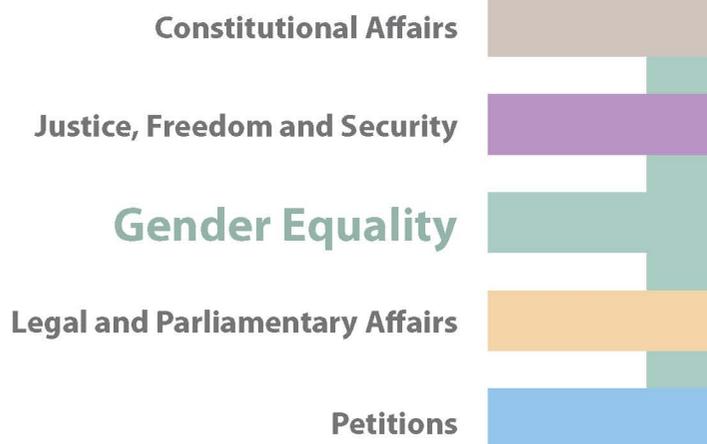


DIRECTORATE-GENERAL FOR INTERNAL POLICIES

POLICY DEPARTMENT **C**  
CITIZENS' RIGHTS AND CONSTITUTIONAL AFFAIRS



**Women and Girls as Subjects of  
Media's Attention and  
Advertisement Campaigns:  
The Situation in Europe,  
Best Practices and Legislations**

STUDY





**DIRECTORATE GENERAL FOR INTERNAL POLICIES**  
**POLICY DEPARTMENT C: CITIZENS' RIGHTS AND**  
**CONSTITUTIONAL AFFAIRS**

**GENDER EQUALITY**

**Women and Girls as Subjects of Media's  
Attention and Advertisement Campaigns:  
The Situation in Europe,  
Best Practices and Legislations**

**STUDY**

**Abstract**

This study focuses on the mechanisms through which gender representation on the media (TV, advertising, news and new media) hampers the achievement of gender equality. It provides an overview of the main definitions, theories and studies and explores the regulatory acts existing in EU 27 Member States exploring the most interesting experiences (good practices) in order to present under what conditions they are more effective. A stakeholder mapping in the EU 27 Member states is also included.

This document was requested by the European Parliament's Committee on Women's Rights and Gender Equality.

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## **LIST OF ABBREVIATIONS**

**BPfA** Beijing Platform for Action

**ECHR** European Convention on Human Rights

**EU 27** European Union

**NGO** Non-Governmental Organisation

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## EXECUTIVE SUMMARY

### KEY FINDINGS

#### A. Main Conclusions

1. Few of the acts/policies/practices found in the EU 27 Member States are characterised by the simultaneous presence of all those criteria that mostly guarantee a fair and non-stereotyped representation of women and girls in the media.
2. 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-related (Gender Equality Plans, which include sometimes even wide sections on gender and the media issues but whose force is blunted by the lack of deterring measures).
3. The sectorial regulations (laws specifically targeting the media sector and regulations issued by authorities competent for media and communication) are potentially very effective in contrasting gender stereotyping and gender-discrimination in the media, as they are binding; though they fail to go beyond a generic and self-evident formulation of gender-discrimination.
4. This is also the problem with the acts/laws implementing the Audiovisual Media Services Directive, which address gender as one of the multiple expressions of 'diversity' (along with ethnicity, nationality, disability, etc.) and contain provisions on prohibitions against gender discrimination generally only within the context of wide anti-discrimination prohibitions.
5. 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 that the competent authorities have in handling complaints. This is a particularly critical aspect, as advertising often express representations that are humiliating, degrading or offensive to women on the basis of their sex in an ironic and humoristic fashion that is likely to 'hide' sexism or make it socially acceptable.
6. As a result, despite the complaints about discriminatory advertising being, in all the EU Member States, a considerable part of those received by the competent bodies, many fail to receive an appropriate answer or a follow-up.
7. In terms of media genres/sectors that are addressed, the most striking gap concerns 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. The lack of specific instruments becomes even more problematic if we consider that the Global Media Monitoring Project reports on a globally widespread underrepresentation/biased representation of women in the news.

## **B. Recommendations**

1. The first recommendation is to enforce the presence, among the acts and policies provisions, of deterring measures and include, along with the suspension of non-compliant advertising and media contents, also fines/pecuniary penalties for those who disseminate them.
2. As the experience of good practices teaches us, those acts/laws/policies that are binding, therefore potentially more effective, could have their legal and cultural force increased by: a) (for media-related laws, regulations issued by authorities competent for media, advertising codes of conduct): being grounded in a proper and comprehensive definition of gender-based discriminations, one that provides detailed examples of contents/representations that are to be considered as stereotyped or harmful to women's dignity, thus limiting the degree of subjectivity in the application of the act; b) (for Gender Equality Laws and Anti-discrimination acts): being more overreaching and recognizing the pivotal role of media in the reproduction of culturally transmitted stereotypes and images of women and men.
3. 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.
4. A general recommendation valid for all media-related acts/policies, is to go beyond the 'simple' provision of prohibitions, encouraging: a) the dissemination of positive gender role models, going deeper into their content in order to provide examples and guidelines that media professionals can refer to; and b) the dissemination of actions aimed at contrasting gender stereotyping such as awareness-raising campaigns targeting media professionals and cultural institutions.

## **Background**

This study addresses the representation of women and girls in media and advertisement campaigns. In particular, the study focuses on ways the social imagery diffused by the media can lead to gender-based discrimination and hinder gender equality. Such ways include: stereotyping (for example, depicting women/girls as inferior to men/boys or in limited social and professional roles that do not reflect their actual skills and competences; diffusing a model of femininity relegated to the private sphere and epitomized by the values of romance, care, motherhood and domesticity); spreading images that are degrading to women/girls and harmful to their dignity (portraying them as sexual objects, as stupid, as submissive to men, etc.); promoting images, values and behaviour models that are likely to encourage violence against women.

The research questions underpinning the study are: what are the key findings of the literature tackling the issue of gender and the media at international level and in the EU 27 Member States? What are the legislative instruments related to this issue in the different

Member States? What are the best practices in Member States that guarantee a fair representation of women and girls in media coverage and more specifically ensuring a non-stereotyped portrait?

The most powerful instrument that European institutions have developed in order to ensure gender equality in media contents is the 2010/13/UE Audiovisual Media Services Directive, which prohibits 'discrimination based on sex, age, racial or ethnic origin, nationality, religion, belief, or disability' in TV adverts and other audiovisual commercial communications. The Directive provides also that audiovisual media services may not contain any incitement to hatred based on race, sex, religion or nationality. Despite the Directive being effective in its provisions, the ways in which Member States have transposed it in their national legislation do not always fully take into consideration these provisions' potential and value.

## Aim

The purpose of the study was to provide **European Parliament** members with detailed knowledge of : a) 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; b) the themes covered by research at international and EU levels; c) 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 in each of the 27 EU Member States.

- Desk research has covered the basic definitions of gender, gender roles and gender stereotypes in society and through mass media.
- The results of research on TV drama, advertising, journalism and new media were presented to show the type of programming in which women are most frequently represented and their social roles, both in personal and in professional contexts.
- Recent studies were taken into consideration in the attempt to draw the image(s) of women conveyed by media and to understand how (and why) female audiences engage with these models.
- The debate about the effects of media representation on girls and women who more frequently consume mainstream contents shows that stories emphasizing self-confident and attractive female characters are perceived as empowering by viewers.
- The focus on the impact of positive representations of women has led to the disclosure of an active and creative engagement of the audience with popular culture and their so-called 'guerrilla' tactics to reinterpret media texts, also those based on traditional and stereotyped views of society, to suit their own purposes.
- At the same time, a particularly problematic aspect of media representation (especially on advertising) refers to the sexual objectification ('fetishisation') of the female body and in the emotional and psychological consequences for young and adult viewers.
- This background overview has been useful to analyse the existing regulations at EU level through the lens of the 2010 Audiovisual Media Service Directive, which is the only legally binding act on these issues. The Directive prohibits any discrimination based on sex (among the others) in television adverts and other audiovisual communications. Furthermore, it promotes self-regulation of the stakeholders and co-regulation at State level.

- The relevant stakeholders in the field of media, advertising, journalism and gender issues in all Member States have been classified into four categories: authorities competent for media and communication (35), media sector associations, including professionals industry and unions (75), gender equality bodies/Ministries of Equal Opportunities (31) and Women's NGOs (37).
- The study has recognized and classified 61 regulatory acts and policies with a gender and media relevance enacted in the EU 27 Member States, divided in four main categories: 26 laws, 7 regulations issued by authorities competent for media and communication, 21 codes of conduct and protocols, 7 Gender Equality Plans.
- Among these regulations, four best practices have been selected for being particularly performing in guaranteeing a fair and non-stereotyped representation of women and girls on the media. These are: the Maltese Guidelines on Gender Equality and Gender Portrayal in the Broadcasting Media, issued in 2007 by the Maltese Broadcasting Authority; the General regulation issued by Advertising Standard Authority Ireland and the Spanish Organic Law 1/2004, 28 December, on Measures of Integral Protection against Gender-Based Violence; the Swedish Radio and Television Act.
- The criteria for the assessment of the cases have been selected looking at the effectiveness ('works well'), at the transferability, at the learning potential and at the gender specificity of the practices.

## 1. CONTEXT ANALYSIS

### KEY FINDINGS

- Academic scholars and researchers are increasingly aware of the **socially negotiated nature of gender** and of the crucial relationship between media representations and gender role models stereotyped in media contents and internalised by the audiences.
- Evidences of the interiorisation of the highly stereotyped gender role models circulating within culture and society (and largely influenced by media representations) have been provided by Feminist researches on TV drama, advertising, journalism and new media.
- A deeper focus on selected research areas shows that media representations **fail to reflect the continuous changes in society and the evolution of women's roles**, both in the professional and in the private spheres.
- These contents often offer an **ambivalent image of women**, partly assertive, reliable on the workplace and sexually powerful, partly passive, fragile, sexualised, and framed in relation to men's viewing pleasure and expectations about traditional role models.
- Research about the effects of media representation on girls and women that engages with mainstream contents shows that stories that emphasize self-confident and attractive female characters are perceived as **empowering** by viewers.
- Some TV genres (crime and police series) present **successful heroines** able to balance career and family life, portraying them in traditionally masculine leadership roles (female detective, policewoman) as well as in more feminine caring ones.
- These female characters provide a **reassuring vision of gender identities** and can be seen as a strategy to **counteract the innovative and subversive potential** linked to their featuring in action roles and executive positions.
- Other TV contents, mainly **soap operas**, **give the chance to women to negotiate the reading of oppressive patriarchal traditions staged in stories** and to play with the social and cultural rules by which they live in the process of enjoying the soap operas.
- At the same time, a **strong endorsement of stereotypes that depict women as a sexual object** comes from the consumption of stories (particularly adverts) that place appearance and physical attractiveness at the centre of women's value.
- In the emotional domain, **sexualisation and objectification undermine confidence in one's own body**, leading to shame, anxiety, and even self-disgust in teen-agers as well as in adult women.
- A **widespread resistance in recognising sexism in media content** is an alarming signal, rather than as the evidence of the individuals' ability to actively negotiate the meanings of media representations.

- Vigilance of advertising and media content in many countries outside EU falls under the responsibility of authorities and self-regulatory bodies. Relevant examples are provided by Canada, Australia and Latin America.
- **Canada** has a longstanding tradition in focusing efforts on the protection of women's dignity and rights in the media, both from an institutional point of view and from the side of women's advocacy groups and society organizations; also self-regulating bodies' codes of conduct explicitly highlight the issue of gender balance through both positive recommendations and prohibitions.
- **Australian media** are required to create their own codes of practice and register them at the Australian Communications and Media Authority (ACMA) for revision and approval. Women represent over 50% of the Australian population and as such there should be fair and accurate portrayal in the media that recognises the significant and on-going changes in women's attitudes and their evolving role in society.
- **Argentina** and **Mexico**, with their recently enacted laws against gender-based violence, provide useful examples of regulations specifically issued to fight discrimination and to prevent the violence against women. It is compulsory, for the Argentinean Ministry of Communication, for example, to fight violence against women through permanent media campaigns, to provide permanent training to media professionals regarding the violence against women and to promote the elimination of sexism on information.
- In the **USA**, Federal Communication Commission's monitoring of broadcasting content is limited to obscenity, indecency and profanity. There is no concrete mention of women's portrayal or gender issues in the regulation about broadcast media.
- The **attention of the European Parliament** to the issue of women's and girls' representation on the media is high. In 2010 the **European Parliament** adopted the **Audiovisual Media Service Directive**, which is the only legally binding act at EU level on these issues.
- The Directive prohibits discrimination based on sex (among the others) in television adverts and other audiovisual communications. Furthermore, it promotes self-regulation of the stakeholders and co-regulation at State level.
- For the purposes of this study, the **relevant stakeholders** in all the Member States have been categorised in two main groups of categories, one general and the other specific.
- Authorities competent for media and communication (35 cases) and Media Industry associations, including industry professionals and unions (75) are relevant stakeholders in the field of media, advertising and journalism.
- Gender equality bodies/Ministries of Equal Opportunities (31) and Women's NGOs (37) are relevant stakeholders whose activity is more specifically focused on gender issues.

## 1.1. Literature Review

### 1.1.1. Gender, gender roles, gender stereotypes

In the definition of gender, what defines a woman or a man is much more related to culture and society rather than to their sex, sexuality and personal appearance<sup>1</sup>. In other words, gender is not only naturally given, but also socially constructed. Gender is built on social interactions through the interiorisation of norms and the expectations on individuals' behaviour according to two differentiated patterns for women and men.

The social processes of everyday life are ordered according to these two patterns sociologically defined as 'gender roles'. Gender roles include those behaviours, attitudes, poses that men and women are expected to assume according to the historical period and geographic context they live in. Unlike the essentialist perspective – according to which 'nature' (that is, biological factors such as chromosomal and hormonal differences) is the main cause of differences between male and female behaviour, anti-essentialist positions argue that gender roles are learned during development and reinforced throughout everyday life: 'cultural influences and socialization processes, in this view, are the main determinants of an individual's gender identity and roles'<sup>2</sup>.

According to Goffman<sup>3</sup>, 'in all societies, initial sex-class placement stands at the beginning of a sustained sorting process whereby members of the two classes are subject to differential socialization'. Gender is therefore the effect of reiterated acting, a collective performance, a social construct based on sex-class codes that makes up social interactions and social structures<sup>4</sup>.

More precisely, according to the social learning theory, we may imitate and take on behaviours that we observe in same-sex role models (such as parents, peers and others). Such process is known as 'modelling': socially acceptable behaviour will be well received and therefore reproduced and developed ('reinforcement'), whereas socially inappropriate actions will be poorly received and as a consequence, excluded from our repertoire<sup>5</sup>.

Gender stereotyping indicates the process through which gender roles are perpetuated in the socialisation of individuals. It refers to preconceived ideas, whereby males and females are arbitrarily assigned characteristics and roles determined and limited by their sex. Gender stereotyping forces individuals in adhering to a predetermined gender role just because of their sex and regardless of their natural predispositions. It may limit the development of their natural talents and abilities and it may result in a waste of human resources. More generally it has an influence on the formation of gender identities among young people, influencing their educational choices and consequently their future professional and private lives<sup>6</sup>.

Gender stereotyping promotes an asymmetrical vision of women and men (girls and boys) in society and the unequal distribution of power and resources among them in all spheres and at all stages of life. This is the reason why gender stereotyping hampers the achievement of gender equality.

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<sup>1</sup> Lorber (1994).

<sup>2</sup> Malim and Birch (1998), page 518.

<sup>3</sup> Goffmann (1977), page 303.

<sup>4</sup> Butler (1990).

<sup>5</sup> Gauntlett (2008), page 38.

<sup>6</sup> Lorber (1994).

Along with other 'socialization agencies', such as the education system, family, and so forth, the media 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. In its four-phase account of the development of thinking about media effects, Dennis McQuail conceptualizes such a phenomenon in terms of 'negotiated influence of media'. In his view, the media take the role of a social constructivist tool: they construct meanings and offer them to the audience members, who negotiate and incorporate them within their personal meaning structures. Meanings, therefore, are constructed by the audience members themselves through a mediation process that is largely influenced by the receivers' social context<sup>7</sup>.

Although the audiences are (relatively) free to accept or refuse media contents and meanings, it is the media system that has the power to decide which gender role models will be visible and which ones will not, as described by the classic agenda-setting theory which underlines the ability of the media to influence the importance of topics on the public agenda<sup>8</sup>: TV current affair programmes, radio dramas, music videos, songs, magazines, adverts, websites, all of them represent powerful sources of gender information that might reinforce, or challenge, our ideas about gender.

This makes the role of media a particularly ambivalent one: the media, especially mainstream, commercial media, aim to attract as much audience as possible. Therefore, they tend to 'play safe', emphasising shared values, using a simple language and providing an often simplistic, stereotyped representation of social reality, groups and phenomena. In fact, stereotypes are so common and widespread because they help us in understanding complicated processes, reduce uncertainty and provide a sense of security. Yet stereotyping in any field is a way of thinking that preserves from social change, and gender stereotyping is not exception to this<sup>9</sup>.

#### 1.1.2. Media representation of gender roles and gender stereotyping on the media: TV, advertising, news and new media

In his overview of general trends in the representation of gender from mid-1950s to early 1990s, David Gauntlett underlines that mass media tended to be very stereotyped. With the exception of cinema, the second wave of women's movement ('1960s and 1970s) was largely ignored by almost every form of mass media, included those targeted at a female audience: for instance, magazines and adverts aimed at women in those years tended to reinforce the feminine and housewifely stereotypes<sup>10</sup>.

**TV drama**, one of the most researched areas in terms of both theoretical and empirical studies, is in line with this trend. In television, as well as in cinema, men have always outnumbered women: content analysis studies have calculated the prevalence of women and men in significant speaking roles in US TV shows and found out that in the 1950s, 1960s and 1970s, only 20 to 35 per cent of characters were female (there is no evidence that in Europe the proportions were much more different). Despite the social and cultural changes brought about by the 1960s and 1970s, married housewives remained the main female role shown on the small screen whereas men kept being the dominant characters and the decision-makers<sup>11</sup>. Marriage, parenthood and domesticity were shown to be more

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<sup>7</sup> McQuail (2010), page 459.

<sup>8</sup> Shaw & McCombs (1977).

<sup>9</sup> Lorber (1994).

<sup>10</sup> Gauntlett (2008), page 47.

<sup>11</sup> McNeil (1975).

important to women than to men<sup>12</sup>; the latter were more likely to be adventurous, active, courageous, intelligent and resourceful compared to women, who were 'more frequently shown as weak, ineffectual, victimised, supportive, laughable or merely token female'<sup>13</sup>.

Nevertheless, some peculiar types of TV drama produced in the US and widely broadcasted also in Europe, represented an exception: sitcoms, for instance, are 'the type of programming in which women are most often and most frequently represented and from which TV's most resonant feminist representations have emerged'<sup>14</sup>. Since the 1970s onwards, sitcoms such as *The Mary Tyler Moore Show*, *Maude*, and *One Day at the Time* tended to feature an openly feminist or 'liberated' female character as a way to introduce and discuss the women's movement (for instance, *Murphy Brown* featured a spunky singleton who lived on her own, took the pill and eventually became a career mom).

'(...) [D]espite these advantages – Ashley Nelson notes – many of the old stereotypes and limitations remained. In fact, by the 1980s, when a chilly breeze from the right brought Ronald Regan to the White House, social anxieties about single women erupted again<sup>15</sup>. As a result, single women were almost absent from popular culture in the 1980s, with sitcoms and movies obsessing with fathers and families.

The 1990s brought a breath of fresh air with successful shows like *Seinfeld*, *Friends*, and *Will and Grace* redefining the traditional sitcom family: from biological families to families of friends. The most interesting female characters populating comedies and sitcoms in the 1990s and 2000s, by the way, are found in TV shows like *Ally McBeal* and *Sex and the City* and in 'chick-lit' (a term coined in the end of the 1980s to indicate literature addressing issues of modern womanhood and geared towards young women) such as *The Bridget Jones' Diary*. All these products, which have built up a cult following among European audiences, feature quirky, successful single career women treating men as disposable, yet giving room to a certain cultural anxiety about what these women represented socially and culturally.

The freedom that these women enjoyed caused new anxieties and existential angst. They have it all, yet they obsess with making 'wrong' choices: they feel they might let the right man slip from under their nose (hence they must always be on the lookout), they believe that not catching a man at the right time might mean they miss the chance of having children (their biological clock is counting); they fear loneliness and the stigma of remaining single. Bridget Jones, for instance, 'portrays the whole spectrum of attributes associated with the self-monitoring subject'<sup>16</sup>. The same also applies to other characters featured in contemporary women's genres: all of them confide in their female friends and/or keep a diary, they endlessly reflect on their fluctuating weight, calories intake and dating; they plan, plot and have projects (and, of course, they 'shop, shop, shop').

The ambivalence of the gender role model embodied by contemporary popular culture heroines has been interpreted as the expression of a 'post-feminist' era, characterised by the entanglement of feminist and anti-feminist ideals: on the one hand, they are hailed through a discourse of 'can-do girl power', yet on the other their bodies are powerfully re-inscribed as sexual objects (...); notions of autonomy, choice and self-improvement sit side-

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<sup>12</sup> Gunter (1995), pages 13-14.

<sup>13</sup> Gunter (1995).

<sup>14</sup> Dow (1996), page XXIII.

<sup>15</sup> Nelson (2004), page 87.

<sup>16</sup> McRobbie (2004), page 261.

by-side with surveillance, discipline and the vilification of those who make the 'wrong' choice<sup>17</sup>.

Crime and police series are other typologies of TV drama worth discussing, as they have traditionally represented male-dominated narrative forms. The three *Charlie's Angels*, in the 1970s, were the first female characters to take an action role on TV, but they remained fetishized figures of (male) fantasy. The most active figures that followed in their footsteps progressively took over male roles and attributes: the female buddy pair on which the US series *Cagney and Lacey* (1981) was centred, for instance, or detective Jane Tennison starring in the British series *Prime Suspect* (1991). If, on the one hand, these characters epitomize empowering female models, on the other they are 'punished' – both within the narrative and by the loss of 'feminine' characteristics – precisely for their stepping into the masculine position (the descent into alcoholism and loneliness of the ambitious and unmarried Cagney; the childlessness, family alienation and loss of partner of Tennison).<sup>18</sup>

Studies of crime and police series in other European countries confirm that the feminisation of these genres does not automatically mean challenging either normative constructions of femininity or gender power relations. Female policewomen and private detectives in popular French police series (*Julie Lescaut*, *Une femme d'honneur*) are also portrayed as mothers and in family life scenes. Geneviève Sellier argues that 'beneath the modern surface of traditionally masculine professions, these female buddies are ideal and successful figures just because they provide a conservative and reassuring vision of gender identities and support the idea of female and male roles as being totally complementary and mutually necessary'<sup>19</sup>. Interestingly, it is up to the episodic female characters to embody the dangerous, threatening face of femininity – that of sexuality – that the positive, normative female main characters are trying so hard to neutralise.

