

Gender Equality:  
Media, Advertisement  
and Education  
Results from two  
studies conducted by  
FGB

Silvia Sansonetti



Fondazione  
Giacomo Brodolini

# Fondazione Giacomo Brodolini

Let me please introduce our Foundation first.  
We are an independent and non-profit  
organisation that carries out:

- Research activities
- Technical assistance
- Cultural promotion
- Capacity-building

# FGB and Gender Equality

We have a long experience of analysis, research, evaluation, communication in the field of Gender Equality.

We have been coordinating for the European Commission the Networks of Experts in the field of Gender Equality since 2008.

# Studies in the specific field

We have conducted several studies in the field of Gender Equality and media and Gender Equality and education.

Among them here we are here presenting the 2 most recent comparative research we carried out.

- A study on Women representations on the Media that discusses the Situation in Europe, Best Practices and Legislations

# Both Studies Focus on Gender Stereotyping

Beside the direct and indirect effects of gender based discrimination when we consider Gender based discrimination in these fields we have to focus also on gender stereotyping.

Gender stereotyping refers to preconceived ideas, whereby males and females are arbitrarily assigned characteristics and roles determined and limited by their sex regardless of their natural predispositions.

# Role of Socialisation Agencies

The media, the education system, the family, play a pivotal role in providing the 'symbolic materials' (images, role models, values, and narratives) that individuals are likely to use in the process of constructing their identity.

So reproducing the existing gendered symbolic system within the culture.

# Few Examples

Some examples of gender stereotyping in Media and Education.

Media: Stereotyped way of presenting women and men, the fetishisation of men's and women's bodies, women are rarely experts in news, in the new media earlier enthusiasm (internet is friendly to women) has left room to disappointment when women started to experience Net abuse .

# The content of the two Studies

Now we will consider the content of the studies we have chosen to present today.



# 'Women and Media' Study

Provides a detailed knowledge of :

- the currently available literature on the topic of gender and the media, including studies and researches on the effect of gender representations on the audience at international and national level;
- some relevant examples of legislation and codes of conduct in force outside EU.
- the implementation of the AVMSD (2010/713/EU)
- an in-depth analysis and evaluation of the existing regulatory acts tackling the issues of women and girls as subject of the media's attention and advertisement in each of the 27 EU Member States.

# 'Women and Media' Study

The most relevant results to be discussed at the present meeting from the Women and Media Study are concerned with the in-depth analysis and evaluation of the existing regulatory acts tackling the issues of women and girls as subject of the media's attention in the EU-27 Member States.

As far as the **‘Gender and Education’**  
**Study**

- It presents identified problems of gender-based discrimination in access to education and discusses concerns raised at the MS level.
- Provides an overview of the EU and national anti-discrimination legislation and its application to the field of education.
- Focuses on the non-legislative measures and activities introduced by Member States to combat sex discrimination in education.

# 'Gender and Education' Study

The most relevant results to be discussed at the present meeting are concerned with:

- the overview of the EU and national anti-discrimination legislation with reference to gender-based discrimination and its application to the field of education.
- the effectiveness of existing legislative measures.

# ‘Women and Media’ Study

So let’s consider the relevant results of the Women and Media Study.

- The study individuated 61 regulatory acts and policies with a gender and media relevance enacted in the EU 27

# 'Women and Media' Study

**Regulatory acts collected in EU Member States by type**

# 'Women and Media' Study

- The most part (13/21) of regulatory acts that are found in the Codes of conduct and Protocol typology are codes of conduct issued by advertising self-regulation bodies, created by the advertising industry to comply with national laws ruling the sector. The other 8 codes of conduct regulate different media sectors (in particular: 4 the broadcasting and news media sector, 1 the printed media and internet sector, 3 all forms of media and communication).
- The main weaknesses of codes and protocols is that half of them are non-binding, that they do not come with fines or financial penalties and that they tend to be generic in their formulation, simply warning against 'gender-based discrimination'.
- References to the media sector were also found in Gender Equality Plans. Seven were identified, and all of them are mostly 'positive' guidelines because they encourage gender awareness and the protection of women's rights in all aspects of social and political life, media included. The large majority of them consists of action tools (6) and only 1 envisages a long term organic strategy.
- Some of these plans address the representation of gender and gender equality in the media in a detailed way, yet none of these plans is binding, because no provisions are contained for punishment in case of non-compliance.

# 'Women and Media' Study

There are 26 laws relevant for this area.

The majority of these laws (21/26) are sectoral regulations, that is, they specifically regulate the media sector (15) or the advertising sector (5, plus one that disciplines the wider marketing sector). As to the remaining 5 laws, one is a Consumer Protection Act (38/1978), found in Finland;

4 are laws aimed at protecting against



# 'Women and Media' Study

Gender Equality laws, Anti-discrimination acts, Gender Equality Plans stand out for being grounded in an appropriate and comprehensive definition of gender-based discriminations but they are either binding (Gender Equality Laws and Anti-discrimination Acts) or media-

# 'Women and Media' Study

As to the specific field of advertising, in almost all EU countries vigilance falls under the responsibility of self-regulatory bodies. Along with the non-binding nature of half of the codes of conduct issued by these bodies that have been analysed, an overall weakness of this typology of regulatory act is the high degree of subjectivity

# 'Women and Media' Study

In news media and journalism. These are the specific object of only three codes of conducts/guidelines collected in the fieldwork. This appears to be a critical aspect, as fair gender portrayal is a professional and ethical aspiration akin to the respect for accuracy, pluralism and objectivity.

