hr/en/news/the-agency-for-electronic-media-launches-the-national-awareness-campaign-of-womens-sport/>

and non-linear platforms. Representatives of the European Commission pointed out that the revised version of the AVMSD extended the scope to video-sharing platforms and audiovisual content in social media, and that some advertising provisions had also been extended to video-sharing platforms including sex-based discrimination.

From the perspective of consumer associations, it was pointed out that the denunciations made by consumers were now turning to social media, where new forms of advertising, such as influencers, are emerging. In Spain, certain media literacy programmes have taken into account this change in consumer habits, and have moved to investigate these new forms of media and to analyse the effects of new forms of advertising on consumers. The representative of EASA welcomed the new addition of the revised AVMSD and mentioned a growing concern from consumers, as 57% of all complaints currently involve digital marketing communication. In this regard, new guidelines were developed on influencer marketing.⁶⁴

Representatives of the industry endorsed the message that social media and digital platforms are a new area in which challenges must be addressed, and denounced the lack of legal instruments, as, despite the extended scope of the AVMSD, a gap remained between the regulation of more traditional players and that of the new players.

⁶⁴Easa Best Practice Recommendation on Influencer Marketing, 2018, http://www.easa-alliance.org/sites/default/files/EASA_BEST%20PRACTICE%20RECOMMENDATION%20ON%20INFLUENCER%20MARKETING%20GUIDANCE.pdf

Session 4 - World café

3.1. Concrete examples of existing data collection from the film sector

Martin Kanzler, Film Industry Analyst at the European Audiovisual Observatory, introduced the session with concrete steps that can be taken regarding data collection, starting with two general remarks about data collection:

- The purpose behind collecting the data has to be clearly identified. This will determine the extent and nature of the data needed, as well as the means to collect them.
- The feasibility of collecting the data has to be assessed from the beginning.

With regard to the possible role of the EAO, the focus is on the pan-European perspective, which involves cooperating with national data providers to collect data and analyse them at pan-European level. Thus, the need for data needs to be coordinated. In the case of the film industry, this goal is being explored through EFARN, a network of the Heads of Research and Statistics from national and European film agencies, working within the framework of the European Film Agency Directors (EFAD), and whose secretariat is provided by the EAO. The main objective of the network is, on the one hand, to exchange best practices and, on the other hand, to improve the comparability of data by defining a common methodology or a methodological framework for certain data fields. At the network's latest annual workshop, the question of the needs in terms of gender-related data emerged. The discussion revealed that basic and standardised indicators were required in order to monitor and compare developments in this field on an annual basis and over time.

Therefore, as a next concrete step, the EAO, in cooperation with the EFARN network, will develop a common methodology and define the necessary indicators in order to be able to collect reliable figures and perform analysis at pan-European level, thus providing a strong basis for monitoring developments in the field.



3.2. World café

Maja Cappello, Head of the Department for Legal Information of the European Audiovisual Observatory, as chair of this panel, invited the participants to engage in group discussions inspired by a “world café” approach. Groups were organised as follows:

Creative industries	Table host: Jérôme Dechesne Brainstormers: Marysabelle Cote, Dearbhal Murphy, Briony Robinson, Alessia Sonaglioni.
Institutions	Table host: Victoria Leroy Brainstormers: Martin Kanzler, Susan Newman-Baudais, Susanne Nikoltchev, Ivan Piccon, Justina Raižytė, Patrizia Simone, Sophie Valais.
Civil society	Table host: Xenia Leontyeva Brainstormers: Estefanía González, Marta Jiménez-Pumares, Daphne Tepper.
Media regulators	Table host: Karim Ibourki Brainstormers: Maria Borkowska, Vanja Gavran, Sylvia Grundmann, Emmanuelle Machet, Emilija Petreska-Kamenjarova, George Pleios, Maria José Roldan, Stephanie Comey.

At the end of the brainstorming session, the table host for each group summarised the main points of discussion.

The following table provides an idea of the main existing tools and remedies identified by the discussion and what each stakeholder of the brainstorming exercise deems possible to do with them (the blue cells with “Can/Cannot”) and what they expect from each of the others (the white cells – to be read horizontally):

	(1) Creative industries	(2) Institutions	(3) Civil society	(4) Media regulators
(1) Creative industries	<p>Can do</p> <p>Creative industries are at the centre of the debate, both as creators and employers, by choosing the stories and managing their funds. They can:</p> <ul style="list-style-type: none"> ■ Accept and promote incentives with an eye on gender. ■ Report on and provide data on gender. ■ Support training to help women access leadership positions, especially in production, including by addressing professional schools. ■ Create a label, have a look at the status of associations. <p>Long-term career prospects are a problem, especially for writers and actresses. Creative industries can engage in lobbying activities which promote social rights for</p>	<p>Expectations</p> <p>Methodologies for data collection should be harmonised and shared, especially at European level, and institutions have an important role to play.</p> <p>Call for incentives to be implemented, especially for public funds.</p>	<p>Expectations</p> <p>Since reactions to the portrayal of gender on-screen can vary from country to country, it was considered important to have a “watchdog” committee engaged in harmonising positions across Europe.</p>	<p>Expectations</p> <p>Meet a common agenda in terms of data analysis since they are best placed to push towards achieving results.</p>