Researches carried on Italian police and crime series (*Detective*, *Distretto di polizia*, *RIS Delitti imperfetti*) came to the same conclusions. Two typologies of policewomen can be identified: a) the assertive and reliable on the workplace but fragile, insecure, and often lonely in their private and sentimental life; and b) the assertive and reliable on the workplace and also 'perfect' mothers and caring wives; or, if singles, willing to take care of the others (younger sisters/brothers, nephews/nieces, abandoned kids). On the one hand, women in positions of leadership who are able to balance work and family responsibilities are positive role models to be diffused by the media; on the other, endowing these female characters with reassuring and more traditional feminine features can be seen as a strategy to counteract the innovative and 'subversive' potential associated to their featuring in action roles and decision-making positions<sup>20</sup>.

Finally, it is interesting to note that even though women feature as cops, lawyers or doctors, they are often specialised in 'feminine' domains such as gynaecologists, judges, magistrates and lawyers specialised in cases involving children. As a result, TV drama featuring women in top-level positions within hierarchical and traditionally-male dominated work environments fail to articulate the real social tensions created by the 'collision' of these women and the patriarchal power structures<sup>21</sup>.

Evidence of a highly stereotyped representation of gendered patterns in work and career were also provided by quantitative studies on TV drama in Spain. A survey on professional

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<sup>17</sup> Gill (2007), page 163.

<sup>18</sup> Thornham and Purvis (2005), page 118.

<sup>19</sup> Sellier (2004), page 268.

<sup>20</sup> Giomi (2012).

<sup>21</sup> Giomi (2012).

roles portrayed in contemporary prime-time TV examined both series imported from the USA and home-grown series. It turned out that 64.7% of the characters without employment were women and 35.3% men. Also, the majority (88.9%) of characters occupied in housework were women. This indicates that fictional men tend to be characterised through their job, whereas women are mostly defined on the basis of the role they play within their family and social relations instead. As to the jobs associated with social prestige, the majority (58.2%) were to be found in the age range between 40 and 60, where men made out 65.9% of the total. It is also worth noticing that, compared to US dramas, those produced in Spain showed a much higher percentage of male characters in prestigious jobs than women, while both US and EU series presented a well-balanced gender representation in the area of non-prestigious jobs<sup>22</sup>.

Like TV drama, **advertising** has changed constantly throughout its history, in response to changes in the economy, technology, fashion and social relations. However, gendered messages and stereotypes in advertising have often been slower to adapt to changing times, drawing particular attention from researchers.

Studies show that women in magazine adverts prior to the 1970s were rarely shown in paid work except for stereotypical roles like secretary or hairdresser. Content analysis of TV advertising in the early 1970s and 1980s also found evidence of stereotyping: women featured in the majority of ads promoted kitchen and bathroom products, were to be seen mostly inside the home, and when seen in a paid environment, were more often than not subservient to men; on the contrary, men were most likely to be seen in authority roles, and were ten times more likely than women to provide the dependable voiceover.<sup>23</sup>

These trends were confirmed in subsequent studies, with men most often shown at work and women as housewives and mothers at home. Nevertheless, it became somewhat more common for men to be shown at home as well, in the role of husband or father, and the range of women's occupation increased in time. However, male and female characters were shown to be concerned about different issues: beauty, cleanliness, family and pleasing others were the main concerns of women in ads; having fun and achievement, the main concerns of men. So, even if women and men were shown in more unusual settings, these stereotyped concerns might counterbalance the results.

In the beginning of the 1990s, advertisers started showing younger and more attractive women, and introducing men in 'special' roles like cooking or caring the family. However, more recent studies confirm that work was seen as central to men's lives as before, whereas relationships were shown to be more important to women. The majority of authoritative voice-overs are reported to be male ones.

Certainly, David Gauntlett notes, 'the very obvious stereotypes from the past have mostly gone, although today's sexism may just be more subtle. The woman we expect to see in ads these days is the busy, confident, empowered, attractive, in control of her professional and social life, and kitchen slave to no-one. Believing that feminism's battles had been won, and that its ideology was now harmless by virtue of being out of date, advertisers invented "post-feminism" as a utopia where women could do whatever they pleased, provided they had sufficient will and enthusiasm. Feminist discourses were cunningly co-opted by the advertising industry and used to sell to women'.

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<sup>22</sup> García-Muñoz, Fedele and Gómez-Díaz (2012).

<sup>23</sup> Gunter (1995).

One particularly problematic aspect of advertising remains the sexual objectification ('fetishisation') of female body. Studies indicate that women more often than men are portrayed in a sexual manner (e.g., dressed in revealing clothing, with bodily postures or facial expressions that imply sexual readiness) and are objectified (e.g., used as a decorative object or as body parts rather than a whole person). In addition, a narrow (and unrealistic) standard of physical beauty is heavily emphasized.

The increasing sexualisation of female body in advertising (and in visual media more in general) has not spared young girls. In contemporary cultures and narratives, the name Lolita has become synonymous with forbidden lust and love for pre-adolescent, and by extension, adolescent girls. A plethora of 'erotically coded' images of adolescent girls pervades popular culture, movies and music videos, from the teen girl stars of Hollywood blockbusters playing roles of sexualized pre-adolescents, prostitutes (Brooke Shields in *Pretty Baby*, Jodie Foster in *Taxi Driver*, Drew Barrymore, Kristen Dunst, Juliette Lewis, Natalie Portman) to the eternal wild girls of the music industry playing with visual codes that border on pornographic (Britney Spears, Christina Aguilera, Destiny's Child), accounting for the transition of pornographic presentations from traditional sources into mainstream popular culture.

Merskin reinforces these assumptions with evidences from the analysis of fashion advertising appearing on current mainstream print magazines and portraying young models made look older (with serious facial expression, adult hairstyles and makeup), and older models made to look like little girls (with child-like clothing and gestures). All of them assert both availability and vulnerability, with a "seductive come-and-get-me kind of look"<sup>24</sup> that activate and facilitate voyeuristic fantasies about what is appropriate, inappropriate, possessable and safe. Moreover, as pointed out by Lederer, "the use of the pseudo-child technique – adults dressing and acting like children – in particular is a standard fare in pornography".<sup>25</sup>

However, over the last few years, advertising has started to introduce a new trend: rather than being depicted as passive objects of the male gaze, young women in adverts are now frequently depicted as active, independent and sexually powerful. Such a shift only apparently contrasts the sexist tendencies of advertising, as the models of femininity that are being offered are still the expression of a male-dominated culture.

Rosalind Gill<sup>26</sup> examines contemporary constructions of female sexual agency in advertisements and identifies three recognizable 'figures': the young, heterosexually desiring 'midriff', the vengeful woman set on punishing her partner or ex-partner for his transgressions, and the 'hot lesbian', almost always entwined with her beautiful Other or double.

The midriffs might be thought of as a generation of girls and young women in their teens and 20s in the 1990s, although the term refers to a specific constellation of attitudes towards the body, sexual expression and gender relations. Midriff advertising has four central themes: "an emphasis upon the body, a shift from objectification to sexual subjectification, a pronounced discourse of choice and autonomy, and an emphasis upon empowerment".<sup>27</sup>

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<sup>24</sup> Merskin (2004), page 124.

<sup>25</sup> Lederer (1995), page 139.

<sup>26</sup> Gill (2008), page 37 and ff.

<sup>27</sup> Gill (2008), page 41.

Instead of caring or nurturing or motherhood (all of course highly problematic and exclusionary), the possession of a 'sexy body' in Midriff advertising is presented as women's key source of identity. This is captured vividly in an advert for a famous brand of lingerie that shows a young woman wearing only a black bra. "Situated between the breasts is the following slogan: 'I can't cook. Who cares?' – making the point that her voluptuous body is far more important than any other feminine skills or attributes she may or may not possess".<sup>28</sup> A similar confident and assertive tone is that of a woman in undergarments who says 'New hair, new look, new bra. And if he doesn't like it, new boyfriend', knowingly playing with her sexual power, quite differently from earlier representations. The figure of the midriff, then, is notable for opening up a new vocabulary of representations of women as active, desiring sexual subjects. Midriffs are represented as not seeking men's approval, "powerful and playful rather than passive or victimized".<sup>29</sup>

The second figure, closely related to the midriff, is "the vengeful sexy woman who has become another standard character in advertising, a novel way for advertisers to move away from representations of women as 'dumb' or 'unintelligent' to being constructed as powerful, feisty and in control. Revenge adverts put the supposed love-hate relationship between men and women – the 'battle of the sexes' – centre stage".<sup>30</sup> A key theme of revenge adverts is the representation of a woman gaining the upper hand by punishing a man who has transgressed in some way. Usually the punishment consists of men being subject to violence against their genital regions by women, presumed to be their partners. These representations do not constitute a hopeful widening or diversification of constructions of femininity. While they may be relatively new in advertising, they reference a long iconography of depictions of vengeful women from the jealous and destructive heroines of classical Hollywood cinema.

The final figure is that of the 'hot lesbian' – also known as 'lipstick lesbian' - who is seen increasingly in contemporary advertising. This figure is notable for her extraordinarily attractive, conventionally feminine appearance: women depicted in this way are almost always slim yet curvaceous, with long flowing hair and makeup. While this marks a rupture with earlier negative portrayals of lesbians as manly or ugly, such representations have been criticized for packaging lesbianism within heterosexual norms of female attractiveness.<sup>31</sup> Like the midriff, then, the hot lesbian seems to rest on multiple exclusions, and in this case those excluded are precisely those with visibility in establishing lesbianism as a political identity: women who reject a traditionally feminine presentation. The manner in which the hot lesbian is presented seems designed for male titillation. As noted by Gill, "the figure never appears alone (unlike the midriff, for example) but is almost always depicted kissing, touching or locked in an embrace with another woman. Its entire construction is framed in relation to men, offering up a spectacle of sexual intimacy between women, with a knowing wink".<sup>32</sup>

These three figures are notable in opening up a new mode of representing women. Instead of passive, 'dumb' or unintelligent sex objects, these women are shown as active, beautiful, smart, powerful sexual subjects. In some respects, this shift is a positive one, offering modernized representations of femininity that allow women power and agency, and do not define women exclusively as heterosexual. However, all three of these new figures operate within a profoundly hetero-normative framework and must be read as a construction

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<sup>28</sup> Gill (2008), page 42.

<sup>29</sup> Gill (2008), page 43.

<sup>30</sup> Gill (2008), page 46.

<sup>31</sup> Ciasullo (2001).

<sup>32</sup> Gill (2008), page 52.

designed primarily for the heterosexual male gaze, somehow reinforcing the well-established gendered imagery of traditional advertising.

The representation of women in news is a very scarcely covered area of investigation although as a recent report from the **Council of Europe** highlighted that the end of gender stereotyping is a challenge to media professionals to realise democracy in practice, quality in journalism<sup>33</sup>. The largest and longest longitudinal study on the subject is The Global Media Monitoring Project promoted by the United Nations, whose data have been collected every 5 years since 1995.

The main findings of this project,<sup>34</sup> which in its third report (2010) covers 76 countries all over the world, demonstrate the scarcity of women's voices in news media content, in contrast to men's perspectives: the news give a male-centered view of the world as far as concerns both the contents produced by the media and the producers (reporters or presenters) of the news themselves.

To monitor different indicators of gender in news media, the project looks at gender, the occupational category and the function in the story of people heard or read about in news. In the European countries, only a fourth (26%) of the subjects in the news monitored are female. Although there has been a rise from the previous results (1995: 16%; 2005: 21%), there still is an underrepresentation of female subjects.

With this premise, out of all topic areas observed, women as news subjects are most visible in stories on science and health (36%), followed by social and legal stories (31%), celebrity, arts and media, sports (29%), crime and violence (28%), economy (22%) and politics and government (21%).

As individuals interviewed in the news, women appear most as persons providing popular opinion and personal experience and least as spokespersons and experts. Moreover, women reported as workers outnumber men in only two of the 25 professional categories chosen: homemakers and students. Hence, the picture provided by news media shows that women are virtually invisible as active participants in work outside the household.

Theoretical and empirical studies carried out over the years on the subject of women and/in the news confirm the results of the GMMP and provide interesting explanations for the gender biases found in news coverage and newsroom practices. Journalism and news media have traditionally been qualified as a masculine domain because of their themes, style, mode of address and the gender divides in their audiences.<sup>35</sup> Gender is expressed in the composition of the journalistic personnel of the various subdomains: the field as a whole is segregated with men being the majority in political, foreign, financial, sports, etc. and women 'dominating' human interest, consumer, health and other such domains.<sup>36</sup>

Although there is ever more room and even appreciation for journalism that has a female label, because there are expectations that women have the competence to do journalism that could potentially attract more female audiences, this does not remove the power system of two genders.

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<sup>33</sup> The report "Women and Journalist first" was written by Joke Hermes for the Gender equality and Human Dignity Department of the Justice and Human Dignity Directorate. It is available at: [http://www.coe.int/t/DGHL/STANDARDSETTING/EQUALITY/03themes/women-media/CDEG\\_2011\\_15\\_en\\_handbook.pdf](http://www.coe.int/t/DGHL/STANDARDSETTING/EQUALITY/03themes/women-media/CDEG_2011_15_en_handbook.pdf)

<sup>34</sup> [http://whomakesthenews.org/images/stories/restricted/highlights/highlights\\_en.pdf](http://whomakesthenews.org/images/stories/restricted/highlights/highlights_en.pdf)

<sup>35</sup> See Fiske (1987), Morley (1985), De Bruin and Ross (2004).

<sup>36</sup> Van Zoonen (1997).

Researches show that the presence of women as TV news readers should be ascribed to the fact that, although women have been hired for their capacities and not because of affirmative action policy or of their supposed attractiveness to audiences, there is an undeniable gender-specific factor in their presence.

This element is a by-product of the organizational goals and editorial policy of journalism style that have been developed from the mid-1980s on, when it was thought that the news should offer audiences opportunities to identify with events and personalities and that human-interest stories should be a major ingredient of the news, demanding also a more personal and intimate style of address. "While it is not the case that the anchor-women were recruited simply because they were women, it does seem that the change in editorial policy towards audience goals opened up a space in which feminine subjectivity may be quite functional".<sup>37</sup>

A similar phenomenon can be seen in war reporting, another former stronghold of institutional, masculine journalism, that has been challenged since the Gulf War in 1991, where it was clear that women journalists covering the war could either give more drama to the events reported or, eventually, distract audiences from the horrors of the war with the unusual image of a pretty presenter in a flak jacket<sup>38</sup> (Gallegher 1996).

News coverage of violence against women represents a particularly interesting area of investigation. All in all, studies on the subject have produced very consistent findings, showing how coverage of violence against women is shaped by common trends and news values across nations, news products (tabloid and quality newspapers) and circulation scales (local and national level). The typologies of crimes, perpetrators and victims considered more newsworthy are those we are least likely to experience. Quantitative content analysis of large samples from the UK press carried on in different periods show the consistent presence of this law, that results in a disproportionate emphasis being placed on certain types of incidents, such as murder or rape, at the expenses of other and far more diffused offences, such as battering, sex assault and sex harassment.<sup>39</sup>

In addition, those news reports of rape and sexual assault that receive more extensive coverage 'tend to be either the most extreme, violent or unusual cases, sometimes involving murder or serial offenders, which do not reflect the everyday reality of sexual violence, or those articles which instrumentalise sexual violence in the service of another agenda'.<sup>40</sup>

The relation between victims and perpetrators is a powerful bias factor: classic news media researches indicate stranger rape/sexual assault as one of the most over-represented sex crimes compared to its recorded occurrence in police statistics. Assault from unknown persons is considered far more newsworthy than the statistically more diffused episodes of domestic violence/violence in intimate relationships<sup>41</sup>.

Analysis of the portrayal of victims shows how the gender power system operates within news discourse. Once again, findings are consistent across nations and times: both visibility and sympathy are given to victims according to their conformity to gender role models.

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<sup>37</sup> Van Zoonen (1998), page 130.

<sup>38</sup> Gallegher (1996), page 2.

<sup>39</sup> Carter (1998), page 228; Carter and Weaver (2003).

<sup>40</sup> Marhia (2008); page 20.

<sup>41</sup> Bendict (1992); Cuklanz (1996); Meyers (1997); Greer (2003); Boyle (2005).

Recent studies<sup>42</sup> confirm the persistence of news patterns highlighted by the very first researches on the subject: the idealization process that produces 'good victims' strongly relies on gender themes and reinforce normative construction of femininity. Nurturing mothers, devoted daughters and, in general, 'pure' women are depicted as 'virgins' - to use Benedict's popular conceptualization<sup>43</sup> - and are celebrated as such; on the contrary, women who transgress appropriate female behaviour are 'whores', likely to be partially or entirely blamed for their attacks.

Finally, as to **new media**, earlier critical views on information technologies have given way to an optimism that is seduced by the radical potential of the World Wide Web. Several highly reputed feminist scholars have claimed that the Internet is a woman's medium.<sup>44</sup> This belief has become widespread and is largely undisputed.

Spender<sup>45</sup> made an early feminist claim on the Internet as a medium especially relevant for individual and collective networking of women, and also for other subordinated groups, for that matter. Turkle<sup>46</sup> claimed that one needs an ethic of community, consensus and communication on the Internet and this is what she thought women in particular are good at: in her vision, femininity is the core element of network technology, which she considers to build on women's relation to weaving.

Also in the early days of the internet and online discussion forums, the rhetoric suggested that these would be egalitarian spaces.<sup>47</sup> Gender schema theory<sup>48</sup> suggests that individuals learn how culture and society define the roles of males and females. Based on this internalized knowledge, individuals assume traits they deem suitable for their gender. Because of these socially constructed roles, gendered communication styles and behaviours found offline tend to also appear online.<sup>49</sup> While there was hope that the internet would enable men and women to participate equally in discussions, the reality was that women were largely either not present or inactive. Subsequent research found that participants in online forums were primarily adult, Caucasian males who spoke English and were tech-savvy.<sup>50</sup>

With the introduction of the web and graphical browsers, however, the gender balance on the internet began to shift. By 2000, the internet population was evenly divided. More recently, while the proportion of men and women who go online is similar, the type of use has been shown to vary. According to a Pew Internet and American Life report<sup>51</sup>, men are more likely to participate in online community groups. Men are also more likely to use the internet for entertainment and recreation.<sup>52</sup> In contrast, women are more likely to use the Web to communicate with others and to expand their social networks.

Nonetheless, Kennedy et al.<sup>53</sup> contend that, generally throughout history, men have limited and dominated women's technological experiences.

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<sup>42</sup> Meloy and Miller (2009), pages 38-39; Heeren and Messing (2009), pages 217-220; Giomi and Tonello (forthcoming).

<sup>43</sup> Benedict (1992).

<sup>44</sup> Braidotti (1994); Stone (1995).

<sup>45</sup> Spender (1995).

<sup>46</sup> Turkle (1995).

<sup>47</sup> Danet (1998); Herring (2003).

<sup>48</sup> Bem (1981; 1994).

<sup>49</sup> Gefen and Ridings (2005).

<sup>50</sup> Royal (2008).

<sup>51</sup> Fallows (2005).

<sup>52</sup> Leung (2001).

<sup>53</sup> Kennedy et al. (2003)

"Similar research has found that women participating in these spaces have encountered considerable negative feedback from men, including: deception, harassment, obnoxious behaviour, sexism, and other forms of 'Net abuse'".<sup>54</sup> In environments such as online chats and discussion groups, these antics have led to a drop in women's participation. In 2000, the participation rate for women in these forums was 28 per cent, dropping to 17 per cent in 2005<sup>55</sup>. While the presence of factors such as discrimination may have negatively influenced women's online participation levels in the past, these attitudes and behaviours may be changing. In fact, the overall number of internet users is high and rapidly increasing, especially for young people.<sup>56</sup> So, gender is not the only factor to consider when examining internet use. The age of the user has also been associated with both internet access and the propensity to pursue different personal goals online. For example, today's young men and women are considered to be technologically savvy.<sup>57</sup>

### 1.1.3. Influence of media representations of gender on the audience

Scholars in communication, psychology, sociology, political science, anthropology, and education have carefully considered and studied the issue of media effects on the audience. First of all, it is worth noticing that the very term 'effects' identifies one of the most longstanding models in Communication Research. Developed in the late 1940s, this model characterises those studies seeking to identify a particular 'effect' that is the result of exposure to a particular type of media content. Such an approach therefore tends to attribute media a great deal of power over audience. Starting from a different background – known as Critical Theory – Theodor Adorno, Max Horkheimer and Herbert Marcuse reached a similar conclusion. According to them, 'the 'cultural industry' churns out products which keep the audience blandly entertained, but passive, helping to maintain the status quo by encouraging conformity and diminishing the scope for resistance. John Fiske's 'resistance theory' collates at the opposite pole: rather than being turned into submissive 'zombies', media audiences have an active and creative engagement with popular culture, using 'guerrilla' tactics to reinterpret media texts to suit their own purposes.<sup>58</sup>

Both the position of Adorno on the one hand and of the resistance theory on the other are believed to be too 'extremist': the most recent developments in the field have shown that there is a two-way interactive process, in which the message or the medium affects the recipients, but the audience, in turn, influences and shapes the senders. In particular, the influence of the media on the audience might be mediated by many factors: the levels of media consumption, age, race, and socio-economic status or even the environment, upbringing values and previous experience. It has been also demonstrated that media may also have a negative impact in promoting cultural, racial or gender biases, either through stereotyping roles and behaviours or the under- or over-representation of minority characters.

Pioneer researches on the subject of women and the media in the 1970s were also developed within the harmful media effects paradigm. These researches focused on the media's contribution to what was then usually called 'sex roles' and were largely inspired by the well-known book by Betty Friedan, 'The Feminine Mystique' (1967), that singled out women's magazines and their advertisements as the prime media responsible for perpetuating the myth of the happy housewife. These early projects, carried out in the US,

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<sup>54</sup> Warren et al. (2012): page. 10. See also Kennedy (2000), Spertus (1996).

<sup>55</sup> Fallows (2005).

<sup>56</sup> Madden (2006).

<sup>57</sup> Warren et al. (2012).

<sup>58</sup> Gauntlett (2008), page. 44.

used the content analysis method to underline the media's failure in providing a faithful portrayal of women's real lives. On the contrary, by depicting women in stereotypical roles, media 'did not offer the alternative images and examples that would stimulate and support women's emancipation'<sup>59</sup>.