# ‘Women and Media’ Study

An interesting aspect, is that with the exception of two Spanish laws (National Law Against Gender-Based violence, 2004, and General Law on Audiovisual Communication, 2010), all the other 24 (out of 26) legislative instruments, regardless of the area they belong, address gender-based discrimination in generic terms. Across Europe media-related laws, advertising-related laws, and even the laws specifically focusing on protection against discrimination, present very similar formulations (referring to the AVMSD terminology).

The paragraph in art.6 of the Directive prohibiting ‘discrimination based on sex, age, racial or ethnic origin, nationality, religion, belief, or disability’ in media contents has been generally ‘carbon-copied’ in the text of the acts and laws targeting radio and TV, electronic media, audiovisual media and advertising.

We should remind that the AVMSD refers to this issue in three articles:

**3,6, 9.**

# 'Women and Media' Study

The European Commission monitors the correct transposition and implementation of the Directive according to its role of guardian of the Treaties.

All information are provided on the EC web-pages concerning the Digital Agenda.

<http://ec.europa.eu/digital-agenda/>

# 'Women and Media' Study

From the analysis, it has emerged that the effectiveness of regulatory acts is directly related to the condition of it **being legally binding.**

The **Spanish Organic Law 1/2004, 28 December, on Measures of Integral Protection against Gender-Based Violence** has become a milestone in the

# 'Women and Media' Study

Summing up the results of the Study on Women and Media lead to conclude that the weakness stemming from the unsatisfying understanding of gender-based discrimination and gender equality found in most acts/policies would be in part compensated by involving, in the monitoring and application of the act, institutions/organisations such as gender equality bodies, women's NGOs, feminist associations: these subjects have developed the sensitivity, skills and socio-cultural analysis that are necessary in order to eradicate sexism and discrimination in media contents and advertisement campaigns.

# 'Gender and Education' Study

- Even though sex discrimination in access to education appears to be a marginal issue in Europe, gender inequalities persist in access to education, in its content and in educational outcomes:
- Roma girls, Muslim female students and Traveller boys are, more likely to be out of school than students from the majority population or other minority communities;
- Male students from low-income families were



# 'Gender and Education' Study

In considering legislative measures to prohibit sex discrimination in access to education, it is pertinent to acknowledge that education is a national competence of Member States, who retain full responsibility for the content of teaching and the organisation of education systems (Article 165 TFEU). **At the national level, most EU Member States have constitutional guarantees and legislative provisions to prohibit sex discrimination in access to education.** In the majority of countries prohibition of this form of discrimination is explicit in others it is implicit. Even in countries where sex discrimination in access to education is implicitly prohibited, stakeholder interviews confirmed that claimants can bring claims of sex discrimination in education.

# 'Gender and Education' Study

- **The prohibition of multiple discrimination is not common in Member States' legislation.** Legislation prohibits discrimination based on more than one of the prohibited grounds in only five Member States. However, claimants can bring claims in court on the grounds of multiple discrimination.
- In the majority of the Member States, the **implementation and application of anti-discrimination legislation in relation to sex**

# 'Gender and Education' Study

Ireland is one of the only countries within the EU that provides systematic information on incidents reported to the Equality Tribunal which includes data on sex discrimination in access to education. Though what is clear from the Irish case is that reference to sex discrimination in access to education in the legislative framework is implicit and the exemptions for single sex schools and religious institutions are important.

# 'Gender and Education' Study

- In several Member States the legislative prohibition of gender-based discrimination is implicit not explicit and scattered among different legal instruments (constitutional provisions, general anti-discrimination legislation and education acts).
- In some countries the scope of application of the law might be limited and exemptions in the field of education are broad.
- National legislation does not adequately capture the problem of hidden discrimination, i.e. the cultural and socioeconomic obstacles that male and female students might face in accessing education.
- Unreported discrimination exists irrespective of national legislation even though some key actors believe it is visible, well known and understood.
- Even though in principle Member States have mainstreamed gender in education, as it appears in policy documents in almost all Member States, policy documents are not always accompanied by concrete actions.

# 'Gender and Education' Study

The real issue is not the lack of legislation but its enforcement

Now we can consider the **provisions in the Constitutions**

- The existing references to **gender equality and equality issues in general in the constitutional provisions** have been analysed and classified as follows:

Member States where the constitution has an explicit and direct reference to the protection

# 'Gender and Education' Study

In some Member States the **Constitution explicitly states that gender equality in education is protected.**

- Member States where there is a reference in the Constitution to the right to (access to) education for all citizens, but no explicit reference is made to gender equality in education.
- Member States where the Constitution does not make any reference to the right to (access

# 'Gender and Education' Study

As far as the **General anti-discrimination legislation** we can highlight that in the majority of the Member States (23 out of 27) general anti-discrimination legislation has an explicit reference to education. This is the case in Belgium (French community), Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Latvia, Lithuania, Malta, Netherlands, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the UK

# 'Gender and Education' Study

## As far as the **Provisions on antidiscrimination in education acts**

- In 19 Member States, education acts have an explicit reference to the prohibition of discrimination on the grounds of sex. This is the case in Austria, Belgium (both French and Flemish-speaking communities), Bulgaria, Czech Republic, Denmark (applying to private schools only), Estonia, France, Germany, Latvia, Lithuania, Luxembourg, Malta,



# 'Gender and Education' Study

Furthermore there are Countries that are taking steps to to eliminate continuing or unaddressed forms of discrimination (including gender-based discrimination) in access to compulsory education.

# 'Gender and Education' Study

To conclude the study shows that the legislation protecting the access to education from gender-based discrimination is in force in Member States . What is missing is an efficient monitoring system at local and national level and civil society organisations.

Thank you for your attention.