	(1) Creative industries	(2) Institutions	(3) Civil society	(4) Media regulators
	women throughout Europe. Cannot do Implement quotas, which is not the ideal solution.			
(2) Institutions	Expectations Engage in voluntary commitments. Reach smaller entities, including for data collection, and especially the advertising industry.	Can do Institutions can have gender equality in their decision-making bodies, including gender equality policy, and can also: <ul style="list-style-type: none"> ■ Take part in data collection and studies. ■ Address work/life balance by considering childcare expenses, for example. ■ Communicate on gender, including on the abovementioned activities. Institutions providing funds should have a leverage effect, for example, selection groups/boards, launching cross-country initiatives. Cannot do Reach into the private sector, since institutions may be reluctant to engage in creative activities.	Expectations Speak with one voice by working together and using networking to be more effective. Highlight the importance of training and media literacy.	Expectations The absence of a mandate does not necessarily mean that regulators do not have the power to engage in gender equality. They can rely on other legal bases such as constitutions to play an active role. Be transparent about gender-related data, including those reflecting their internal functioning. Intensify research, including on an international scale where possible.



	(1) Creative industries	(2) Institutions	(3) Civil society	(4) Media regulators
(3) Civil society	<p>Expectations</p> <p>The industry is responsible for the diversity of what it shows on the screen. Therefore, creative works should reflect the reality of society, where women represent half of it.</p> <p>Transparency, especially regarding data relating to gender.</p> <p>Be involved in discussions about the topic.</p>	<p>Expectations</p> <p>Transparency.</p> <p>Use public money correctly, paying particular attention to diversity.</p> <p>Politicians should have a comprehensive and stable strategy, and should respect and fulfil their promises and engagements in terms of diversity.</p>	<p>Can do</p> <p>They are legal persons that can launch legal actions and complaints.</p> <p>They can also invest advertising space by launching advertising campaigns promoting gender equality.</p> <p>They need to act collectively in order to be more efficient in terms of drawing attention to common issues.</p> <p>Cannot do</p> <p>Practically speaking, civil societies do not have as many powers as other stakeholders. Therefore, they should look into tools and strategies to reinforce their role, for example:</p> <ul style="list-style-type: none"> ■ They cannot implement the law, but can be vigilant and ask for its implementation. ■ Cannot collect statistics, but can assess them. ■ Cannot change culture without political will, but can draw attention to it, 	<p>Expectations</p> <p>Transparency, especially regarding statistics.</p> <p>React to complaints and use existing tools while developing new ones.</p> <p>Ensure that broadcasters under their supervision respect the terms of their licences regarding diversity and gender.</p>



	(1) Creative industries	(2) Institutions	(3) Civil society	(4) Media regulators
			<p>stressing the importance of voting and using electoral campaigns to promote gender-oriented policies.</p> <ul style="list-style-type: none"> ■ Cannot create professional content where men and women are represented equally, but many people can do quality content keeping the gender equality principles. 	
(4) Media regulators	<p>Expectations</p> <p>Be involved in discussions about the topic.</p> <p>Promote “soft law” initiatives, including self-regulation.</p>	<p>Expectations</p> <p>Bring people together to share experiences.</p>	<p>Expectations</p> <p>Be involved in discussions about the topic.</p>	<p>Can do</p> <p>Implement what they have been asked to do, and act within their mandate.</p> <p>Bring stakeholders together and initiate discussions in order to share knowledge and good practices with the aim of influencing lawmakers.</p> <p>Data gathering.</p> <p>Cannot do</p> <p>Give in to influences which could potentially affect their freedom to choose the topics they deem important, as well as the ways of addressing these topics.</p>

After each table host had reported on the main results of each group's respective brainstorming session, a final wrap-up discussion took place in the plenary.

Participants agreed on the importance of defining common methodologies for data collection, especially with a view to drawing up common policies. All stakeholders are required to participate in achieving these common objectives. Transparency and the availability of data is what enables action to be taken based on solid grounds.

Closing of the workshop

Susanne Nikoltchev, Executive Director of the European Audiovisual Observatory, brought the workshop to a close with some final observations. She noted that "transparency" was often mentioned during the discussions; transparency being one of the key issues and the primary mission of the EAO. She cautioned that any action taken by the EAO in regard of gender studies would need to be sustainable, achievable and useful and therefore require time and resources. Moreover, at supranational level, a common methodology was needed in order to render information comparable and thus useful for policy making. Data collection should remain simple and limited to the identified key areas. Any work that might be done by the EAO would need to be supported by data collection on a national level. She added that, before starting the process of creating such a methodology or data collection, the reasons underlying the data collection should be shared with the general public in order to guarantee transparency and to keep the discussion alive. She thanked the workshop participants for having contributed to a very dynamic and structured workshop, for the lively discussions, and for the recommendations on concrete actions and steps. Finally, she encouraged participants to continue to share their data and to remain transparent.

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