By the way, when scholars started to take into consideration the actual experience of the audiences and their interpretation of and use of media contents, they came to different conclusions.

In the realm of **TV drama**, the first approach to engage with the study of the female audiences of popular media products was the Feminist Culturalist Television Criticism. Developed within the theoretical perspectives of UK Cultural Studies, Feminist Culturalist Television Criticism distanced itself from the 'sex roles' approach that had found a home in social psychology: the content analysis method that underpinned such an approach was criticised because of its simplistic assumption that people's behaviour is modelled by the media; also, content analysis was criticized for taking for granted that women's 'real lives' are a given, unproblematic and naturalized concept<sup>60</sup>. On the contrary, scholars working within the Culturalist framework emphasized the nature of gender as a social and cultural construction, and they started to explore the relation between media consumption on the one hand and the process of 'gender identity' formation on the other.

Like Fiske's approach, that of Feminist Culturalist Television Criticism, too, is considered an expression of 'resistance theory': it addresses the issues of how ordinary people and subcultural groups – in this case women – can resist hegemonic, or dominant pressures, and consequently obtain pleasure from what the political, social and/or cultural system offers, despite that system's contradictory position in their lives. Keystone works carried out on European audiences' reception of US popular soap operas such as *Dallas* and *Dynasty* argue that watching these series is likely to become an 'empowering' experience for women, who are able to appropriate degrading images and stories into their own relevant and less damaging meanings<sup>61</sup>.

In other words, despite fictional female characters being often stereotyped and conservative (self-abnegating mothers and wives, alcohol-addicted, depending on men, unscrupulous career women, etc.), women are able 'to use soap operas to integrate 'a parodic critique of patriarchal traditions into their daily lives'<sup>62</sup>, playing with the social and cultural rules by which they live in the process of enjoying the soap operas. Therefore these programmes – as Terry Lovell puts it – provide a context in which 'women can ambiguously express both good humoured acceptance of their oppression and recognition of that oppression, and some equally good humoured protest against it'<sup>63</sup>.

For instance, from the feminist point of view, as noted by Ien Ang, the *Dallas* women represent 'bad' female models, characterised by fatalism, passivity, and an irreducible faith in the patriarchal ideals (whatever the cost, the family must be held together; your happiness cannot be complete without children, etc.). Evidences of an ironic viewing attitude were found by Ien Ang's study on the fans of the soap opera *Dallas*: such an attitude enabled women to 'resist' and subvert *Dallas*' ideological meanings by distancing themselves from the female models offered by the soap.

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<sup>59</sup> Van Zoonen (2010), page. 2.

<sup>60</sup> Brown (1990a), page 13.

<sup>61</sup> Ang (1985); Brown (1990b); Press (1990).

<sup>62</sup> Brown (1990a), page 22.

<sup>63</sup> Lovell (1980), page 180.

In other cases, viewers seemed to take *Dallas* 'seriously', yet Ang criticised the widespread idea that their identification with the positions of 'cynical fatalism' or 'false hope' embodied by some of the soap characters would be politically bad because these positions would lead to pessimism and resignation in real social life. On the contrary, these identifications were pleasurable precisely because they created 'the possibility of being pessimistic, sentimental or despairing with impunity - feelings which we can scarcely allow ourselves in reality (...) but which can offer a certain comfort if we are confronted by the contradictions we are living with'.<sup>64</sup>

All in all, the ethnographically oriented audience studies that have developed since the 1980s onwards within Cultural Studies found out that women and girls appropriate media contents in manifold and contradictory ways, although these studies tended to highlight their resistant readings than their conformity ones<sup>65</sup>.

In recent years, other researches have built upon this legacy analysing the audience of contemporary popular 'feminine' TV series. Ethnographic studies on the success of *Sex and the city* showed that the series' emphasis on the female characters' ability to cope with emotional and social problems, along with the representation of female singlehood and female friendships in contemporary society were perceived as 'empowering' by viewers and proved to be more relevant in producing their engagement than other, more critical aspects of the narrative (the romantic search for Mr Right, the addiction to fashion and shopping preoccupations, the focus on the ideology of individualism that reduces Feminism to the only issue of personal choice and Sisterhood with a capital 'S' to the local sisterhood of women's friendship)<sup>66</sup>.

One particularly interesting though not much researched area, relates to the influence of sexist media contents on the audience. Some available studies address the realm of advertising: a recent empirical research carried in Spain has analysed the reception of two advertising that the Spanish Institute for Women had deemed sexist. Based on the results of a questionnaire submitted to 534 students, the study found out that participants perceived sexism in the advertisements they were confronted to, although the scores obtained were very close to a neutral value, implying that students, on average, did not conform to the reading of the two advertisements developed by the Spanish Institute for Women. Also, the study showed that the ability to recognize gender-based discrimination or sexist elements in advertising was directly correlated to the respondents' gender awareness and self-esteem.

An Italian study carried on a smaller sample of students (40) came to similar conclusions: Anna Lisa Tota studied the reception of a Dolce & Gabbana advert evoking a gang rape and reeking of violence against women. The sexist and violent character of this image was such a manifest one that some countries banned it. Nevertheless, the reaction to the advert was not as homogenous as one would have expected it to be: if many female students stated that it 'offended women's dignity', others suggested that it could be interpreted as a 'dance choreography' or as an 'art work', rather than a gang rape scene. This was also the interpretation provided by all the male students who were interviewed: not a single one among them perceived the advert as sexist, and some went as far as claiming that it represented an 'homage to women's beauty'<sup>67</sup>.

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<sup>64</sup> Ang (1985), page 134.

<sup>65</sup> Van Zoonen (2010), page 3.

<sup>66</sup> Jermyn (2004).

<sup>67</sup> Tota (2008), page 33 and ff.

Such a widespread 'resistance' to recognise sexism in media content is to be interpreted as an alarming signal, rather than as the evidence of the individuals' ability to actively negotiate the meanings of media representations. Studies carried on within different disciplines have shown that the sexual objectification of female body in media contents does have a negative influence on the audience, and that this influence finds in young women and teenagers a particularly vulnerable target.

"Sexuality is an essential component of adolescent curiosity and, based on media representations, a clear path to popularity with peers. It is a time of conflicting demands, especially for young girls: they should appeal to boys but not too much, appear vampish but be virginal".<sup>68</sup> The message contemporary advertisers and the mass media send to girls is that they should always be sexually available, always have sex on their minds, be willing to be dominated and even sexually aggressed against, and they will be gazed on as sexual objects.

This phenomenon implies a fetishisation of young girls' innocence and their vulnerability to physical and emotional violence as possible outcomes of sexualized representations in the media.

A well-known model that explains the influence of media representations on the audience is the 'Accumulation Theory'<sup>69</sup>: it predicts that if messages are seen and heard consistently across media forms, corroborated between those forms, and persistently presented, they will have long-term, powerful effects on audiences. Hence, the accumulation process normalizes looking at images of and thinking about preadolescent and adolescent girls and adult women as sexually available. According to Merskin, the increasing sexualisation of girls in fashion advertisements (the so-called Lolita look) is one of the causes behind high teen pregnancy rates, sex slavery, sexually transmitted diseases among teens and preteens, eating disorders, and suicide trends.

Studies developed within disciplines other than Media Studies have also provided evidences of an existing relation between the gendered imagery diffused by the media and girls' behaviours and attitudes. In 2010, The American Psychological Association (APA) released a report that examines and summarises psychological theory, research and clinical experience addressing the sexualisation of girls<sup>70</sup>.

The report includes a critical overview of studies providing ample evidence of the sexualisation of women in television, music videos, music lyrics, movies, magazines, sports media, the Internet and advertising, as well as in forms of media that are especially popular with children and adolescents, such as video games and teen-focused magazines. For instance, studies show that females in top-selling video games are more likely than their male counterparts to be skimpily dressed, adorned in sexualized attire, and wearing garments inappropriate for the task at hand<sup>71</sup>. The popular Lara Croft character from the video game franchise 'Tomb Raider' is a very telling example.

The report discusses studies showing how sexualisation has negative effects in a variety of domains including cognitive functioning, physical and mental health, sexuality and attitudes and beliefs. Although most of these studies have been conducted on women in their late adolescence (i.e., college age), findings are likely to generalize to younger adolescents and

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<sup>68</sup> Merskin (2004), page 15.

<sup>69</sup> DeFleur and Dennis (1994).

<sup>70</sup> APA (2007).

<sup>71</sup> Beasley and Standley (2002); Grabe (2008).

to girls, who may be even more strongly affected because their sense of self is still being formed.

In the emotional domain, sexualisation and objectification undermine confidence in and comfort with one's own body, leading to a host of negative emotional consequences, such as shame, anxiety, and even self-disgust. The association between self-objectification and anxiety about appearance and feelings of shame has been found in adolescent girls (12–13-year-olds) as well as in adult women<sup>72</sup>.

As far as mental and physical health are concerned, several studies (on both teenage and adult women) have found associations between exposure to narrow representations of female beauty (e.g., the "thin ideal") and disordered eating attitudes and symptoms. Research also links exposure to sexualized female ideals with lower self-esteem, negative mood and depressive symptoms among adolescent girls and women.

Evidence suggests that girls' ability to develop a healthy sexuality, too, is negatively affected by hyper-sexualised images of the female body. Self-objectification has been linked directly with diminished sexual health among adolescent girls (e.g., as measured by decreased condom use and diminished sexual assertiveness<sup>73</sup>). Frequent exposure to narrow ideals of attractiveness is associated with unrealistic and/or negative expectations concerning sexuality. Negative effects (e.g., shame) that emerge during adolescence may lead to sexual problems in adulthood.<sup>74</sup>

In terms of attitudes and beliefs, frequent exposure to media images that sexualize girls and women affects how girls conceptualize femininity and sexuality. Girls and young women who more frequently consume or engage with mainstream media content offer stronger endorsement of sexual stereotypes that depict women as sexual objects.<sup>75</sup> They also place appearance and physical attractiveness at the centre of women's value.

The sexualisation of girls can also have a negative impact on other groups (i.e., boys, men, and adult women) and on society more broadly. Exposure to narrow ideals of female sexual attractiveness may make it difficult for some men to find an 'acceptable' partner or to fully enjoy intimacy with a female partner<sup>76</sup>.

Finally, according to the APA report, adult women too may be affected by the increasing sexualisation of young girls and suffer by trying to conform to a younger and younger standard of ideal female beauty.

More general societal effects may include an increase in sexism; fewer girls pursuing careers in science, technology, engineering and mathematics (STEM).

Such a phenomenon, called occupational sex-segregation, concerns both men and women, even though the latter ones have traditionally being more penalised. Media play a pivotal role, as they promote specific values and gender role models that have been shown to influence the audience's perception about work. Several studies carried in the 1990s and

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<sup>72</sup> Slater and Tiggemann (2002).

<sup>73</sup> Impett, Schooler and Tolman (2006).

<sup>74</sup> Brotto, Heiman and Tolman (2009).

<sup>75</sup> Ward & Rivadeneyra (1999); Ward (2002); Zurbriggen and Morgan (2006).

<sup>76</sup> Schooler and Ward (2006).

2000s report that boys and girls are exposed to gender stereotyping from an early age which helps perpetuate gender segregated education and training paths.<sup>77</sup>

Even pre-school children have gender stereotyped notions of what jobs men and women do, identify certain jobs as virtually synonymous with one gender, and express a preference for entering jobs associated with their own gender. Thus, stereotyping narrows the range of careers considered by children from an early age.<sup>78</sup>

It appears that boys hold more pronounced gender stereotypes of occupations than do girls.<sup>79</sup> Social care jobs – childcare, teaching young children, nursing, eldercare – are among those which few men enter. A major deterrent is the poor pay and quality of many female-dominated jobs (men who enter female-dominated social care jobs typically carve out particular 'more male' niches of work which emphasise physical or technical effort).

Heterosexual masculine identity is constructed in opposition to notions of what constitutes homosexuality as well as femininity, which deters some men from considering certain 'female' occupations since this might call their sexuality into question<sup>80</sup> (Segal 1990).

The gender-based employment segregation is absolutely consistent with the gender imagery proposed by the media: as seen previously, in media representations more women than men are endowed with maternal values (nurturing, caring of the others, self-abnegation) and values of the private sphere; the family and romance problems, marriage, parenthood and domesticity are shown to be more important to women than to men. Also, even though the number of professional roles women are portrayed in has been increasing and diversifying over the years, TV series and advertising still tend to steer females into 'pink collar' classes and careers and to portray more men than women in prestigious jobs.

The UNECE report<sup>81</sup> carried out in 2009 confirms that stereotyping and representation of women in traditional roles and demeaning situations still remain unchallenged and that positive representation of women and professionals is still very scarce. With little guidance and exposure to all of their career options, it is a wonder there are any women in non-traditional careers and professions.

Evidences of the interiorisation of the highly stereotyped gender role models circulating within culture and society (and largely influenced by media representations) have been provided by feminist researches on news media and journalism. These studies have shown how gender is enclosed by structures and the resulting notions of professionalism.

While 'femininity' and 'professionalism' are not inherently at odds with each other, the current definitions of femininity and the historically specific requirements of this domain produce tensions which - while expressed in different forms - are felt by many female journalists: some of them feel judged primarily as women, being subject to continual comment on their appearance and invitations of male colleagues; others feel that their own feminine qualities, such as compassion, kindness and humanity, are at odds with qualities expected of journalists, such as a certain amount of directness, distrust and toughness; others feel that they are expected to have good social skills and not a lot of interest in

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<sup>77</sup> Signorielli (1993); Glascock (2001); Aubrey and Harrison (2004); Hoffner (2008).

<sup>78</sup> See The "Men and Gender Equality" report by the European Commission (2010), that looks at gender inequalities and gender-based employment segregation through a focus on men, offering an overview of studies that explore the relationship between gender stereotyping and employment segregation.

<sup>79</sup> Spain and Bianchi (1996).

<sup>80</sup> Segal (1990).

<sup>81</sup> UNECE (2009).

actively promoting their careers, being not considered a potential candidate for a job – the so-called 'crown prince syndrome'.<sup>82</sup>

In the institutional, masculine domain of news, organizational routines, leadership models, requirements and a specific definition of professionalism and objectivity are the prime constituents of journalists' daily work. Journalists can vary their approaches within the confines of these constraints, but as gender analyses of journalism have shown, the gender subjectivity assumed of journalists and that fits with overall structures is masculine.

Research by Ruoho and Torkkola<sup>83</sup> shows that a journalist who wishes to advance in his or her career in mainstream journalism has to prove his or her capability in the traditional core areas such as politics, sport or economics. For female journalists this is perhaps more demanding because such topics are conventionally considered a natural part of masculine competence. Thus, female journalists have to prove their ability to go beyond the female boundaries that stop them from being taken seriously as professionals.

If the media through the news, advertisement and shows may influence general behaviour by contributing to the creation and perpetuation of gender stereotypes, nevertheless, some research has also shown that by familiarizing individuals with groups other than themselves, the media may also provide positive learning opportunities that help overcome stereotypes and prejudices. The positive role media can play in promoting gender equality is also indicated in the resolution on "Combating sexist stereotypes in the media"<sup>84</sup> adopted in 2010 by the **Council of Europe**. In the resolution it is stressed that the media play a pivotal role in the formation of public opinion and have a particular responsibility in promoting respect for human dignity, the fight against all forms of discrimination and equality between women and men. More explicitly, the resolution makes reference to the Recommendation No. R (84) 17 of the **Committee of Ministers of the Council of Europe** to Member States<sup>85</sup>, which stresses the decisive role media play in forming social attitudes and values and in offering an immense potential as instruments of social change. As stated in the United Nations CEDAW (Convention for the Elimination of all forms of Discrimination against Women) art. 5, "[the] promotion of the equality between women and men presupposes a change in the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women".

#### 1.1.4. National literature review of the most relevant publications in the field in EU27 Member States

##### **Austria**

Austrian literature on the topic includes a study about immigrant women who wear the veil and their depiction on the media<sup>86</sup>, a study about the production of gender relations in

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<sup>82</sup> Diekerhof and Sax (1985); Van der Wijngaard (1992); Ruoho and Torkkola (2011).

<sup>83</sup> Ruoho and Torkkola (2011).

<sup>84</sup> Available at <http://assembly.coe.int/main.asp?Link=/documents/adoptedtext/ta10/eres1751.htm>

<sup>85</sup> Council of Europe, Committee of Ministers Recommendation No. R(84) 17 of the Committee of Ministers to Member States on "Equality between women and men in the media" (adopted by the Committee of Ministers on 25 September 1984 at the 375<sup>th</sup> meeting of the Ministers Deputies) is available at the following: <https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=603943&SecMode=1&DocId=683332&Usage=2>

The Recommendation No. R(84) 17 of the Committee of Ministers to Member States on "Equality between women and men in the media" is based on the results of a seminar on the contribution of the media to the promotion of equality between women and men held in Strasbourg on 21-23 June 1983. The Proceedings of the seminar are available in hardcopy format.

<sup>86</sup> Drüeke, R., Kirchhoff, S. & Klaus, E. (2012).

sports coverage<sup>87</sup> and finally a general research on the representation of women on television<sup>88</sup>.

## Belgium

Recent Belgian studies on media representation of women and men are mainly centred on advertisement and the news. Researches in the field of advertisement focus on the impact of gender-biased representation in advertisement on consumers<sup>89</sup> and on professional workers of the media sector and of the gender equality field<sup>90</sup>. A special attention to the two main policy paradigms proposed in the 2008 by the **European Parliament** Resolution on "How marketing and advertisement affect equality between women and men" is found in one of these analyses<sup>91</sup>. As far as journalism is concerned, relevant studies have measured: the underrepresentation of women in the written daily press<sup>92</sup>; the little attention that female news sources receive in news broadcasted on television<sup>93</sup>; and the scarce coverage of female politicians in news in Flemish language<sup>94</sup>. Finally, a research on career expectations of students in journalism has revealed that Belgian girls have no wish to pursue a journalistic career after graduation because they consider the difficulties to enter the professional world of journalism too huge for them<sup>95</sup>. A more general study on the impact on young people of sexist messages and images mainly in television programmes<sup>96</sup> showed that television is likely to play a role in the construction and reinforcement of sexist stereotypes in the minds of the young and interfere with their self-images. Girls and people with low socio-cultural capital are particularly receptive to these messages.

## Bulgaria

Studies about media representation of women in Bulgaria include articles about the female identity in contemporary Bulgarian society and the way the media influence this process, through the lens of post-feminism<sup>97</sup>; the exploration of gender identity in Bulgarian advertising as a new phenomenon for the consumer<sup>98</sup> and studies about female politicians and their image in society, from the viewpoint of their media coverage<sup>99</sup>.

## Czech Republic

Czech academic studies about women in media are interested on stereotyping. For instance, the 2007 book 'Dívky a girls podle českých dívčích časopisů. Jazyk, ideologie, publikum a jeho přístup' ('Girls According to Czech Girl's Magazines. Language, Ideology, Audience and Its Reception')<sup>100</sup> presents a discursive analysis of Czech magazines for girls accompanied with an audience survey on their reception of these contents. More recently, in 2009, the study 'Gender, média a reklama: Možnosti (samo) regulace genderových stereotypů v médiích a reklamě' ('Gender, Media and Advertising - The Possibilities of (Self) Regulation of Gender Stereotypes in Media and Advertising') concentrates on a description

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<sup>87</sup> Rulofs, B. (2010).

<sup>88</sup> Cavalieri, E. (2009).

<sup>89</sup> Van Hellemont, C. and Van den Bulck, H. (2012); Van Hellemont, C. and Van den Bulck, H. (2009); Dens, N., De Pelsmacker, P., Janssens, W. (2009).

<sup>90</sup> Van Hellemont, C. and Van den Bulck, H. (2012).

<sup>91</sup> Van Hellemont, C. and Van den Bulck, H. (2012).

<sup>92</sup> Association des journalistes professionnels [Association of Professional Journalists] (2011).

<sup>93</sup> De Swert, D. and Hooghe, M. (2010).

<sup>94</sup> Vos, D. (2012).

<sup>95</sup> Dodier, O. (2009).

<sup>96</sup> Casman, M.T., Jacquemain, M., Nibona, M., Willems, I., Dizier, C., (2007).

<sup>97</sup> Petrova, S. (2009).

<sup>98</sup> Kirova, M. (2010).

<sup>99</sup> Petkova, E. (2011).

<sup>100</sup> Kadlecová, K. (2007).

of Czech media, advertising and regulatory environment, devoting a chapter on media stereotypes of women<sup>101</sup>.

## Cyprus

Literature on the topic in Cyprus refers to gender mainstreaming on the national media in comparison with EU policy<sup>102</sup>. Another area of inquiry is the evaluation of the gender gap in access to expression and media contents for women, as part for the larger efforts of the Global Media Monitoring Project<sup>103</sup> and finally the comparison between the gender profile in public (economic, professional and political) life as it has been broadcast by the Cyprus TV and the perceptions of primary and secondary students in the country<sup>104</sup>.

## Denmark

In 2010, the Global Media Monitoring Project on its chapter devoted to Denmark found that men dominate Danish media, making up roughly 70% of the voices in radio, TV and print, and that news stories involving gender issues were twice as likely to reinforce stereotypes than to challenge them<sup>105</sup>. Following this same interest, an article published by *Fagbladet Journalisten* on November 2012 called *Et kønt portrætinterview* discusses the findings of a thesis written by two female student journalists, who analysed trends in portrait interviews published by the Danish print media. This study shows that in Danish portrait interviews gender stereotypes are heavily reinforced. Women are discussed on appearance and attire, men on their achievements, and women are often asked about combining career and family, whereas men are not.<sup>106</sup> Finally, also of interest is the article 'Orientering: Regler for kønsrelateret reklame by Danske Medier' (Danish Media) in 2012, which sums up the newest Danish regulations from the consumer ombudsperson regarding gender discrimination, sexism and negative stereotyping in advertising.<sup>107</sup>

## Estonia

Women's representation in Estonian media has been investigated in various academic researches. The two main areas of research concern women's representation as a product of a gender-biased organisational structure<sup>108</sup>, and the relation between the gendered media representations and consumers' identity<sup>109</sup>.

## Finland

The Finnish literature on the matter refers mainly to the presence and role of women in journalism because, despite their growing presence in low and mid-level managerial positions, there are fewer women than men in senior editorial posts, especially in news journalism.<sup>110</sup> Other examples of this interest are the book by Iris Ruoho & Sinikka

<sup>101</sup> Kubálková, P and Wennerholm Čáslavská, T. (2009).

<sup>102</sup> Koutselini, M.; Agathaggelou, S. & Savva, S. (2007).

<sup>103</sup> Angeli, M. & Baider, F. (2010).

<sup>104</sup> Koutselini, M.; Agathaggelou, S. (2012).

<sup>105</sup> Global Media Monitoring Project, national rapport DK available at:

<http://www.dm.dk/~media/DmsPolitik/Ligestilling/WhoMakes%20TheNewsDK.ashx>

<sup>106</sup> Holtze & Christensen (2012) available at: <http://www.journalisten.dk/et-k-nt-portr-tinterview>

<sup>107</sup> Orientering: Regler for kønsrelateret reklame available at: <http://danskemedier.dk/nyhed/nyt-fra-danske-medier/orientering-regler-for-konsrelateret-reklame/>

<sup>108</sup> Pilvre, B. (2010a), Pilvre, B. (2010b), Pilvre, B. (2011)

<sup>109</sup> Sibak, A. (2007)

<sup>110</sup> Torkkola & Iris (2009).

Torkkola<sup>111</sup> called 'Journalism in sukupuoli' ('Gender of Journalism') published in 2010 and the article "Looking for gender equality in journalism by the same authors"<sup>112</sup>.

## France

Many researches and studies on the image of women in the media have been recently conducted in France, covering the issue from different perspectives. In 2008 the *Commission de réflexion sur l'image des femmes dans les médias* (Commission to reflect on the image of women in the media) published a study revealing the inequalities in gender representation in France. This study finds that in spite of the advances on the matter, women still play invisible or secondary roles vis-à-vis men in the media (radio, television, press and the internet). Additionally, the study highlights the persistence of stereotypes in women's representations.<sup>113</sup> More recently, the same Commission published its annual report which analyses the presence of women in the press, radio and television after the signature of a self-regulation agreement by the media industry in 2010.<sup>114</sup> Lastly, the book 'Présidente: le grand défi- Femmes, politique et médias' ('Mrs President: the great challenge- women, politics and the media') came out, which states that the role of media is crucial for women to gain access to key political roles.<sup>115</sup> Other public institutions have focused their attention on the issue of women representation on the media: the *Ministère des droits des femmes* (the Minister for Women's Rights)<sup>116</sup> organising conferences, producing videos and endorsing relevant publications; the *Conseil supérieur de l'audiovisuel* (Higher Audiovisual Council) considering the issue of women's underrepresentation in news programmes and documentaries in specific reports<sup>117</sup> and presenting its activity to the National Parliament<sup>118</sup>; the Delegation on Women's Rights and Gender Equality in its annual report<sup>119</sup>.

## Germany

In Germany, there are a wide variety of studies about female representation on media. For instance, the 2008 book by Elizabeth Klaus is a key contribution for a better understanding of the social and cultural gender constructions in media, communications and public relations processes. The chapter on the situation of women in the media presents the results of different studies that have been conducted from the 1970s onward and draws conclusions as to the situation of women in the media.<sup>120</sup> In 2009 a book was published that strives to explain the relations of power in the field of journalism from a gendered perspective, relying on the theories of Pierre Bourdieu to frame the issue.<sup>121</sup> Finally, a more recent work is a study that focuses on women in leading positions in politics, economy and media in Germany. The authors show from different angles – drawing on content analysis, discourse analysis and visual studies – that on the one hand women today are more prominent in the media but on the other hand, gendering is still very clearly visible<sup>122</sup>.

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<sup>111</sup> Iris & Torkkola (2010).

<sup>112</sup> Torkkola & Iris (2010).

<sup>113</sup> Reiser, M. & Grésy, B. (2008).

<sup>114</sup> Reiser, M. & Grésy, B. (2011).

<sup>115</sup> Coulomb-Gully, M. (2012).

<sup>116</sup> In 2012 a conference was organised where the video on the stereotyped roles for women in the media was presented. The video was produced by Le ministère des droits des femmes (the Minister of Women's Rights). An article was also published on the women's representation in culture and sports.

<sup>117</sup> Conseil supérieur de l'audiovisuel (Higher Audiovisual Council ), (2011a).

<sup>118</sup> Conseil supérieur de l'audiovisuel (Higher Audiovisual Council ), (2011b).

<sup>119</sup> Gauthier G. (2011).

<sup>120</sup> Klaus, E. (2008).

<sup>121</sup> Schoon, W. (2009).

<sup>122</sup> Lünenborg, M. & Röser, J. (2012).

## Greece

The only Greek academic text reported on the matter at hand is an article called Social gender in 'Epsilon', magazine of Eleftherotypia Sunday newspaper, which describes the reproduction of stereotypes and the reinforcement of power relations between the genders through the alternative content of this magazine. The text tackles issues of indirect sex discrimination, formation of gender identity and gender stereotypes.<sup>123</sup>

## Hungary

In Hungary, the topic of women and the mass media includes an analysis of feminine depiction on a poster campaign to promote Hungary among foreigners<sup>124</sup>, a study of the portrayal of victims of domestic violence in the media<sup>125</sup> and an article that explores the relationship between newspapers' political stance and the presence of EU policies favouring gender balance on their pages<sup>126</sup>.

## Ireland

The scope of the research about women and media in Ireland is ample, encompassing works about the patterns for gender behaviour present in children advertising<sup>127</sup>, the impact of consumerism and media imagery on expectations of male and female behaviour<sup>128</sup> and the survey conducted in 2012 as part of research for the National Women's Council of Ireland submission to the Broadcasting Authority for the draft Code on fairness and objectivity in news and current affairs. This last study shows that Ireland's current affairs programmes are everywhere dominated by male voices as presenters, expert guests, in headlines, sports and business.<sup>129</sup>

## Italy

As in many other countries in Europe, the literature on the topic in Italy focuses on the presence of women as professionals in the field of journalism both in the press<sup>130</sup> and in the public radio<sup>131</sup>. A more recent example, instead, devotes its attention toward the imaginary of the women on media messages<sup>132</sup>.

## Latvia

Recent Latvian literature on women's representation on the media covers different issues, in particular the interrelation between the presence of women in media organisations and the representations of women in the media<sup>133</sup> and the possible impacts of stereotyped images on the identity construction of audiences<sup>134</sup> (especially in advertising).<sup>135</sup>

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<sup>123</sup> Konstantinidou, C. (2007).

<sup>124</sup> Annus, I. (2011).

<sup>125</sup> Prischetzky, R. (2011).

<sup>126</sup> Huszka, B. (2012).

<sup>127</sup> Valiulis M., Driscoll A. O & Redmond J. (2007).

<sup>128</sup> Ging, D. (2009).

<sup>129</sup> National Womens Council of Ireland (2012).

<sup>130</sup> Buonanno M. (2005).

<sup>131</sup> Cavarra R. & Rella P. (2004)

<sup>132</sup> Tota A. L. (2008) (Ed.).

<sup>133</sup> Novikova, I. (2006).

<sup>134</sup> Orr, S. (2008).

<sup>135</sup> Locmele, G. (2011).

## Lithuania

In Lithuania, there is no report of literature on the topic after 2005. From this year, there is only the work of Bivainiene et al. called *Gender Stereotypes in Lithuanian Advertising: Analysis of Customer's Opinions*, which discusses what are the gender stereotypes most frequently present in Lithuanian advertising, according to the opinion of the customers.<sup>136</sup>

## Luxembourg

The studies reported on women representation on the media in this country are only official documents: in 2011, the Conseil National des Femmes du Luxembourg directed an opinion poll on how women and men are currently represented in media<sup>137</sup> and also ordered a study that provided a baseline situation on women's presence in media organizations and representation in media contents in Luxembourg.<sup>138</sup> Additionally, in 2012 the Ministère de l'égalité des chances ordered a qualitative and quantitative study on the representation of women and men in advertisement focusing on gender roles and stereotypes.<sup>139</sup>

## Malta

Besides the official regulation on gender representation on media, there is only one recent study on the issue: *Gender Issues in News Bulletins* by Joanne Spiteri,<sup>140</sup> a research report which documents the invisibility of women in both the newsroom and in news. It also describes how women are presented on television with regard to entertainment, soap operas and advertising; and examines whether women are portrayed in similar ways in all media – be it news, adverts or entertainment while also focusing on the objectification of women's bodies in media which has been a consistent theme in the analysis of women's representation.

## The Netherlands

Gender stereotyping and the media is a well-developed issue in the national literature. Studies cover diversity at large including also gender<sup>141</sup> or intersectional stereotyping considering gender and ethnic origins<sup>142</sup>, or female representation in relation to religion<sup>143</sup>. Attention is devoted to journalism in particular: considering how women are depicted in newspaper over the years<sup>144</sup> or more at large investigating the presence of women in key areas of the news<sup>145</sup>.

## Poland

Polish studies on the topic include the book *'Brak misji na wizji i wizji w edukacji'* ('No Mission on the Television, No Vision in Education') published by the Fundacja Feminoteka (Feminoteka Foundation), presenting the results of monitoring the presence of women on both public television and radio<sup>146</sup>. The report promoted by the Kongres Kobiet (Women Congress) called *'Kobiety dla Polski. Polska dla Kobiet. 20 lat transformacji 1989-2009'*

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<sup>136</sup> Bivainiene, L., Kalvaitiene, L., Zalys, L. (2008).

<sup>137</sup> Conseil National des Femmes du Luxembourg (2011).

<sup>138</sup> Marlies (2011).

<sup>139</sup> Ludewig J. L. & C. Muller (2012).

<sup>140</sup> Spiteri, J. (2008).

<sup>141</sup> Ruigrok, N. (2011).

<sup>142</sup> Brouwer, Lenie (2006).

<sup>143</sup> Midden, E. (2012).

<sup>144</sup> Jansen, H. (2008).

<sup>145</sup> Ruigrok, N. (2012).

<sup>146</sup> Kicińska, M.; Chełstowska, A. & Żabowska J. (2009).

('Women for Poland, Poland for Women: 20 years of transformation 1989-2009') also includes two chapters about the issue, one about gender mainstreaming and the press and another about unequal media<sup>147</sup>.

### Portugal

There is abundant Portuguese literature both in the field of women's representation on media and about women's participation in journalism. Examples are the book chapter 'A Representação das Mulheres nos Media: Dos Estereótipos e «Imagens de Mulher» ao «Feminino» no Circuito da Cultura' ('Representation of women in media: two stereotypes'), which explores stereotypes within the context of the representation of women in the media.<sup>148</sup> Another book chapter with similar interests is 'Mulheres (quase) não entram nos estúdios da televisão portuguesa' ('Women almost do not enter into Portuguese television studios'), which shows the extreme marginalization of women within Portuguese television commentary sections, a phenomenon common to all channels and shows with no significant variations.<sup>149</sup> Finally, we can mention also 'Tracing Gendered (In)visibilities in the Portuguese Quality Press', a book chapter that aims to present a critical analysis of the results obtained in a **European Union** funded research project on the discursive representation of women in two Portuguese 'quality' newspapers, the *Diário de Notícias* and *Público*, between February and April 2006.<sup>150</sup>

### Romania

There are few recent Romanian studies on this issue besides the Global media monitoring project that actually involves all EU countries. To this project belongs a book chapter claiming that the provision of equal rights is a decisive indicator of freedom of the press in the media and the gendering of the media system in various European countries including Romania<sup>151</sup>. However there is an initiative that is worth mentioning: the website of the *Asociația Femeilor Jurnaliste din România "ARIADNA"* (Association of women journalist of Romania)<sup>152</sup> which publishes all material and reports on women and media in the country.

### Slovakia

Academic literature on media representation of women in Slovakia includes a book from 2008 called 'Obrázky žien v slovenských médiách' ('Pictures of women in Slovak media'), which focuses on the gender and age stereotypes and on the presence in media of women in general and of women older than 45 years in particular.<sup>153</sup> Another publication of 2011 focuses on the representation of the first Slovak female Prime Minister and explores the tendency in media to portray her as weak also during her greatest successes.<sup>154</sup> Finally, there is a 2011 report on the state of gender equality in the country where sexist stereotypes in media are mentioned as frequent cause of gender discrimination.<sup>155</sup>

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<sup>147</sup> Wójcik J. (2009) and Kowalczyk, I.; Piotrowska, J.; & Zierkiewicz, E. (2009).

<sup>148</sup> Silveirinha, M. J.(2007).

<sup>149</sup> Batista, C. (2011).

<sup>150</sup> Alvares, C. (2012).

<sup>151</sup> Klaus, E. (2009).

<sup>152</sup> See the website <http://www.asociațiaariadna.com>

<sup>153</sup> Bosá, M.; Minarovič, M. & Sekulová, M. (2008).

<sup>154</sup> Ostretágová, A. (2011).

<sup>155</sup> Holubová, B. (2011).

## Slovenia

Academic literature about the topic in Slovenia focuses on the presence of women in media in general and particularly on television. A book from 2006 shows how women are consistently a minority both in terms of being the actors in prime time news and in terms of percentage of allotted timing in Slovenian television.<sup>156</sup> In the same vein, the study 'Ženske v pogovornih oddajah slovenskih televizij' ('Women in Talk Shows of Slovenian Televisions') shows that the majority of all media content is in fact created by women – who do the actual work, but the majority of persons given air time on television are men.<sup>157</sup> Finally, the book 'Globalni monitoring medijev: komaj vsaka peta intervjuvana ekspertna oseba ženskega spola' ('Global Media Monitoring: Only Every Fifth Interviewed Expert is a Woman') offers a review on the media construction of women.

## Spain

The literature about the relationship between women and mass media in Spain is extensive and covers a variety of aspects. Some examples include the 2007 book 'Las mujeres y los medios de comunicación. Una relación controvertida' ('Women and mass media: A controversial relationship'), which analyses the lack of presence of women as information professionals and as protagonists in the media<sup>158</sup>. The Instituto de la Mujer (Women's Institute) also has funded research on the topic, such as a study in 2007 that focuses on the gender variable in the advertising aired by the public television stations<sup>159</sup>. Lastly, there is also the collective book from 2010 called 'Mujeres en Medio: Repaso crítico a los medios de comunicación y su lenguaje' ('Women in the Middle: critical review of media and language') that is devoted to the analysis of advertising in press, electronic media and Internet<sup>160</sup>.

## Sweden

A book summarising Swedish and international research in the field of media and gender was published in 2006 and remains a very useful tool to understand the Swedish national background<sup>161</sup>. An interesting research was published in 2008<sup>162</sup> on the representation of women in advertising. Recently a very interesting book<sup>163</sup> on the role of women behind the scenes of advertising has been published. Moreover, gender and power in the field of journalism has been analysed<sup>164</sup> including the unequal division of responsibilities in the newsrooms<sup>165</sup> also showing how daily practice and cultural meanings interact with the gendered division of labour in the newsroom<sup>166</sup>.

## United Kingdom

In the United Kingdom, there are multiple examples of literature on the issue of women representation on media. From 2009 there is a research paper called 'Gender Stereotypes and Assumptions: Popular Culture Constructions of Women Leaders'<sup>167</sup>, which draws upon

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<sup>156</sup> Petković, B., Prpič, M & Kuhar, R. (2006).

<sup>157</sup> Brglez, A. (2007).

<sup>158</sup> Fraga, C. (2007).

<sup>159</sup> Instituto de la Mujer (2009).

<sup>160</sup> Queizán, M. X. et al. (2010).

<sup>161</sup> Jarlbro G. (2006).

<sup>162</sup> Svensson E.M. (2008).

<sup>163</sup> Knight C. (2013).

<sup>164</sup> Djerf-Pierre M. (2007).

<sup>165</sup> Edstrom M. (2011).

<sup>166</sup> Löfgren Nilsson M. (2010).

<sup>167</sup> Mavin, S. (2009).

social role theory to outline gendered assumptions which underpin gender leader stereotypes. Through a gender analysis of popular culture, the paper highlights everyday media constructions of women leaders, which perpetuate and reaffirm traditional leader gender stereotypes; which explicitly 'message' the leader role as a non-role for women, and/or, which question women's suitability for a leader role. In 2011 the newspaper The Guardian published an article called 'Why is British public life dominated by men?'<sup>168</sup>, in which the author writes about the findings from her investigation of women journalists and reporters in the media. Lastly, the 2012 book *Gender and Popular Culture*<sup>169</sup> examines the role of popular culture in the construction of gendered identities in contemporary society drawing on a range of popular cultural forms to illustrate how femininity and masculinity are produced, represented and consumed.

## 1.2. Relevant examples of legislations outside the EU

Vigilance of advertising in many countries falls under the responsibility of self-regulatory bodies, created by the advertising industry to comply with national laws ruling on the sector. These organizations are usually composed of advertisers, advertising agencies and media outlets with the scope of protecting their interests and avoid direct government censorship of their publicity messages.

In order to achieve this goal, the advertising self – regulatory bodies create and uphold a code of conduct ruling on advertising messages in relation to fair competition, information about products, protection of children and representation of social groups, including women/girls. It is worth noting that the codes of conduct of the advertising industries are aligned to the national legislation related to human rights, citizen rights, health, safety, and consumer protection.

The councils of these organizations work on several complementary activities, such as: a) the pre-clearing of new advertising messages before they are publicized, b) the handling of complaints about advertising practices filed both by audience members and by competitors, and c) the issuing of sanctions that could take the form of suspension of the offending messages.

According to the list compiled by the Conselho Nacional de Autorregulamentação Publicitária (Brazilian National Council for Self-Regulation in Advertising), in the world there are 42 advertising self-regulatory bodies, distributed in all five continents: 26 in Europe, 9 in America, 2 in Oceania, 4 in Asia and 1 in Africa<sup>170</sup>.

A review of a sample of 14 codes of conduct of advertising self-regulatory organizations outside Europe (United States and Malaysia codes were not accessible) allows for a general appraisal of the way gender representation and stereotyping is approached by advertising industries.

From the superficial review of each one of these 14 codes of organisations outside Europe, it is clear that all of them prohibit gender discrimination on a general level but only a few of them tackle specifically the protection of women/girls' harmful representation on media.

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<sup>168</sup> Cochrane, K. (4 December 2011).

<sup>169</sup> Milestone, K. (2012).

<sup>170</sup> See the map at: <http://www.conar.org.br>

### 1.2.1. United States of America

In the United States, the First Amendment of the Constitution protects freedom of speech. This provision is taken very seriously by the media industry, which is not regulated in any matter of content, excluding the monitoring of obscenity, indecency and profanity in broadcasting carried out by the Federal Communications Commission (FCC). The FCC may revoke a station license, impose a monetary forfeiture or issue a warning if a station airs obscene, indecent or profane material.<sup>171</sup> The definition of these terms can be found on the FCC official site but in them there is not concrete mention of women's portrayal in broadcast media (neither pay television nor print media are regulated on this matter).

Regarding advertising, the United States has also a body for self-regulation called the Advertising Self-Regulatory Council, part of the National Advertising Division, which has a main objective fostering "truth and accuracy in national advertising and adherence to industry standards".<sup>172</sup>

However, "the National Advertising Division (NAD) focuses on truthfulness and accuracy but not sex or decency. Complaints to the NAD are normally from competing advertisers, not consumers, and there is no online form that allows consumers to easily voice concerns."<sup>173</sup>

### 1.2.2. Canada

Throughout the history of Canadian media, women have been consistently under-represented in terms of employment and misrepresented in terms of portrayal. Increased female participation in media sectors is commonly linked to positive changes in the depiction of women. The 2009 UNESCO Report, "Global Report on the Status of Women in the News Media" provides a detailed section on the participation of women in Canadian journalism, on pages 159-163.<sup>174</sup>

The Canadian Radio-television and Telecommunications Commission (CRTC) is an "independent public organization that regulates and supervises the Canadian broadcasting and telecommunications systems". This organization strives to ensure that both the broadcasting and telecommunications systems serve the Canadian public.<sup>175</sup>

In 1979 the Canadian government developed a national action plan, "Towards Equality for Women". The goal of this initiative was to promote the equality of women in Canadian society and eliminate the social mechanics of traditional discrimination. In response to this, the CRTC announced the formation of a Task Force on 28 September 1979 "to develop guidelines to encourage the elimination of sex-role stereotyping in the broadcast media".<sup>176</sup>

The outcomes of this Task Force and current trends in related issues were discussed in Vancouver, British Columbia at the SexMoneyMedia Conference on 24 October 2010.<sup>177</sup>

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<sup>171</sup> Available at <http://www.fcc.gov/guides/obscenity-indecency-and-profanity> and available also at <http://transition.fcc.gov/eb/oip/>

<sup>172</sup> Available at <http://www.asrcreviews.org/supporting-advertising-industry-self-regulation/>

<sup>173</sup> Nelson, M. R., & Hye-Jin, P. (2008). Nudity of female and male models in primetime TV advertising across seven countries. *International Journal Of Advertising*, 27(5), 721.

<sup>174</sup> This report is available here: <http://iwmf.org/pdfs/IWMF-Global-Report.pdf>

<sup>175</sup> Their website is: <http://www.crtc.gc.ca/eng/home-accueil.htm>

<sup>176</sup> For more information, please see, "Public Notice: Policy on Sex-Role Stereotyping in the Broadcast Media" at <http://www.crtc.gc.ca/eng/archive/1986/pb86-351.htm>

<sup>177</sup> Please see the transcripts of the speech by Rita Cugini of the CRTC at: <http://www.crtc.gc.ca/eng/com200/2010/s101014.htm>

Various Canadian women's advocacy groups and organizations continue to focus their efforts on the protection of women's dignity and rights in the media, such as Media Action (<http://www.media-action-media.com>). Their 2011 Annual Report provides information, feedback, and criticisms of current trends in the depiction and participation of women in Canadian media.<sup>178</sup>

The organism that upholds the code of conduct for advertising in Canada is called Advertising Standards Canada – ASP. The Canadian Code of Advertising Standards was created by the advertising industry in 1963 and last updated in 2012. In its clause 14, the Canadian code talks about unacceptable depiction of groups and persons, and it states that advertisements must not: "(a) condone any form of personal discrimination, including that based upon race, national origin, religion, sex or age."<sup>179</sup>

Complementary to the code, Advertising Standards Canada proposes a series of very specific guidelines for gender portrayal, which are also used by the organism's councils to base their decisions regarding consumer complaints about advertising.

According to the ASP website: "Stereotyping Guidelines were originally developed by the CRTC (Canadian Radio-television and Telecommunications Commission) Task Force in Sex-role Stereotyping in the Broadcast Media in 1981. In 1981, Advertising Standards Canada (then the Canadian Advertising Foundation) took over the administration of the guidelines, on behalf of the industry, and extended their purview to all Canadian paid media. The Stereotyping Guidelines were revised in 1987, renamed the Gender Portrayal Guidelines and revised in 1993."<sup>180</sup>

The spirit of the guidelines regarding the stereotypes is well summarized in the interpretation guide that precedes them: "2. While the Guidelines pertain to both women and men, some clauses are particularly directed to the portrayal of women. Men and women are not at equal risk of being negatively portrayed and these Guidelines recognize that fact."

In summary, the guidelines posit both positive recommendations and prohibitions regarding the representation of men and women, focusing on the depiction of authority, decision-making, sexuality, violence, diversity and the use of language.

### 1.2.3. Australia

The Australian Association of National Advertisers Code, updated in 2012, on its section 2 contemplates provisions prohibiting discrimination on the bases of gender and specifies that: "2.2 Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people."<sup>181</sup>

Moreover, there are two other examples of Australian self-regulation of the media industry on the matter of women's representation: the Radio Code of Practice (updated in 2011), and the Television code of practice (registered in 2010). It should be noted that Australian

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<sup>178</sup> This report is available here: <http://www.media-action-media.com/wp-content/uploads/2011/12/Media-Action-Annual-Report-2011.pdf>

<sup>179</sup> Available at: <http://www.adstandards.com/en/Standards/canCodeOfAdStandards.aspx#unacceptable>

<sup>180</sup> The document can be consulted at: <http://www.adstandards.com/en/Standards/genderPortrayalGuidelines.aspx>

<sup>181</sup> Available at: [http://www.aana.com.au/data/Documents/Codes/AANACodeofEthics\\_1Jan2012.pdf](http://www.aana.com.au/data/Documents/Codes/AANACodeofEthics_1Jan2012.pdf)

media is required to create their own codes of practice and register them at the Australian Communications and Media Authority (ACMA) for revision and approval.<sup>182</sup>

The Radio Code of Practice includes as an appendix a set of guidelines and explanatory notes on the portrayal of women on commercial radio, in recognition of the fact that, as the code states it: "Women represent over 50% of the Australian population and as such there should be fair and accurate portrayal in the media that recognises the significant and ongoing changes in women's attitudes and their evolving role in society."

The guidelines of women's representations for the Australian radio include recommendations on the following categories: stereotyping, use of non-sexist language, preservation of women's dignity on reporting and "on-air" discussions, recognition of the changing roles of women and men in society, balanced use of men and women as experts and authorities, and finally, how to discuss about violence that affects women (including domestic assault).<sup>183</sup>

On the other hand, the Australian Television Code of Practice includes an Advisory Note titled: The portrayal of women and men, which states as its main objective: "to help reporters and program producers to understand and be responsive to the concerns of many people about how television portrays women and men." Similarly to the radio guidelines, this text also talks about the avoidance of stereotypes and sexist language, as well as "implying that a person is inferior because of his or her gender, or that either sex is naturally superior at certain tasks or in certain fields." It also promotes the recognition of women's participation in a diverse range of roles and the need to "achieve a better balance in the use of women and men as experts and authorities". Finally, it demands particular care when reporting instances of violence, particularly sexual assault.<sup>184</sup>

A final note on Australia's media self-regulation is the existence of the Guide for Managing Images of Children and Young People published in 2009 by the Australian Association of National Advertisers. This guide devotes its second section to instruct advertisers and marketers to ensure the respectful and dignified portrayal of children and young people, giving particular attention to the use of images, to partial nudity and to "c. ensure that images of children and young people are not sexually exploitative in nature, nor open to obvious misinterpretation and misuse."<sup>185</sup>

#### 1.2.4. Latin America

There are organisms of self-regulation for advertisement in the following Latin American countries: Argentina, Brasil, Chile, Colombia, El Salvador, Mexico, Peru and Uruguay. Since 2008, all of these bodies are organized in a network called CONARED.

All the Latin American codes of advertising ethics include at least an article that forbids the discrimination by reason of sex. However, they do not have specific provisions for the protection of women's representation of advertisement, with exception from the code from El Salvador, which dictates on the Chapter 3, Article 9: "The participation of women in

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<sup>182</sup> Available at: [http://www.acma.gov.au/WEB/STANDARD/pc=PC\\_90078](http://www.acma.gov.au/WEB/STANDARD/pc=PC_90078)

<sup>183</sup> Document available at: <http://www.commercialradio.com.au/files/uploaded/file/Commercial%20Radio%20Codes%20&%20Guidelines%20%205%20September%202011.pdf>

<sup>184</sup> See the document available: [http://www.freetv.com.au/media/Code\\_of\\_Practice/2010\\_Commercial\\_Television\\_Industry\\_Code\\_of\\_Practice.pdf](http://www.freetv.com.au/media/Code_of_Practice/2010_Commercial_Television_Industry_Code_of_Practice.pdf)

<sup>185</sup> See the document available: [http://www.aana.com.au/data/Documents/Codes/AANAPracticeGuide-ManagingImagesofChildrenandYoungPeople\\_FinalOct2009.pdf](http://www.aana.com.au/data/Documents/Codes/AANAPracticeGuide-ManagingImagesofChildrenandYoungPeople_FinalOct2009.pdf)

advertising announcements in general, must respect her integrity. The respectful use of sensuality in advertising is allowed. However, it will be not allowed the use of women, taking advantage of her body with the sole purpose of connecting her sexuality with products and services not related to it."<sup>186</sup>

The other two interesting cases regarding the protection of women's depiction in the media are Argentina and Mexico.

In Argentina, the association of advertisers is called "Consejo de Autorregulación Publicitaria – CONARP" (Council for Self-Regulation in Advertisement). The CONARP has a code of conduct that, in accordance with the other Latin American codes of ethics, forbids sexual discrimination. However, it declares on its first article that all publicity must be compliant with the "Ley de Protección Integral a las Mujeres" (Law of Integral Protection of Women), a national legislation created in 2009 specifically to fight discrimination and to prevent the violence against women in Argentina.

Regarding mass media, the Law of Integral Protection of Women states on the article 11.8 that the Ministry of Communication of the Nation has to fight the violence about women through permanent media campaigns and includes two provisions specifically for the media: "c) Provide training to media professionals regarding the violence against women; [and] d) Promote the elimination of sexism on information [...]".<sup>187</sup>

Mexico also approved in 2007 a law to protect women against violence, the "Ley General de Acceso de las Mujeres a una Vida Libre de Violencia" (General Law of Women's Access to a Life Free of Violence), which was updated in January 2013. This legislation includes provisions specifically targeting mass media. In its article 38, section VIII states that the program to prevent violence against women shall watch over media so they will "avoid promoting violence against women and instead favour the eradication of every kind of violence, to strengthen the respect of human rights and women dignity." In addition, on its article 42, section X it gives the power to the ministry of the interior promote norms for the mass media to "... favour the eradication of all kinds of violence and to strengthen the dignity and respect towards women". In a reform to this article approved in 2011, the law also gives the power to the ministry of the interior "to sanction according to the law those mass media companies that do not abide to the previous section".<sup>188</sup>

This recent legislation in the country has generated awareness among the media companies regarding the topic of women representation. A good example is the code of self – regulation created in 2008 by Television Azteca, one of the two media conglomerates in the country, in which there are sections devoted to gender equality, avoidance of stereotypical representation of women, depiction of violence, and the company's plea to "denounce machismo in all its manifestations" (Section 10, Article 17).<sup>189</sup>

A final note on the Mexican approach to women representation on the mass media is the work of the Instituto Nacional de las Mujeres – INMUJERES, the public organism than since 2001 is in charge of promoting gender equality, fighting discrimination against women and guaranteeing the full respect of women's political and human rights in the country. The INMUJERES has a media watch site where it receives both complaints about discriminatory advertising and praise about advertising that contributes to gender equality. From 2006 onward, the INMUJERES grants the Award for the Equality in Media "Esperanza Brito" to all

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<sup>186</sup> Available at: [http://www.cnp.org.sv/library/2008352323\\_20111010085918.pdf](http://www.cnp.org.sv/library/2008352323_20111010085918.pdf)

<sup>187</sup> Available at: [http://www.oas.org/dil/esp/Ley\\_de\\_Proteccion\\_Integral\\_de\\_Mujeres\\_Argentina.pdf](http://www.oas.org/dil/esp/Ley_de_Proteccion_Integral_de_Mujeres_Argentina.pdf)

<sup>188</sup> Available at: <http://www.diputados.gob.mx/LeyesBiblio/pdf/LGAMVLV.pdf>

<sup>189</sup> Available at: [http://www.fundacionazteca.org/documents/ES/Codigo\\_autorregulacion\\_12nov08.pdf](http://www.fundacionazteca.org/documents/ES/Codigo_autorregulacion_12nov08.pdf)

those communication products that contribute to the elimination of the stereotypes of women and men, as well as to the efforts that promote and foster cultural change so that men and women live in equality of opportunities.<sup>190</sup>

### 1.3. Overview of the recent initiatives promoted at European level

The **Council of Europe** issued two Recommendations: in 2002 'The image of women in the media'<sup>191</sup> in which it was highlighted that still the women's image in the media all too frequently remains a negative one, and continues to be stereotyped, sexist and frequently present women as sex objects; in 2007 the "The image of women in advertising"<sup>192</sup> where the negative images and representations of women in advertising were indicated as a persistent problem that affects women's and girls' dignity and health and there was a call to national institutions to prompt the media, advertising included, to disseminate positive, balanced, responsible and diversified representations of the images and roles of women and men, while fully respecting the independence of the media and freedom of expression.

In 2006 the non-legally binding recommendation of the **European Parliament** and the **European Council** on the 'Protection of minors and human dignity in audiovisual and information services' was issued. It called for establishing effective cooperation across the Member States, the industry and other interested parties as regards the protection of minors and human dignity in the broadcasting and Internet services sectors<sup>193</sup> It clearly states that "a diversified and realistic picture of the skills and potential of men and women in society" should be promoted.

In 2008 the **Council of the European Union** adopted the Conclusions on Eliminating Gender Stereotypes in Society<sup>194</sup> where the Council encouraged: the **European Institute for Gender Equality** and the different national gender equality bodies to promote research, studies and analysis to further examine the effect that gender stereotypes have on efforts to achieve real gender equality; the Member States to promote gender-sensitive, empowering educational and training processes and teaching materials. The Council calls on the Member states and the **European Commission** to reinforce the effective implementation and monitoring of their gender mainstreaming strategies and the promotion of specific actions to eliminate gender stereotypes in education and culture, training, vocational guidance, and on the labour market; to strengthen the gender perspective and to promote the elimination of gender stereotypes in youth policies and programmes at all levels; to continue and strengthen an active cooperation with the social partners and other stakeholders in order to reduce gender segregation and gender gaps on the labour market; to promote, through appropriate institutions, awareness-raising campaigns and the exchange of good practices on combating gender stereotypes and the advancement of the realistic and non-discriminatory portrayal of girls/women and boys/men in the media.

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<sup>190</sup> Observatorio de los Medios de Comunicación <http://observatoriomedios.inmujeres.gob.mx/>

<sup>191</sup> Recommendation N 1555 (2002) available at: <http://assembly.coe.int/Documents/AdoptedText/ta02/EREC1555.HTM>

<sup>192</sup> Available at <https://wcd.coe.int/ViewDoc.jsp?Ref=CM/AS%282008%29Rec1799&Language=lanEnglish&Ver=final>

<sup>193</sup> Recommendation 2006/952/EC of the European Parliament and of the Council of 20 December on the protection of minors and human dignity and on the right of reply in relation to the competitiveness of the European audiovisual and on-line information services industry. It was published on the Official Journal L 378 of 27.12.2006. Available at: [http://europa.eu/legislation\\_summaries/audiovisual\\_and\\_media/l24030a\\_en.htm](http://europa.eu/legislation_summaries/audiovisual_and_media/l24030a_en.htm)

<sup>194</sup> Adopted on 9 June 2008, the document is available at: [http://www.eu2008.si/en/News\\_and\\_Documents/Council\\_Conclusions/June/0609\\_EPSCO-Gender.pdf](http://www.eu2008.si/en/News_and_Documents/Council_Conclusions/June/0609_EPSCO-Gender.pdf)

In 2008 the **European Parliament** (following a report adopted by the **Committee on Women's Rights and Gender Equality**) adopted a resolution on "How marketing and advertising affect equality between women and men"<sup>195</sup>. The resolution at points 1, 2, 3 "emphasises the importance of giving women and men the same opportunities to develop as individuals; notes the continued widespread existence of male and female stereotypes despite various Community programmes to promote gender equality; notes that further research would help to elucidate any link between gender stereotyping in advertising and gender inequality". With that resolution, the Committee on Women's Rights and Gender Equality "calls on the Council and Commission to monitor the implementation of existing provisions of Community law on sex discrimination and incitement to hatred on the grounds of sex" (point 7). It should be highlighted that the resolution makes an explicit reference to gender stereotypes and childhood by "stressing that stereotypes in advertising on children's television programmes are a particular problem because of their potential impact on gender socialisation and, subsequently, children's views of themselves, of their family members and of the outside world" (point 10) and by drawing "attention in particular to the need to eliminate from textbooks, toys, video and computer games, the internet and the new information and communications technologies (ICTs), and from advertising through different types of media messages which are contrary to human dignity and which convey gender stereotypes" (point 14). More in general, on gender stereotypes the resolution notes "the need to conduct continuous training for and in collaboration with media professionals, and awareness training for society on the negative effects of gender stereotypes" (point 16). To this aim it calls out for the need for "positive examples (from a gender perspective) in the media and advertising world to show that change is possible and desirable" (point 22). Finally the resolution "calls on the Member States to ensure by appropriate means that marketing and advertising guarantee respect for human dignity and the integrity of the person, are neither directly nor indirectly discriminatory nor contain any incitement to hatred based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, and do not contain material which, judged in its context, sanctions, promotes or glamorises violence against women" (point 19).

The Report from the Swedish Presidency of the **Council of the European Union** in 2009 on the BPfA implementation<sup>196</sup> highlighted that the field has been addressed by the EU institutions and presented the main actions taken. In the Commission's Report on equality between women and men of 2008<sup>197</sup> the need for Member States to step up efforts to tackle stereotypes in education, employment and the media was identified. On 15 May 2007, Germany, Portugal and Slovenia signed a Trio Presidency Declaration on the promotion of gender equality in the **European Union**, identifying the elimination of gender stereotypes as the connecting theme of the gender equality work undertaken by the Trio Presidency. Also, the challenges faced by women and men in response to changing the gender role models was one of the key issues addressed at the Informal Meeting of Ministers of Gender Equality and Family Affairs under Germany's Presidency in May 2007. A European expert conference on 'Entrepreneurship and Employability – Gender Stereotypes' was organised by Portugal's Presidency in 2007, and a Europe-wide conference entitled 'Elimination of Gender Stereotypes – Mission (Im)Possible?' was organised by Slovenia's Presidency in January 2008. The Czech Republic's Presidency pursued the debate on this issue and also organised a European expert conference on "New ways in overcoming gender stereotypes". In May 2008, the Council adopted conclusions on "Eliminating Gender

<sup>195</sup> Adopted on 3 September 2008. The text is available at:  
<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2008-0401&language=EN&ring=A6-2008-0199>

<sup>196</sup> Available at <http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta07/EREC1799.htm>

<sup>197</sup> See the document available at:  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52008DC0760:EN:NOT>

Stereotypes in Society” in which it concluded that the media, including the advertising industry, contributed to the reproduction of culturally transmitted stereotypes and images of women and men. Therefore, the Council concluded, it was necessary to develop critical media education in schools, and, while taking into account the freedom of expression of the media, to establish a dialogue with the media on the harmful effects of negative gender stereotypes on the self-perception of young people and on their perceptions of gender roles and relations in society. The media was also described as having an important role to play in combating gender stereotypes and in promoting a non-discriminatory and realistic portrayal of girls/women and boys/men in society.

The attention from the **European Parliament** to the issue of women’s and girls’ representation on the media has been high. In 2010 the **European Parliament** adopted the Audiovisual Media Service Directive<sup>198</sup>, which is the only legally binding act at EU level on these issues<sup>199</sup>. Its article 6 states that “Member States shall ensure by appropriate means that audiovisual media services provided by media service providers under their jurisdiction do not contain any incitement to hatred based on race, sex, religion or nationality”.

This is an issue, for instance, with channels that endorse violence against individuals or groups as the solution to social or political conflicts. However, this has to be balanced against the democratic right to free speech. Because banning a television channel outright is such a radical move, it must remain a last resort. Indeed, during the over 20-year old history of the EU's TV directive, this has happened only a very few times, and so far only to services from outside the EU.

More explicitly from a gender equality point of view, the Directive prohibits discrimination based on sex (among the others) in television adverts and other audiovisual communications by stating in art. 9 that “Member States shall ensure that audiovisual commercial communications provided by media service providers under their jurisdiction comply” among the others with the following requirement “(c) audiovisual commercial communications shall not:

- (i) Prejudice respect for human dignity;
- (ii) Include or promote any discrimination based on sex, racial or ethnic origin, nationality, religion or belief, disability, age or sexual orientation”.

Furthermore, in article 4 paragraph 7 it encourages self- regulation of the stakeholders and co-regulation at State level by asserting that “Member States shall encourage co-regulation and/or self-regulatory regimes at national level in the fields coordinated by this Directive to the extent permitted by their legal systems. These regimes shall be such that they are broadly accepted by the main stakeholders in the Member States concerned and provide for effective enforcement”.

More generally, high attention to the issue by European institutions is demonstrated by the “Roadmap for Gender Equality 2006-2010”,<sup>200</sup> that builds on the “Strategy for equality

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<sup>198</sup> The Directive is available at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:095:0001:01:EN:HTML>

<sup>199</sup> More details on the Audiovisual Media Service Directive can be found at:

[http://ec.europa.eu/avpolicy/reg/tvwf/index\\_en.htm](http://ec.europa.eu/avpolicy/reg/tvwf/index_en.htm)

<sup>200</sup> See the document available at:

[http://europa.eu/legislation\\_summaries/employment\\_and\\_social\\_policy/equality\\_between\\_men\\_and\\_women/c10404\\_en.htm](http://europa.eu/legislation_summaries/employment_and_social_policy/equality_between_men_and_women/c10404_en.htm)

between women and men"<sup>201</sup>. In the former, the "fact that the media continue to convey gender stereotypes was acknowledged and there was a call for a regular dialogue between the authorities and the stakeholders involved"<sup>202</sup> within the more general objective of "the elimination of gender stereotypes"; this aim had to be achieved by a regular dialogue between the authorities and the stakeholders involved. In the latter, it was stressed that "rigid gender roles can hamper individual choices and restrict the potential of both women and men; promotes non-discriminatory gender roles in all areas of life such as education, career choices, employment and sport is thus an essential contribution towards gender equality" and called for "promoting good practice on gender roles in youth, education, culture and sport".

Two recent initiatives taken in June 2012 by Members of the **European Parliament** have to be signalled.

- The first initiative refers to a hearing hosted by the European Parliament in views of the preparation of a report on "Sexualisation of young girls". The report prepared by Ms Skrzydlewska shows 'how the portrayal of young girls in the media is feeding a dangerous trend which contributes to gender inequalities and violence against women'. The report was presented to the Committee on Women's Rights and Gender Equality in October 2012, but it was rejected. The issue has not been retained in the work programme for 2013.
- The second initiative is the report on "Eliminating gender stereotypes in the EU", (Rapporteur Ms Liotard)<sup>203</sup>. The draft report was presented to the Committee on Women's Rights and Gender Equality on 20 June 2012 and the discussion of the amendments started on 20 September 2012. Once approved by the Committee on Women's Rights and Gender Equality, the report was discussed in the Plenary session on 6 December 2012 and approved on 12 March 2013. The approved report calls for a stronger commitment of all European Institutions involved (the European Parliament, the European Commission, the European Institute for Gender Equality) in eliminating gender stereotypes and stereotyping in legislation on social security, education and life-long learning, employment (with reference to the occupational segregation and the gender pay gap phenomena, which in turn are related to poverty among women especially elderly women) and in the media (with particular reference to television broadcasting marketing and advertisement). The report also calls for more research on the phenomenon of stereotyping.

EU Member States have adopted different regulatory frameworks in this field<sup>204</sup> in this study a more in-depth review touching upon different media content will be provided.

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<sup>201</sup> The document is available at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0491:FIN:EN:DOC>

<sup>202</sup> The Roadmap aims at the "Elimination of gender stereotypes in the media", because it acknowledged that "the media have a crucial role to play in combating gender stereotypes" by "presenting a realistic picture of the skills and potential of women and men in modern society and avoid portraying them in a degrading and offensive manner. Dialogue with stakeholders and awareness-raising campaigns should be promoted at all levels".

<sup>203</sup> Documentation available at:

<http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2012/2116%28INI%29&l=en#documentGateway>

<sup>204</sup> In January 2012, a special number of the EP Library Briefing was devoted to women gender equality and in advertisement it well summarised the main policy debate on tackling the issue of gender stereotypes and the media in general in Member States. The document "The image of women in advertising, Main elements of the regulatory framework" is available at:

[http://www.europarl.europa.eu/RegData/bibliotheque/briefing/2012/120255/LDM\\_BRI%282012%29120255\\_R EV1\\_EN.pdf](http://www.europarl.europa.eu/RegData/bibliotheque/briefing/2012/120255/LDM_BRI%282012%29120255_R EV1_EN.pdf)

It should be highlighted that these initiatives at EU level were not isolated but that they hinged upon a widespread attention among other international institutions.

The United Nations for instance considered the media issues in relation to gender stereotypes in the Beijing Platform for Action and started the Global Media Monitoring Project in 1995 with the aim of assessing the content of the media from a gender perspective all over the world.

Summing up, media play a very important role in perpetuating existing gender stereotypes, as it is generally acknowledged in the media literature. In order to promote a more balanced vision of women and men (boys and girls) in the media, there are different actions that might be taken by National institutions:

- “Fully” implementing at the national level the existing legislation at EU level<sup>205</sup>, more specifically the directive on the Audiovisual Media Services<sup>206</sup> that prohibits discrimination based on sex, racial or ethnic origin, nationality, religion or belief, disability, age or sexual orientation in commercial communications whether linear (broadcast) or non-linear (video-on-demand), and monitor implementation of the legislation;
- Promoting gender-sensitivity among media professionals and media audiences on the issues of how women and girls are represented on the media including the lack of women among experts interviewed in news, news programmes, advertisement and documentaries and more specifically women as professionals and athletes;
- Where there is no specific legislation at national level EU institutions may promote media-watch authorities with gender equality specific competencies in news, advertising and broadcasting sectors to ensure that there are codes of conduct of media professionals associations that include a gender equality perspective;
- Organisations of media professionals may assume codes of conduct and regularly monitor the media content;
- Media raising awareness campaigns should be enacted involving media professionals, academic experts and women’s NGOs organizing training, seminars, campaigns, national prizes etc.

#### **1.4. Mapping of the Primary Stakeholders at Member States’ Level**

In order to map the relevant stakeholders in all the Member States, we focused on the four most relevant categories for the purpose of this study.

Two of these categories are ‘general’ and include relevant stakeholders in the field of media, advertising and journalism:

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<sup>205</sup> The December 2004 Council Directive implementing the principle of equal treatment between men and women in the access to and supply of goods and services specifically excluded its application to the ‘content of media or advertising’ available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:373:0037:0043:EN:PDF>  
However the Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007, explicitly refers to it.

<sup>206</sup> More specifically the Directive states in Article 2 paragraph 4 (a), Article 3b, Article 3e (c). Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities, available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32007L0065:en:NOT>

- Authorities competent for media and communication;
- Media Industry associations (including industry professionals and unions).

The other two categories of stakeholders whose activity more specifically focuses on gender issues:

- Gender equality bodies/Ministries of Equal Opportunities;
- Women's NGOs.

#### 1.4.1. Competent authorities for media and communication

Competent Authorities for media and communication are regulatory bodies on media services. As one of the goals of this study was to check how many EU Member States have implemented the EU Audiovisual Media Services Directive, our stakeholders' selection focused on bodies that are in charge of audiovisual matters. All in all, this category includes 35 stakeholders.

#### 1.4.2. Media Industry Associations

Concerning the Media Industry associations, this category included unions of media workers from different sectors (Publishers, Journalists, Radio and TV operators, etc.), media industry associations as well as professional associations. Special attention has been paid in selecting associations of female media professionals (e.g. French Association for Women Journalists, Romanian ARIADNA-Association for Women Journalists). This category comprises 75 stakeholders.

#### 1.4.3. The gender equality bodies/ ministries of Equal opportunities

The 'gender equality bodies/Ministries of Equal opportunities' category includes governmental bodies that belong to different Ministries (Equal Opportunities Departments/Commissions/Offices, Commissions for protection against discrimination) and State/National/Regional Institutes and Observatories for gender equality. All in all, the stakeholders in this category are 31.

#### 1.4.4. Women's NGOs

Finally, as to the women's NGOs, our selection focused on those whose activities (also) involved the media and communication field (e.g. information and communication projects/networks focusing on gender issues; associations aimed at promoting women's access to expression in the media; independent observatories on the representation of women in the media). These total led 37. It is important to highlight that, given their typologies, the stakeholders included in this category mainly 'produced' practices and tools that were not consistent with the purpose of this study, such as gender-training and awareness-raising initiatives aimed at media professionals, monitoring projects on the representation of gender issues in the media, database of female experts/professionals to be contacted by media professionals, and so on. We nevertheless decided to include these stakeholders in our mapping in order to increase our chances to find relevant practices, such as handbooks and guidelines on the representations of gender and gender issues in the media. These were included in the 'Codes of conduct and Protocols' typology of this study (see Chapter 2).

In total, the mapping resulted in 178 stakeholders. In **Annex A**, a table containing the complete list of primary stakeholders in the field is included.

## 2. CRITICAL OVERVIEW OF THE REGULATORY ACTS IN EU 27 MEMBER STATES

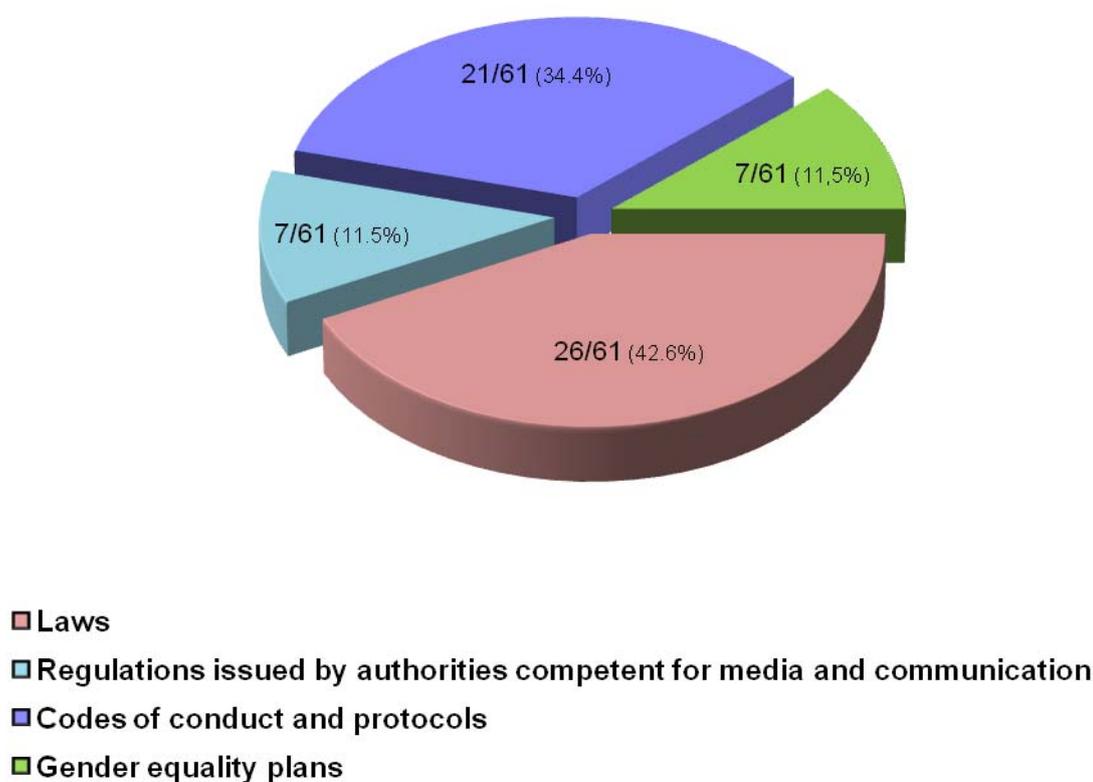
### KEY FINDINGS

- The most relevant report on the situation of regulatory acts and policies with a gender relevance enacted in the EU 27 Member States is the regional 15-year review of the Beijing Platform for Action<sup>207</sup>.
- The present study individuated **61 regulatory acts and policies** with a gender and media relevance enacted in the EU 27 Member States (Figure 1 shows the distribution of the collected regulatory acts in EU Member states by type; Table 1 contains the distribution of the collected regulatory acts in member states by type and sub-type).
- Relevant **laws** that have been individuated are 26, and the majority of them (21/26) are sectoral regulations specifically regulating the media sector (15) or the advertising sector (5) plus 1 on the wider marketing sector. The remaining 4 are laws aimed at protecting against discrimination and/or to foster gender equality.
- There are 7 **regulations issued by authorities competent for media and communication** with gender relevance. They belong to the areas of broadcasting (5) and advertising (2).
- Both laws and regulations are **legally binding** (fines and the suspension of advertising/broadcast content being the punishment for non-compliance).
- The most widespread weakness of these regulatory acts consists in the **lack of a strong gender perspective** and sensitivity in the monitoring activity carried out by the appointed authorities/institutions and/or in their content (no specific provisions on women's representation in media other than the generic stigmatisation of 'discrimination on the grounds of sex/gender').
- 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.

<sup>207</sup> In 2012 the topic has been tackled in an issue of the EP Library Briefing. The document is available at: [http://www.europarl.europa.eu/RegData/bibliotheque/briefing/2012/120255/LDM\\_BRI%282012%29120255\\_R EV1\\_EN.pdf](http://www.europarl.europa.eu/RegData/bibliotheque/briefing/2012/120255/LDM_BRI%282012%29120255_R EV1_EN.pdf)

- 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.
- All European Member States have implemented the **2010/13/UE Audiovisual Media Services Directive**.

**Figure 1: Regulatory acts collected in EU Member States by type**



Source: Authors' calculation from collected data for the purpose of the study.

## 2.1. Regulatory acts in EU 27 Member States

### 2.1.1. State of the art: previous reports on the situation in the EU 27 Member States in relation to women's and girls' representations on the media

The most relevant report on the situation of regulatory acts and policies with a gender relevance enacted in the EU 27 Member States is the regional 15-year review of the Beijing Platform for Action (henceforth BPfA; see Annex B for further details) carried out by the

United Nations Economic and Social Council Economic Commission for Europe dating back to 2009. It anticipated the Regional Review of Progress in Europe in preparation of the global review which took place at its annual session in March 2010<sup>208</sup>.

The overall assessment for the regional 15-year review of the BPfA, which was also included in the BPfA Report of the **Swedish Presidency of the European Council** published in 2009<sup>209</sup>, highlighted that progress had been made to enhance the position of women in the media and to overcome the usual stereotypes in all European countries and in the **European Union**. Policy responses in Member States ranged from legislation dealing with prohibitions to portray women in humiliating situations or discriminatory advertising (Estonia), to guidelines and codes for UNECE/AC.28/2009/3 broadcasting media (Bulgaria, United Kingdom), and commissions and self-regulating bodies monitoring the presence of gender stereotypes (France, Luxembourg, The Netherlands, Romania).

The Flemish Authority of Belgium set up a media database of expert women for journalists and media professionals makers while the Estonian Journalists Union's Female Editors Association was established to promote co-operation among female journalists.

Legal enactments on the prohibition of advertisements with pornographic content or for services provided for the satisfaction of sexual desire, including prostitution, were adopted in some Member States (Estonia and Lithuania).

Almost all countries used the media as a tool to raise public awareness on gender issues (Czech Republic), in particular violence against women (Italy, Slovakia), or to disseminate information on projects on gender equality (Poland).

In Hungary an annual report of the National Radio and Television Commission used to examine the ratio of the two sexes in the programmes of the national broadcasters (news and background information, and other programmes), now it is not drafted anymore. Sharp differences were recorded in favour of men.

In Portugal and Greece, media prizes were established to promote a balanced and non-stereotypical image of women and men in the media.

In some Member States (Lithuania for instance), sport and women in the media were targeted in a specific project that explored similarities and differences in the representation of women and men in sports, to promote change in the gendered stereotypes in sports, to educate persons influential in the field of forming women's and men's image in sport, and to develop training material for sport reporters, trainers and coaches on the representation of women and men in sports, and so forth.

In Estonia and Latvia, research projects were initiated on the portrayal of women in the media, including female politicians to raise awareness on the part of media practitioners,

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<sup>208</sup> The document presented in Geneva on 24 August 2009 is available at: [http://www.unece.org/fileadmin/DAM/Gender/documents/Beijing+15/Item3\\_Regional%20synthesis-English.pdf](http://www.unece.org/fileadmin/DAM/Gender/documents/Beijing+15/Item3_Regional%20synthesis-English.pdf)

In addition, on January 2012 a special number of the EP Library Briefing on the women's image has been issued, it specifically concerns the women's image in advertising: the document title is "The image of women in advertising, Main elements of the regulatory framework". It is available at:

[http://www.europarl.europa.eu/RegData/bibliotheque/briefing/2012/120255/LDM\\_BRI%282012%29120255\\_EV1\\_EN.pdf](http://www.europarl.europa.eu/RegData/bibliotheque/briefing/2012/120255/LDM_BRI%282012%29120255_EV1_EN.pdf)

This special number of the EP Library Briefing well summarised the main policy debate on tackling the issue of gender stereotypes and the media in general.

<sup>209</sup> Available at: <http://ec.europa.eu/social/BlobServlet?docId=4336&langId=en>

policy makers and general society regarding existing gender stereotypes that prevent full and equal representation of and participation by both sexes in decision-making.

In Spain, the 'Observatorio de la Imagen de las Mujeres' (a specific institute) used to conduct yearly studies on advertisement and come up with recommendations to publishers who disseminate discriminatory material on how to modify or change their campaigns in a more gender sensitive way. In addition, several instruments were enacted against the discriminatory portrayal of women in media, and a Commission on the Portrayal of Women in Mass Media and Advertisement was set up. A Strategic plan for Gender Equality also listed five objectives in order to achieve gender equality within the field of media: the portrayal of women as active subjects, the proliferation of non-sexist pictures in mass media and advertisement, the promotion of role models, and assisting public and private media to live up to the goals listed in the gender equality law. Similarly, a Commission was established in France to reflect upon the portrayal of women in the media. Not only women were under-represented in the media, the French report noted, but they were also frequently presented in a gender stereotyped way.

The training of journalists and communication experts was highlighted in many reports, including those from Hungary and Bulgaria. In the Finnish report<sup>210</sup>, a training toolkit referred to as "Screening Gender" was a co-production among five public service broadcasting organisations in the Netherlands, Norway, Sweden, Finland and Germany. This kit contained tools designed to provide insight into gender and gender portrayal on television.

### 2.1.2. Regulatory acts in EU 27 Member States

The aim of this section is to present an overview of the regulatory acts existing in the Member States, governing the coverage of women (girls) in the media and advertisement campaigns and therefore safeguarding gender equality. The current situation in EU 27 Member States is discussed by presenting and analyzing the existing Regulatory Acts:

- Laws/legislation approved by national governments;
- Regulations issued by authorities competent for media and communication (if any);
- Codes of conduct and Protocols of professional associations (for journalism and for the advertisement industry) or internal codes of important media industries (protocols, agreements);
- References to the media sector included in Gender Equality Plans.

Regulatory acts have been collected at the national level using a Regulatory act analysis fiche (see Annex C) specifically designed for this purpose. Furthermore, the impact of the Directive 2010/13/UE on national legislations is also assessed by devoting special attention to the Regulatory acts that have been approved after the Directive entered into force.

Collected information at Member States' level regards not only the presence of regulatory acts, but also if and to what extent they are implemented and possibly the discussion on the weaknesses and potential improvement elements.

The Regulatory act analysis fiche presents the intervention strategy that is the rationale of the Regulatory act and the intervention logic of the Regulatory act.

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<sup>210</sup> In the Report presented to ENECE by Finland this is mentioned. The report is available at <http://www.unece.org/fileadmin/DAM/Gender/documents/Beijing+15/Finland.pdf>

- The rationale of the regulatory act refers to the challenge that is addressed by the act. During the evaluation, the main points of the rationale should be highlighted or reformulated if the programming documents lack precision.
- The intervention logic of the regulatory act identifies the activities, outputs, results and different levels of expected impacts. The reconstruction of the intervention logic clarifies the expected impacts and therefore explains which evaluation questions are to be asked.

The present study was able to individuate 61 regulatory acts and policies with a gender relevance enacted in the EU 27 Member States. Of these, 26 fall in the typology of Laws/Legislation; 7 are Regulations issued by authorities competent for media and communication; 21 are Codes of Conduct/Protocols and 7 are gender Equality Plans.

The most part of these regulatory acts/policies were issued by public subjects (46 ) while 15 were issued by private subjects.

Again, 15 address all media and communications forms; 17 specifically regulate the broadcasting sector, and 4 regulate audiovisual media, while both print media and the Web/ICT technologies are the specific target of 1 act/policy each. The remaining 23 address advertising (these are laws or codes of conducts that either disciplining advertisement on specific media or referring to advertising in general).

These 61 regulatory acts/policies can also be classified according to other criteria. The first one can be named 'detering versus positive provisions'. The most part of the initiatives (56 out of 61) found in the EU Member States are 'detering' measures, that is, they contain provisions on prohibitions against gender discrimination and against media contents that are likely to encourage it (among them 13 include also measures encouraging a non-discriminatory behaviour). Only 5 offer just provisions that promote/encourage media representations or actions that can contribute to gender equality (for instance, the integration of a gender perspective in the media or awareness raising campaigns on gender equality issues addressing media professionals).

Another criterion that we propose to follow in describing the initiatives individuated by our fieldwork concern the degree of gender-specificity of their content. The most part of the regulatory acts (43) are quite generic, that is, they only address gender as one of the multiple expressions of 'diversity', along with ethnicity, nationality, disability, etc.: they prohibit gender-based discrimination (or promote gender equality) in media contents without making any reference to the specific and diverse aspects and manifestations that such discrimination takes on. On the contrary, a few regulatory acts (18) go beyond the generic formulation of 'discrimination on the ground of sex/gender' and the consequent stigmatization of contents/representations that are to be considered as harmful to women's dignity. These regulatory acts include specific examples of such contents/representations.

Generally speaking, gender stereotypes are explicitly mentioned in 19 out of 61 acts; representations supporting violence against women feature in 7 out of 61; exploitation of (female) body (e.g. in advertising) in 4/61, pornography in 3/61.

Almost all acts/policies (54 out of 61) foresee an authority that is responsible for their application. In some cases it receives complaints and in others it is appointed to take action against those who violate the policy provisions or do not conform to them.

Surveillance mechanisms on the side of relevant stakeholders are often envisaged.

'Punishments' are foreseen in 41 out of 61 policies only, but it is worth noting that different binding levels exist: media and communication products that are deemed inappropriate, harmful to women, and/or sexist etc. are punished with pecuniary penalties/fines in 28 cases; in 16 cases penalties also include (or include only) the banning of the media artefact itself. When the banning of the content is the only punishment foreseen, often this is not mandatory.

**Table 1: Regulatory acts collected in EU Member States by type and sub-type**

| TYPE OF REGULATORY ACT AND POLICY                                       | SUBTYPE   | NUMBER in the SUBTYPE | TOTAL NUMBER |
|---|---|-----------------------|--------------|
| Laws  | Regulations on the media sector                                       | 15                    | <b>26</b>    |
|   | Regulations on the advertising sector                                 | 5                     |              |
|   | Regulation on the marketing sector                                    | 1                     |              |
|   | Consumer protection act   | 1                     |              |
|   | Laws protecting against discrimination and /or foster gender equality | 4                     |              |
| Regulations issued by authorities competent for media and communication | Regulation on Broadcasting/audiovisual communication                  | 5                     | <b>7</b>     |
|   | Regulation on Advertising   | 2                     |              |
| Codes of conduct and protocols  | Advertising sector  | 13                    | <b>21</b>    |
|   | Broadcasting and news media   | 4                     |              |
|   | Printed media and internet  | 1                     |              |
|   | All forms of media and communication                                  | 3                     |              |
| Gender equality plans   | Action tools  | 6                     | <b>7</b>     |
|   | Long term organic   | 1                     |              |
| <b>Total</b>  |   |                       | <b>61</b>    |

Source: calculation from data collected in the present study.

### 2.1.3. Laws/Legislation

There are 26 laws relevant for the present study. They were found in Belgium (1), Bulgaria (2), Cyprus (1), Czech Republic (1), Denmark (1), Estonia (2), Finland (1), France (2), Greece (1), Hungary (1), Italy (1), Latvia (1), Lithuania (1), Malta (1), the Netherlands (1), Poland (1), Portugal (1), Slovenia (1), the Slovak Republic (2), Spain (2), Sweden (1). 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 discrimination and/or at fostering gender equality (Protection Against Discrimination Act, Bulgaria 2003; National Law to Protect against Gender based Violence, Spain, 2004; Article 10 of the Equality for Men and Women Act, Chapter 456 of the Laws of Malta, 2003; Equal Opportunities Law, France 2006).

Among the 15 laws addressing the media sector, 8 focus on radio and television, 4 on audiovisual media, and 3 on media in general.

All the laws contain provisions on prohibitions against gender discrimination and against media contents that are likely to encourage it; among them 5 contain also measures encouraging a non-discriminatory behaviour.

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. Explicit references, in all the cases, are made to the 'dignity of the human person', and when it comes to gender, this is only mentioned along with discriminations perpetrated on other grounds. For instance: 'advertising should be banned if it incites national, racial, religious, gender-related or social hatred and discrimination' (Law on Advertising, Lithuania, 2000); 'Contains any discrimination based on race, language, place of origin, religion or gender' (Code of Advertising, Portugal, 1990 amended by Law issued in 2010). In the realm of media-related laws, the very same expressions recur: 'Editors of audiovisual services are prohibited to disseminate messages that encourage racial hate, sexism, homophobia and negationism' (Coordinated Decree on audiovisual media services, Belgium, 2006); 'Media commercial communications shall not: violate freedom and equality in human dignity and rights; include or promote any discrimination on grounds of sex, race, colour, age, language, sexual orientation, disability, religion or belief, national or social origin, nationality or ethnic group' (Act No. 308 on Broadcasting and Retransmission, Slovak Republic, 2000).

On the contrary, positive examples of laws that better address and regulate the contents, forms and aesthetics of media products that are to be considered discriminatory or harmful to women's dignity are the two laws from Spain. Both of them will be described in detail in the chapter on best practices.

In any case, it is worth noting that also some of the laws addressing gender discrimination in generic terms were reported to be effective in contrasting inappropriate/offensive representations of women in media contents and advertising. An overall idea of the ways in which these laws are applied across Europe can be provided by the following cases: in Denmark, in 2007 the company JBS printed a series of ads for men's underwear showing nuns, nurses, secretaries and maids sniffing a pair of boxers, indicating that they had just

had sex with the owner. The Consumer ombudsperson judged this advertising 'sexist, demeaning to the professions and counterproductive to the women attempting to break stereotypes in the workplace'. The company withdraw the ads. Similarly, in Finland, a print advertisement by Diesel was deemed degrading and objectifying of women (KA 2005/40/6270) and the consumer ombudsman prohibited its dissemination; a Burlesque club advertisement that could be interpreted as a strip club ad was deemed inappropriate by the consumer ombudsman (KUV/1240/41/2010) and removed; in Lithuania, in 2009, advertising representing women as inferior to men accounted for 46 % of all complaints on the ground of gender received by the Office of Equal Opportunities Ombudsperson. In Spain, the latest available figures from the 2011 report on 29 violations for exposing unlawful actions in the media (including sexist and discriminatory) involved fines of € 417,664 (30% of total sanctions).

23 out of 26 laws can be considered as binding, as they involve a form of punishment. In all cases, the punishment consists of fines or pecuniary penalties being inflicted to those who breach the law. Only three laws do not provide any form of pecuniary punishment: the French Equal Opportunities Law, 2006; the French Law on audiovisual communication and the new television public service, 2009; the Danish Marketing law (in this case, the consumer ombudsperson receives and makes judgments regarding complaints from private citizens on stereotyping and discrimination in advertising; those judged inappropriate are suspended). A particularly important case is that of the 2004 Spanish National Law to Protect against Gender-based Violence, that entitles Governmental Delegations on Violence against Women, the Women's Institute or equivalent of each region, the Prosecution Ministry and women's associations to bring before the court advertisements inciting discriminatory behaviours towards women or images that are humiliating, degrading or offensive to them.

The bodies in charge of monitoring the application of the laws and/or that have the jurisdictional competence to decide upon complaints by affected subjects are Governmental bodies or authorities competent for media and communication (e.g. Higher Council for Audiovisual Media, National Council for Electronic Media, Radio and Television Independent Authority, etc.) in all cases but 4 (Marketing Law, Denmark: Consumer Ombudsperson; Advertising Act, Estonia: Consumer Protection Board; Consumer Protection Act, Finland: Consumer Ombudsperson; Law on Advertising, Lithuania: Office of the Equal Opportunities Ombudsperson, Association of Journalist Ethics; State Consumer Rights Protection Authority). In less than one fourth of the cases (6/26), authorities/institutions regulating the law content from a gender perspective are involved: these can be new formations, expressly instituted by the law, or already existing institutions (Gender Equality Bodies, women's associations or NGO) that are appointed to monitor the implementation and application of the law. Such authorities/institutions are: Commission for Protection against Discrimination (Protection against Discrimination Act, Bulgaria, 2003); Government Delegation on Violence against Women (National Law Against Gender-Based violence, Spain, 2004); Observatory for Diversity (Equal Opportunities Law, France, 2006); Commission for the Promotion of Equality (Article 10 of the Equality for Men and Women Act, Chapter 456 of the Laws of Malta). Examples of gender-sensitive institutions involved in the monitoring of the law are found in media or advertising laws as well: State Equality Body (Code of Advertising, Portugal, 2001); Office of the Equal Opportunities Ombudsperson (Law on Advertising, Lithuania, 2010). In other cases, the authority competent for media and communication in charge of monitoring the application of the law includes a gender issues expert group (for instance, the Council for Electronic Media, Radio and Television Act, Bulgaria, 2010) or is reported to pay special attention to sexist and discriminatory advertising (General Law on Audiovisual Communication, Spain, 2010).

The most significant weaknesses found in the existing laws concern:

- a) The lack of a gender perspective and sensitivity either in the formulation of laws (no specific texts and provisions on women's representation in media) or in the monitoring activity carried out by the appointed authorities/institutions;
- b) The lack of special institutions/authorities regulating or controlling and punishing media content from a gender perspective;
- c) The subjectivity of the judgments (some countries reported that many dismissed complaints were based on the idea that the objectification and sexualisation of women, and sometimes men, is increasingly common and accepted by society);
- d) The feeble power that monitoring authorities can exercise, due to their weak capacity to initiate their own investigations and to the lack of systematic monitoring activities.

#### 2.1.4. Regulations issued by authorities competent for media and communication

7 cases fall in this type of regulatory acts. Independent regulatory authorities issued acts and policies with gender relevance in only 5 out of 7 cases (in 4 Member States). The issuing institutions of these regulations belong to the two main areas of broadcasting/audiovisual communication and advertising: Italy's Authority for Communications Guarantees, Malta's Broadcasting Standard Authority, Broadcasting Authority of Ireland (BAI), National Radio and Television Council of Latvia, National Audiovisual Council of Romania on one side, Ireland's Advertising Standard Authority (ASAI) and the UK's Advertising Standard Authority (ASA) on the other side.

In 6 cases out of 7, these regulations contain provisions on prohibitions. On the contrary, Italian 'Guidelines on the content of obligations of the public broadcasting service', issued by AGCOM, only contain active measures, whereas in one case both deterring and active measures are found: this is the 'Guidelines on Gender Equality And Gender: Portrayal In The Broadcasting Media', issued by Malta's Broadcasting Authority, 2007 that provide examples of positive representations of women and femininity to be diffused by radio and TV broadcasters.

Along with the General Rules issued by the Irish Advertising Standard Authority (that have been selected as good practice and will be described in more details in the related chapter), the afore mentioned 'Guidelines' by Malta's Broadcasting Authority are the only two cases that go beyond a generic formulation of the issue of gender equality: besides the stigmatization of gender discrimination, gender stereotypes are mentioned and specific attention is given to the representations that are to be considered harmful to women's dignity

Independent Authorities are entitled to monitor the application of their regulations and this is the case in most of the examples provided. Punishment are foreseen in all the cases to the exception of the Italian guidelines issued by AGCOM; the typology of punishment these authorities are allowed to inflict consist of fines and pecuniary penalties in both Irish regulations, in those issued by the National Radio and Television Council of Latvia and in those by the National Audiovisual Council of Romania. Withdrawal/banning of the content is foreseen in UK and again in Ireland. Communications that have contravened the rules will also be suspended until investigation is complete. In British regulation, the ASA's rulings have become a transparent record of their policy on what is and is not acceptable in advertising. Rulings are published every Wednesday and remain on the website for five

years, although some may be available for longer if they are being used as advice materials for advertisers. In Irish regulation about broadcasting, any alleged breach of the Code is adjudicated upon by the Broadcasting Complaints Commission (BCC). Fines of up to €250,000 may be applied for failure to cooperate with an investigation by the BAI or for breaches to programming obligations or content-related provisions. A "serious or repeated failure by a broadcaster to comply with a requirement" will correspond to a breach that could warrant sanctions.

Finally, the Maltese guidelines seem to be the most binding ones, with infractions punished by law.

Drawing from the information collected in our country reports, the most significant weaknesses found in the aforementioned regulations may be resumed in the following points:

- a) The lack of a gender-perspective and sensitivity either in the regulation content (no specific texts and provisions on women's representation in media or in marketing communication) or in the monitoring activity carried out by the responsible authorities. Also, since monitoring the application of the regulation does not concern bodies regulating the content from a gender perspective, adverts or broadcast contents responsible for discrimination on the ground of sex, gender and sexual orientation may go amiss if they are not brought to the Authorities' attention by audience members or relevant stakeholders;
- b) The subjectivity of the judgments, particularly those on adverts that may not be to everyone's taste;
- c) The weak actual power that monitoring authorities can exercise due to their weak capacity of performing monitoring activities.

#### 2.1.5. Codes of conduct and Protocols

Besides the effective action of laws and regulations issued by authorities competent for media and communication, self-regulation is a system by which the media and advertising industry actively polices itself, seeking to protect both the freedom of expression and the agreement on basic general ethic principles of advertising.

The advertising industry is the most relevant sector in which self-regulation is established, with the presence of a self-regulation body in the majority of the EU countries. Some of them have issued rules and codes of conduct that have been reported for the purposes of this research.

Out of the 21 codes and protocols monitored, 13 regulate the advertising sector - Bulgaria, Czech Republic, Finland, France, Germany, Hungary, Italy (2), Luxemburg, Netherlands, Poland, Slovenia and Spain -, 4 of them regulate broadcasting and news media communication (Cyprus, the Czech Republic, Finland, and Slovenia), one regulates printed media and Internet (Germany), and 3 are dedicated to all forms of media and communication (Austria, France and Cyprus).

All of them present mostly a negative formulation, saying what media contents and advertising campaigns should not have in their messages or representations, following the same trend found in laws and regulatory acts.

The address of these codes is mainly generic, considering the discrimination on a gender basis as one of the possible occurrences of a discriminatory message, along with ethnicity, religion, nationality and so on. Only one third of codes (7 out of 21) go beyond the general address and mention specific gender-based discrimination in their rules. Those examples are: two codes of conduct issued in Slovenia (one on advertising practice and the other on ethical principles in broadcasting journalism); two in France (an Act of Commitment signed by different media publishers/groups and one 'Common Declaration on the Respect of Persons in Advertising'); one protocol issued in Austria, that applies to all media; one code issued in Luxembourg, and one in Italy, both on advertising. These seven, more specific codes pay special attention to the representations that are to be considered harmful to women's dignity. Some of them warn against the use of gender stereotypes (6/7), of representations supporting violence against women (2/7), of exploitation of (female) body (2/7).

16 out of 21 codes and protocols refer to a monitoring authority (jury, council, commission, chairman) which in the majority of cases is embedded in the same professional media association or self-regulatory body issuing the code. Hence, professional media organisations and associations are directly involved in monitoring and can start a procedure on a specific content; in some examples the examination is open to consumers' associations and individuals as a free-of-charge service (i.e. Finland's Code of advertising and marketing; Finland's Guidelines for journalists; Luxembourg's Code of ethics in advertising). Unfortunately, the monitoring authority is not always binding in its prescriptions: only in 12 (out of 21) cases the authorities contain measures to punish the authors of the offensive content/representations and in two cases only there are fines or financial penalties (Code of the Czech Television and Code of Conduct in advertising, Netherlands).

The resolution of a procedure for advertising codes of conduct mostly consists in the withdrawal of the offensive content and the suspension of the advertisement, followed by the publishing of annual reports with all the complaints filed (for instance: Spain's Advertising Self-Regulation Organization Code). As far as journalists' codes of conduct are concerned, the most severe punishment is a public reprimand, with an obligation of the medium responsible for the violation to report on it in the same medium (such as in the case of Germany's Press Council code), followed by a non-public reprimand (without reprint obligation to protect victims of the offensive content), followed by a disapproval and finally by a 'hint', that is, a non-binding advice.

Among the policies highlighted by the present study, only one could be classified as a protocol. It is the Austrian Manual on Gender Equal Media design - which came out from the pilot project on Gender Mainstreaming in the public relations of the Austrian Trade Union Federation (ÖGB) - that is intended to assist media workers in the gender-equal design of text, images, booklets etc. It presents the same weaknesses found in the previous examples (that is, it is not binding, as no punishments for non-compliance are foreseen).

#### 2.1.6. References to the media sector included in Gender Equality Plans

There are 7 national plans that promote gender equality coming from Belgium, Bulgaria, Greece, Hungary, Portugal, Slovenia and Spain. The first to be created was the Slovenian in 2005, followed by the one from Spain in 2007. The other five are fairly recent: two from 2010 (Greece and Hungary) and the three last ones from 2011 (Belgium, Bulgaria and Portugal). With the exception of Spain, a country that has developed a long-term organic law on the matter, these normative documents can be considered as action tools and thus

have a period of coverage that ranges from 8 years in the case of the Slovenian instrument (2005-2013) to the most common two or three years period for all of the rest.

All of these regulations share general objectives, since they aim at promoting gender equality and at contributing to politics of gender mainstreaming in their respective countries. Consequently, they cover a wide variety of topics such as equal access to the labour market for women and men, the promotion of diversity, the fight against domestic violence, the overall improvement of the position of women in the national societies, and women participation in culture and mass media.

If we focus on the sections related to media access and representation, the plans have particular characteristics. Six of them target the issue of female representation and access to media, with the exception of Belgium, whose plan only talks about policies regarding the fight against discrimination on a more general level. The following review of each document is in chronological order, according to the date of publication/approval:

1) In Slovenia, the Resolution on the National Programme for Equal Opportunities of Women and Men, 2005 – 2013 is a strategic document which sets the aims, measures and key stakeholders in achieving gender equality in various life fields within the given period between 2005 and 2013. The resolution lists 20 specific goals, which include “equal opportunities for men and women in culture and in the media”.

2) The third chapter of the Spanish Law for Gender Equality is entirely devoted to Equality and Mass Media. It contains a series of articles (Arts. 36-41) aimed at regulating the issue of gender on both public and private media ownership. The publicly owned media (such as EFE News Agency or RTVE) must ensure that women and men are represented equally in society, and promote the knowledge and dissemination of the principle of equality between women and men. The main objectives (especially for public media) are to show the presence of women in various fields of social life; to use non-sexist language; the creation and application of self-regulation codes of conduct with the aim of conveying the content of the principle of equality; the implementation of institutional campaigns aimed at promoting equality between women and men and to eradicate gender violence; as well as the promotion of the role of women into positions of management and professional responsibility. The law also includes provisions on advertising, which can be deemed illegal if it shows discriminatory conduct based on gender.

3) In the case of Greece, the regulation at this level is called National Program for Gender Equality in Media (2010-2013), and rules upon the collaboration of the General Secretariat for Gender Equality with the public Greek Radio and Television to work on the issue of female representation on media, particularly in the fight against stereotypes. This collaboration stresses the promotion of public debate and the joint production of television shows addressing issues such as gender stereotypes and images of violence against women. The General Secretariat for Gender Equality also works in collaboration with the control bodies of programs and advertising messages (Greek National Council for Radio and Television and Communication Control Council), to develop policy on female representation in advertising messages.

4) The Hungarian strategy is a detailed long-term programme for the promotion of gender equality and for the implementation of gender mainstreaming. The strategy discusses the objective of eliminating gender-based stereotypes in the media. The objectives contain the development of criteria to be included in legal regulations on the media and model media products in order to facilitate a sexism-free media; the increase of women's participation in a wide array of media reports in the public service media; the facilitation of media series

that promote gender equality and the involvement of the mass media organizations in abandoning harmful stereotypes, such as a romantic view of violence against women that perpetuates violent practices.

5) In Belgium, the Equality and Diversity Plan 2010-2013 is a general set of rules that watches over criteria related to sex, cultural origin, socio-professional group, age and handicap. The objective is to assure that the audiovisual media in the country reflect the diversity in Belgian society. The Plan is piloted by the Higher Audiovisual Council and supported and monitored by partner experts in the field of the fight against discrimination. Over a period of three years, 2010-2013, the plan foresees in two actions based on two annual publications: a) an overview of good practices concerning equality and diversity in the audiovisual media; and b) the online publication of a Barometer on equality and diversity. There is no special emphasis on women's representation.

6) In Bulgaria, the National Action Plan to promote equality between women and men follows the principles and objectives of the National Strategy for the Promotion of Gender Equality (2009 - 2015) and the Strategic Development Plan of the Ministry of Labour and Social Policy (2009 - 2013). This plan aims at supporting the implementation of a uniform policy of equality between women and men, to raise awareness of gender equality and the importance of addressing the associated stereotypes. However, there are not specific rules for the representation of women on media outlets.

7) The Portuguese National Plan for Equality - Citizenship, Gender and Non-discrimination (2011-2013), the fourth of its kind, defines 14 strategic intervention areas on diverse issues related to gender. The strategic area number 8 is called Media, Publicity and Marketing, and it has the goal of promoting specific measures for the integration of a gender perspective in the media. It includes three strategic measures: a) to raise awareness / training aimed at media professionals on the elimination of gender stereotypes in news and advertising; b) to create awareness among media professionals about the importance of journalistic production on the theme of gender equality and non-discrimination, and c) to create and assign a specific distinction annually to those companies marketing and advertising non-discriminatory content.

After reviewing these plans and their relation to media regulation, we can conclude that they are mostly 'positive' guidelines because they encourage gender awareness and the protection of women's rights in all aspects of social and political life. However, four of them (Hungary, Spain, Bulgaria and Portugal) also include provisions on prohibitions, although they cannot be considered as binding since they do not contain provisions for punishment in case of non-compliance. The Spanish case could be considered as the only exception to this rule. It indirectly applies the sanctions contained in the Audiovisual Communication Act (Law 7/2010) on advertising that show discriminatory conduct.

Except for Hungary, all these regulations include monitoring. This is especially visible in the case of Belgium, which includes as part of its objective the publication of two annual reports on discrimination in the national media. In general, the subjects in charge of monitoring violations and the application of the norm are governmental bodies and authorities competent for media and communication, such as the Council for Electronic Media, Radio and Television in Bulgaria; the General Secretariat for Gender Equality in Greece; the Gender Equality Council in Hungary; the High Audiovisual Council in Belgium; the Office for Gender Equality in Slovenia and a special inter-ministerial commission for guaranteeing equality between women and men in Spain.

Unfortunately, the effectiveness of these plans and acts is very hard to assess: the nationalexperts report delayed evaluation processes like in the case of Spain, where the Spanish Law for Gender Equality was supposed to be evaluated every four years but the assessment has not been completed yet. In Hungary there was only a 2010-2011 plan for gender equality and a new plan has not yet been issued, and finally the case of Slovenia, where the Office for Equal Opportunities originally in charge of monitoring this legislation, was recently abolished (apparently due to austerity measures and public budget cuts). In spite of their weaknesses, all these plans help promote awareness of the issue of gender equality and women's representation in the media, which in turn has engendered guidelines, publications and codes of ethic as well as good practices within government and media organisations.

A final remark concerns the scarcity of regulatory acts/policies/practices addressing the representation of women/girls and of gender issues in news media. Probably this, in turns, depends on the scarcity of regulatory acts specifically focusing on this media sector. These are only 3 and all of them are Codes of conduct:

- Measures and Principles of Journalistic Ethics in Programmes in Slovenia Radio and Television;
- Journalist's Code of Practice, issued by Cyprus Media Complaint Commission (established by the Association of Newspapers and Periodicals Publishers and the owners of private Electronic Media and the Cyprus Union of Journalists);
- Guidelines for journalists, issued by Council for Mass Media in Finland.

As previously stated, none of these Codes is binding, which clearly limits their effectiveness.

#### 2.1.7. Implementation of the Directive 2010/13/UE

The Directive 2010/13/UE issued in 2010- the so-called the Audiovisual Media Services Directive<sup>211</sup> prohibits discrimination based on sex, age, racial or ethnic origin, nationality, religion, belief, or disability in TV adverts and other audiovisual commercial communications. It provides also that audiovisual media services may not contain any incitement to hatred based on race, sex, religion or nationality.

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

A report prepared for the **European Commission** in 2010 and published in 2011<sup>212</sup> indicated that in July 2010 16 Member states had implemented the Directive 2010/13/UE into their national legislation. 11 Member States had not yet transposed the Directive. This number decreased to 8 when the report was published in February 2011<sup>213</sup>. The information was derived from data collection at country level for the purpose of that report.

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<sup>211</sup> The Directive is available at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:095:0001:01:EN:HTML>

<sup>212</sup> Report "INDIREG: Indicators for independence and efficient functioning of audiovisual media services regulatory bodies for the purpose of enforcing the rules in the AVMS Directive" by Hans Bredow Institute for Media Research – lead partner Interdisciplinary Centre for Law & ICT (ICRI), Katholieke Universiteit Leuven Center for Media and Communication Studies (CMCS), Central European University Cullen International Perspective Associates. More information available at:

[http://ec.europa.eu/avpolicy/docs/library/studies/regulators/final\\_report.pdf](http://ec.europa.eu/avpolicy/docs/library/studies/regulators/final_report.pdf)

<sup>213</sup> These countries are Finland, Hungary, Lithuania, Latvia, Luxembourg, Poland, Portugal and Slovenia.

In May 2012 another report was issued by the **European Commission**<sup>214</sup> according to it 25 Member States have notified complete transposition of the AVMSD into their national legislation while only two Member States – Poland and Belgium - still need to adapt their legislation. The two countries however presented a very different situation in respect of the adoption of the directive.

In Belgium measures had been taken to implement the AVMS Directive as regards all audiovisual media services established in all three linguistic communities: French, German and Flemish. However, audiovisual media services established in Brussels which fall outside the competence of the linguistic Communities of Belgium remained under the competence of the federal authorities. The Belgian federal state had not adopted the laws covering these services at the time of the report. A draft law was however being prepared at the time.

Poland has been referred to the **EU Court of Justice** for failing to fully implement the EU Audiovisual Media Services Directive. Poland had partially implemented the Directive but not the provisions concerning video on-demand services<sup>215</sup>. Later on in September 2012 the bill on video on demand services was accepted by the Polish government and the issue is since then no longer considered to be controversial.

As a general rule in most of the Member States the paragraph 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 in the EU Member States. But this is not always the case. According to our fieldwork carried out in the Member States for the purpose of the present study some examples that diverged from the general rule are worth to mention: Slovenia, Poland, Lithuania, Portugal, Hungary.

More in detail, the Slovenian Act on Audiovisual Media Services (*'Zakon o avdiovizualnih medijskih storitvah'* - ZAvMS) was adopted and entered into force on 17 November 2011. Its adoption was crucial due to the infringement procedure against Slovenia, started earlier in 2011 by the **European Commission** for non-transposition of the Directive in due delay. The act actively prohibits any incitement to inequality or intolerance, yet the gender dimension is not specified. Women are not included in the "protection of vulnerable groups" clause. However, article 20 of the act is interesting on account of specifying intolerable audiovisual commercial messages: these should not have harmful effect on human dignity, or contain or incite any kind of discrimination based on gender, race, ethnicity, nationality, religion or belief, disability, age or sexual orientation.

Poland has issued the Radio and Television Act (*'Ustawa o Radiofonii i Telewizji'*) in 2012, regulating the functioning of the media sector. Two of its articles refer to gender equality with the objective of eliminating prejudice and discrimination on grounds of race, sex, nationality, ethnic origin, religion or belief, disability, age or sexual orientation from media contents.

As far as Portugal and Lithuania are concerned, a partial implementation of the directive falls into the frame of advertising legislation. The last amendment to the Law on Advertising of Lithuania (July 18, 2000. No. VIII-1871, amended on 22 June 2010 No. XI-

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<sup>214</sup> This report is available at: [http://ec.europa.eu/avpolicy/reg/tvwf/implementation/reports/index\\_en.htm](http://ec.europa.eu/avpolicy/reg/tvwf/implementation/reports/index_en.htm)

<sup>215</sup> This means that providers of such services are not obliged to protect viewers, especially children, from hidden advertising (such as subliminal advertising) or from content containing incitement to hatred. Nor does Poland respect the rules on the European content of services provided on-demand. Poland should have implemented the Directive in full, including the rules for on-demand services, by December 2009.

923) includes the provisions of the Directive in articles 2 to 4: advertising shall be banned if it violates public and moral principles, degrades human honour and dignity, incites national, racial, religious, gender-related or social hatred and discrimination as well as defames or misinforms. In article 7, the Code of Advertising of Portugal (Decreto-Lei n.º 330/90 amended by Lei n.º 8/2011) reports that advertising that is against the dignity of the human person, or that contains any discrimination based on race, language, place of origin, religion or gender is forbidden.

As far as Hungary is concerned, it must be noted that in the second half of 2010 two major acts regulating media content and media services in Hungary were passed: Act CIV of 2010 on the Freedom of the Press and the Fundamental Rules on Media Content and Act CLXXXV of 2010 on Media Services and Mass Media. Since then, they have been amended on several occasions following criticism by the **European Commission** and the Hungarian Constitutional Court's declarations about the unconstitutionality of certain provisions of the legislation. The two acts are relevant to the issue of women's representation in the media, prescribing that media content providers (of linear and other media services and of press products alike) have to respect human dignity in the content they publish. The Media Act provides detailed regulations on how to protect children and minors through applying precise rating to different media contents in linear media services (Art. 9) and prescribes warning consumers before broadcasting any offensive content (Art. 14).

The **European Parliament** Resolution<sup>216</sup> of 10 March 2011 on Media Laws in Hungary points out that these acts lay out general and specific content regulations that freeze and otherwise authorize restrictions on freedom of expression, speech, and the press: therefore they fail to correctly transpose the AVMS Directive and thus are inconsistent with Hungary's obligations to the **European Union**. As noted by the legal analysis of the Acts<sup>217</sup>, the laws are an exercise of state regulation and media censorship whose implementation and enforcement violate the fundamental rights and freedoms guaranteed and enshrined in the **European Convention on Human Rights (ECHR)**. Consciousness about gender equality within both society and the media is still low and sexualized and degrading portrayal of women is still very common. In particular, sexually explicit and degrading content is prohibited within the principle of protecting children and minors from harmful media contents rather than from the aspect of gender equality. Therefore, explicit reference to the promotion of gender equality in media contents could have had a positive effect in both spheres.

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<sup>216</sup> See the document available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0094+0+DOC+XML+V0//EN>

<sup>217</sup> For further information: [http://www.cdt.org/files/CDT\\_Legal\\_analysis\\_of\\_the\\_Hungarian\\_Media\\_Laws\\_020911-1.pdf&ei=PcsPUB03LMb24QSA6YDYDA&usq=AFQjCNHmTzj3r1mjLscMltdmUz5tAOiLiw&siq2=jSDMI0GoV7bjNhh uFVNklq&bvm=bv.41867550,d.bGE](http://www.cdt.org/files/CDT_Legal_analysis_of_the_Hungarian_Media_Laws_020911-1.pdf&ei=PcsPUB03LMb24QSA6YDYDA&usq=AFQjCNHmTzj3r1mjLscMltdmUz5tAOiLiw&siq2=jSDMI0GoV7bjNhh uFVNklq&bvm=bv.41867550,d.bGE)

### 3. IN-DEPTH ANALYSIS IN SELECTED MEMBER STATES

#### KEY FINDINGS

- In order to identify good practices of regulatory acts that guarantee a fair and non-stereotyped representation of women and girls on the media, **four assessment criteria** have been identified, drawing on the criteria indicated by EIGE for the evaluation of good practices in gender mainstreaming. These criteria have been tailored to the specific issues of the present study.
- The four 'study-tailored assessment criteria' are the following: 1) **Works well** (the practice redresses gender biases in media coverage; it is adequate to the national context, it is able to create also other existing good practices in the field.); 2) **Transferability** (the regulatory act shows the potential of reproducing its working-well feature in other contexts); 3) **Gender-specificity** (the regulatory act expresses a strong gender perspective; it is grounded in a proper and comprehensive definition of gender-based discriminations, assuming a formulation that is not 'self-evident' but that makes a specific reference to the diverse manifestations that such discrimination takes on in media content); 4) **Learning Potential** (there are general lessons that can be drawn from the application of the regulatory act).
- From the descriptive analysis, it has emerged that the effectiveness of regulatory acts is directly related to the condition of it **being legally binding**. So, this has been assumed as a *sine qua non condition* under which the regulatory act is effective.
- The four regulatory acts that have been selected are of different type and geographic origin.
- The Guidelines on Gender Equality and Gender Portrayal in the Broadcasting Media, issued in 2007 by the **Maltese Broadcasting Authority**, have proved to be effective in guaranteeing a fair and non-stereotyped representation of women and girls on the media. Besides showing the potential of reproducing its working-well feature in other contexts, they have a great learning potential, which stems precisely from their being grounded in a comprehensive understanding of gender discrimination and stereotyping and from providing detailed 'instructions' on how to achieve an equal representation of men and women (with particular reference to their changing professional and social roles).
- The main reasons for choosing a general regulation issued by the **Advertising Standard Authority of Ireland** (ASAI) (2007) rest in its specifically tackling the advertising sector in a way that is more effective than the other regulatory acts/policies dealing with it (it is one of the few acts foreseeing also fines for non-compliance) and gender-specific as well: many positive cases of the application of the regulation have been reported, showing its capacity to ban advertisement campaigns based on images and contents that are harmful to women's dignity.
- The **Spanish Organic Law 1/2004, 28 December, on Measures of Integral Protection against Gender-Based Violence** has become a milestone in the field of equality policies for the comprehensiveness of its approach. It is binding and it is adequate to the country context, as it provides a more gender-specific instrument; it is complementary to the 2007 Law on Advertising. The law has proved to

engender good practices in preventing GBV through advertising and communication and in detecting and correcting improper treatment of GBV in advertising (awareness- raising initiatives, creation of Observatory on GBV and the media, etc.).

- Its main success relies on its specifically addressing the GBV problem, that is spread worldwide, and its main lesson concern a) the acknowledgement of the pivotal role that media can play in socially legitimating GBV as well as in eradicating those behaviours and attitudes that may favour it; b) the importance of involving feminist organisations, women's NGOs and gender-sensitive bodies as a sine qua non condition in order to question the gender power system in which GBV is rooted.
- The **Swedish Radio and Television Act (2010)** satisfies the assessment criteria. In particular, it stands out for foreseeing particularly severe punishments for non-compliance and for presenting interesting cases of correct application that led to convict programmes whose content was deemed harmful to women's dignity.

### 3.1. Methodology for Identifying Best Practices

#### 3.1.1. Introduction

The regulatory acts (Laws/legislation, Regulations issued by authorities competent for media and communication, Codes of conduct and Protocols, References to the media sector included in Gender Equality Plans) that aim at contrasting the diffusion of gender stereotyping and/or at promoting a non stereotypical representation of women and men on the media and that have been collected during the fieldwork at Member States' level are now evaluated against a set of assessment criteria, in order to identify good practices. The assessment criteria have been identified partially drawing on the criteria indicated by EIGE for the evaluation of good practices in gender mainstreaming together with the initial results of the descriptive analysis presented in the previous Chapter 2.

As a result, the assessment criteria are study-tailored since they hinge upon the theoretical and methodological elaborations of EIGE on good practices in gender mainstreaming but they are also tailored on the specific issue of the present study.

#### 3.1.2. Study-tailored assessment criteria

To identify good practices in gender mainstreaming EIGE has elaborated a methodology embedded in the definition of gender mainstreaming presented by the **Council of Europe** (1998) according to which:

'Gender mainstreaming is 'the (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policymaking'<sup>218</sup>.

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<sup>218</sup> Gender mainstreaming Conceptual framework, methodology and presentation of good practices: Final report of activities of the Group of Specialists on Mainstreaming (EG-S-MS), p. 12, report available at: [http://www.coe.int/t/dghl/standardsetting/equality/03themes/gender-mainstreaming/EG\\_S\\_MS\\_98\\_2\\_rev\\_en.pdf](http://www.coe.int/t/dghl/standardsetting/equality/03themes/gender-mainstreaming/EG_S_MS_98_2_rev_en.pdf)

EIGE specifies that 'gender mainstreaming is not a goal in itself but a strategy<sup>219</sup> to achieve equality between women and men. It is also a process of change/transformation which implies that all actors involved in policymaking integrate gender equality concerns – meaning the systematic consideration of the differences between the conditions, situations and needs of women and men, of the relations existing between them, and of the impact of policies on the concrete situation of women or men – in the planning, implementation, monitoring and evaluation of all policies, programmes and activities so that both sexes can influence, participate in, and benefit equitably from all interventions. The main goal of gender mainstreaming is that both sexes may enjoy equal visibility, empowerment and participation in all spheres of public and private life' (EIGE, 2011)<sup>220</sup>.

As a consequence EIGE defines a 'good practice in gender mainstreaming' as 'any experience/initiative displaying techniques, methods or approaches which function in a way, and produce effects and results coherent with the definition of gender mainstreaming, which are considered to be particularly effective in delivering gender mainstreaming as a transformative strategy, and, therefore, deserving to be disseminated and proposed to other organisational contexts' (EIGE, 2011)<sup>221</sup>. Therefore, good practices are not per se a tool for gender mainstreaming but they can be used in tools for gender mainstreaming to show that in similar situations is possible to achieve greater gender equality.

As regards the identification of good practices, EIGE suggests the following three assessment criteria:

- It works well;
- Transferability;
- Learning potential.

Drawing on these three judgement criteria, it is possible to apply them to the specific context under scrutiny obtaining the definitions contained in Table 1:

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<sup>219</sup> From this point of view also positive actions should be regarded as part of the gender mainstreaming strategy, because they are one policy tool that allow to make up for the lack of gender equality.

<sup>220</sup> EIGE (2011), Towards Effective Gender Training: Good Practices in Gender Mainstreaming, p. 8, the report is available at [http://www.eige.europa.eu/sites/default/files/Good-Practices-in-Gender-Mainstreaming-towards-effective-gender-training\\_0.pdf](http://www.eige.europa.eu/sites/default/files/Good-Practices-in-Gender-Mainstreaming-towards-effective-gender-training_0.pdf)

The document is the result of the contribution provided by EIGE's thematic network on Gender Mainstreaming and Expert's Forum members, EIGE's staff as well as from the findings of the Second Ex-Ante Evaluation of EIGE and the "Study on the use of "good practice" as a tool for mainstreaming gender into the policies and programmes of the Institutions of European Union and EU Member States", commissioned to the Fondazione Giacomo Brodolini (FGB). EIGE's work on collection and dissemination.

<sup>221</sup> EIGE (2011), Towards Effective Gender Training: Good Practices in Gender Mainstreaming, p. 11, the report is available at [http://www.eige.europa.eu/sites/default/files/Good-Practices-in-Gender-Mainstreaming-towards-effective-gender-training\\_0.pdf](http://www.eige.europa.eu/sites/default/files/Good-Practices-in-Gender-Mainstreaming-towards-effective-gender-training_0.pdf)

**Table 2: Judgement criteria**

| JUDGEMENT CRITERIA | DEFINITION OF JUDGEMENT CRITERIA FOR THE PRESENT STUDY  |
|--------------------|---|
| 'It works well'    | The regulatory act shows the capacity to improve gender equality by guaranteeing a fair representation of women and girls in media coverage and more specifically to ensure a non-stereotyped portrait of women and girls.                                  |
| Transferability    | The regulatory act shows the potential of reproducing its working-well features in other contexts.  |
| Learning potential | There are general lessons that can be drawn from the application of the regulatory act, beyond its particular context. So, the regulatory act is good for learning how to tackle the issue of women’s and girls’ representation on the media appropriately. |

These three judgement criteria of good practices from a gender mainstreaming standpoint can be operationalized by further elaborating and articulating them on the basis of what emerged from the data collection. In addition, a fourth criteria has also emerged from the fieldwork: the practice needs to be gender-specific. This fourth criteria implies that the regulatory act has a strong gender perspective and does not tackle other stereotypical representations related to other individual differences (for instance, age disability, sexual orientation, and so forth.). The main specificity of gender in fact is being crosscutting in respect of all other individuals’ differences so it deems to be specifically addressed.

### *It works well*

A regulatory act presents the capacity of improving gender equality by guaranteeing a fair representation of women and girls in media coverage and more specifically to ensure a non-stereotyped portrait of women and girls in news and advertisement, if:

- it is **effective**, in other terms if it has redressed the gender disparity in the representation of women and girls in media coverage,
- it is **adequate** to the national context,
- it is able to **engender also other existing good practices in the media field**.

We will consider these three aspects that contribute to the 'works well' criteria one by one.

From the descriptive analysis, it has emerged that **effectiveness** of regulatory acts is **directly** related to the condition of being **legally binding**. So we are assuming the latter as a *sine qua non* condition under which the regulatory act is effective.

Once the effectiveness of the regulatory act is assessed, another criterion that is relevant to the aim of measuring whether the regulatory act works well or not from a gender mainstreaming perspective is the **adequateness** to the national context. In other terms: the regulatory act works well if it really tackles the most relevant issues in the field of gender representations on the media arising at national level and if the tools it provides to take action can be effectively enacted.

Finally, a regulatory act works well if it is able to **engender other good practices in the media field** by improving the quality and fairness of media representation of women.

### ***Transferability***

A regulatory act can be transferred when there are different positive cases/examples of its application so that the key success factors can be made available in other contexts. By comparing the positive examples of implementation, it is possible to understand under which conditions the practice works well (i.e. is effective). So, to assess transferability, it is necessary to sketch out the conditions that contributed to its success. Additionally, the condition of being easy to be adapted to another context is related to the amount of resources that are needed to implement the practice in another context.

### ***Learning potential***

A regulatory act has a learning potential if there are general lessons that can be drawn from its application beyond its particular context. So, the regulatory act is good for learning how to tackle the issue of women's and girls' representation on the media appropriately.

If this is the case, the regulatory act is a good practice that allows to mainstream gender in the representations in the media.

### ***Gender Specific***

As already mentioned, being gender-specific implies a specific attention to the gender issue. The regulatory act should be purposely designed to tackle the gender issue and it should not solely address gender as one of the multiple expressions of 'diversity', along with ethnicity, nationality, disability, etc.

More clearly, regulatory acts have to be grounded in a proper and comprehensive definition of gender-based discriminations, assuming a formulation that is not 'self-evident' but that makes a specific reference to the diverse manifestations that such discrimination takes on in media content. As a consequence, examples of contents/representations that are to be considered as stereotyped or harmful to women's dignity should be provided (e.g. content that represent women as inferior to men; that incite to violence against women; exploitation of body; pornography) and authorities/institutions/bodies regulating the content from a gender perspective should be involved.

#### **3.1.3. The assessment criteria grid**

The operationalisation of the four assessment criteria introduced above is sketched out in the following assessment grid (Table 2). The grid will later be adopted for presenting the good practices. It is composed of three columns: the first column contains the original four criteria; the second presents their operationalisation, while the third will include the assessment conducted for each of the operationalised criteria on each regulatory act.

**Table 3: Assessment criteria grid**

| <b>CRITERIA</b>           | <b>OPERATIONALISATION</b>                          | <b>REGULATORY ACT ASSESSMENT</b> |
|---------------------------|--|----------------------------------|
| <b>It works well</b>      | Legally binding                                    |                                  |
|                           | Adequateness                                       |                                  |
|                           | Engenders other good practices                     |                                  |
| <b>Transferability</b>    | Specific conditions that contribute to its success |                                  |
|                           | Adaptability                                       |                                  |
| <b>Learning potential</b> | General lessons to be drawn                        |                                  |
| <b>Gender specific</b>    | Is the regulatory act gender-specific              |                                  |

## 3.2. Presentation of the Good Practices in the national context

### 3.2.1. Introduction

In the present section the good practices are assessed against the operationalised assessment criteria using the assessment criteria grid presented in Table 2. To better introduce each good practice the National Context will be firstly discussed in a Context analysis section, then the regulatory act will be briefly described and finally the assessment criteria grid will be applied.

### 3.2.2. Ireland

#### ***Advertising Standards Authority of Ireland, General Rules***

##### **Context analysis**

The Broadcasting legislation in Ireland has faced change late in 2009, when the new Broadcasting Act came into force establishing the Broadcasting Authority of Ireland. This law provides for a significant expansion of the role of the old Broadcasting Commission of Ireland, which had no responsibility for the public service broadcaster (RTE), now within the ambit of the new body. Following a campaign led by members of the National Union of Journalists, the Irish Government introduced a Freedom of Information Act in 1997. At the time it was considered a major contribution to accountability and openness and was praised internationally by free-speech advocacy groups. However, in 2003 the Government amended the Act, putting in place payments for Freedom of Information requests and limiting what the government, especially, was forced to disclose. This was seen by journalists as a major attack on press freedom. In Ireland there are examples of cross-ownership of print, audiovisual and online media but there is no anti-trust legislation to prevent media concentration except general competition law, which has shown itself not really effective in dealing with the complex matter of media ownership. The weakness of the measures to control diversity in media ownership and voices has given space to prominent positions in the media landscape and raised questions about the concentration, what it means for diversity in civic discourse.

As far as legislation about gender issues is concerned, it should be noted that in the Constitution of Ireland there is no provision about gender equality: however, there is an emphasis in official state policy on the role of women as mothers and caregivers in the home, affecting women's family life, employment as well as reproductive freedom. Ireland has implemented the BPfA introducing in recent years two major equality-based policies and legislation; the Employment Equality Act (1998) and the Equal Status Act (2000) which prohibit discrimination in both employment and non-employment areas on nine grounds, including gender, marital status, and family status. The creation of two institutions – The Equality Authority and The Office of the Director of Equality Investigations – represents the clear intention to combat discrimination and promote equality. In the same years, Ireland has adopted an incisive gender mainstreaming policy, introducing it as an essential principle of the National Development Plan. The enactment of new legislation established new rights, created the institutional supports for accessing those rights and has enabled an approach to tackling inequalities. However, the cuts on budget of Equality Authority and of representative organisations responsible for monitoring the implementation of the measures, partly funded by EU, have slowed down the advances made at institutional level in the last years.

Studies and research provide evidence of gender imbalances both in media content and in decision-making within media organisations. The roles of women in hard news subjects appear to be limited to reporters. Journalists, experts, commentators and anchors of hard news are mostly men. Women feature in these roles in media products covering soft news or typically women's issues (family, childcare, private sphere, etc.). Women's access and participation to decision-making bodies is even more difficult: media organisations are aware of gender imbalances in top management but do not see this as a problem. However, Ireland is a very active country in shaping policies that focus on the issues of gender and media. Several initiatives exist, both at the civil society and institutional levels, which are aimed to promote women's access to expression in the media and to encourage a fair representation of gender. Interesting examples directly come from the Irish media industry: one is adopted within the 'Tonight with Vincent Brown Broadcast', a talk show aired by TV3, a private-owned broadcaster. This policy is a form of self-regulation of the production that assures that the cast invited the show is gender balanced; the second practice to mention is "Awareness-raising Initiatives to Promote Women on Air" and it is held by one of the most active groups in Ireland on the issue of women accessing the airwaves. Their awareness-raising initiatives consist of motivational 'talks' in which industry experts give tips and motivate potential female contributors and networking opportunities are provided for industry people and potential contributors. Finally, ASAI's regulation, too, actively combat gender stereotypes by suspending advertisement campaigns in which women only feature in traditional roles (family, childcare, private sphere).

### **Regulatory act description**

The policy chosen for a deeper focus is the general regulation issued by the Advertising Standard Authority of Ireland (ASAI), whose 6<sup>th</sup> edition has come into force in 2007 and was amended on 2 January 2013.<sup>222</sup> The code regulates commercial marketing communications in the interest of consumers. In articles 2.15 to 2.20, this general rule covers the issue of gender discrimination going deeper into details by saying that:

- Marketing communication should contain nothing that is likely to cause grave or widespread offence; should respect the dignity of all persons and should avoid causing offence on grounds of gender, marital status, family status, sexual orientation, religion, age, disability, race or membership of the traveller community;
- Marketing communications should respect the principle of the equality of men and women. They should avoid sex stereotyping and any exploitation or demeaning of men and women. Where appropriate, marketing communications should use generic terms that include both the masculine and feminine gender; for example, the term 'business executive' covers both men and women;
- Marketing communication should avoid causing offence, avoid stereotyping and negative or hurtful images, be responsive to the diversity in Irish society and respect the principle of equality in any depiction of the groups of society, respecting also their dignity and not subjecting them to ridicule or offensive humour.

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<sup>222</sup> [www.asai.ie/code.asp](http://www.asai.ie/code.asp)

**Table 4: Assessment criteria grid for the first good practice Ireland**

| CRITERIA      | OPERATIONALISATION             | REGULATORY ACT ASSESSMENT  |
|---------------|--------------------------------|--|
| It works well | Legally binding                | <p>One of the success factors of the regulation rests in its <b>binding</b> nature: the application of the act is monitored by the ASAI secretariat, which receives complaints of offensive messages. If a complaint is upheld, the Complaints Committee will make recommendations for future courses of action. A marketing communication which has contravened the rules of the Code is required to be withdrawn or promptly amended and media will refuse to publish a marketing communication which fails to comply with Code requirements. In the case of a sales promotion, the promoter may be requested to make the necessary changes to the way the promotion is communicated or conducted. Complaints committee may request withdrawal of marketing communications until investigation is complete. A member who does not accept ASAI decisions may be disciplined by the Board and may be subject to penalties including fines and/or suspension of membership.</p> |
|               | Adequateness                   | <p>The law is <b>adequate to the country context</b> in the sense that it provides tools that can be effectively enacted. and to its specific problems: as already mentioned, Ireland is a very active country in shaping policies that focus on the issues of gender and media. Besides the institution of the Equality Authority and the Office of the Director of Equality Investigations, whose activity has been slowed down by the cuts on budget, the Broadcasting Authority of Ireland has promoted a Code of Programme Standards, that explicitly mention gender in addressing appropriate and justifiable representations of persons and groups in society in broadcasting contents. The application of the code is monitored with reference to provisions of the Code and the procedures, practices and policies of BAI, with pecuniary penalties up to €250,000 applied for failure to cooperate with an investigation.</p>  |
|               | Engenders other good practices |  |

| CRITERIA                  | OPERATIONALISATION                                 | REGULATORY ACT ASSESSMENT   |
|---------------------------|--|---|
| <b>Transferability</b>    | Specific conditions that contribute to its success | The regulation appears to be <b>transferable</b> , at least in countries where an Authority regulating the Advertising sector already exists.   |
|                           | Adaptability                                       | Its main success factors are not specific of the particular context of implementation and can be easily replicated in other geographic contexts.  |
| <b>Learning potential</b> | General lessons to be drawn                        | As the majority of advertising codes, it handles hundreds of complaints every year, growing a database of cases and an extensive body of expertise that can be useful for future practice of media professionals. This kind of regulation can be a positive tool, amongst others, and one that can helpfully complement the work of public enforcers in order to address gender stereotyping in audiovisual commercial communications.  |
| <b>Gender specific</b>    | Is the regulatory act gender-specific              | The regulation is <b>Gender Specific</b> . Although it is not capable of enhancing positive imagery of women, it goes deep into details explicitly saying that marketing communications should respect the principle of the equality of men and women, should avoid sex stereotyping and any exploitation or demeaning of men and women. This gender sensitivity in the rules represents the clear intention to combat discrimination and promote equality in the context of marketing communication. |

Source: Present study data collection

### 3.2.3. Malta

#### ***Guidelines on Gender Equality and Gender Portrayal in the Broadcasting Media***

##### **Context analysis**

The Maltese Broadcasting Authority (BA) is in charge of audiovisual regulation since 1961. It is a Public Entity set up by the Constitution of Malta to regulate radio and television broadcasting services in the Maltese archipelago. The powers of the Broadcasting Authority arise primarily out of the Constitution of Malta and it is due to these powers that the Broadcasting Authority is the oldest public corporation set up in the Maltese Islands. The BA oversees six commercial television broadcasters and two public ones and regulates audiovisual content as well as distribution aspects, supervising the broadcasters as far as concerns advertising and the protection of minors. It can impose fines as regards the advertising and the protection of minors. It can suspend/revoke licenses, publish decisions in the media and demand penalty payments in the case of non-compliance.

There are two main methods adopted by the Broadcasting Authority to supervise all local broadcasting: a Legal System and a Monitoring System. The Broadcasting Authority ensures that locally licensed broadcasting services observe the legal requirements as stipulated by local legislation with regard to broadcasting content and delivery of service. This is done through the updating of present legislation which is proposed and passed through Parliament, issuing of Directives and Requirements to be observed by broadcasters, and the issuing of Guidelines depending on the importance of the issues being tackled by the Broadcasting Authority.

As far as gender issues are concerned, the Maltese government presents itself as an equal opportunities state. Gender equality legislation has been on the statute book since the 1960s. Recent years have seen significant efforts by the Maltese government to advance gender equality at work, such as the adoption of the Equality for Men and Women Act in 2003 and the creation of a National Commission for the Promotion of Equality for Men and Women in 2004. The Government started to address gender gaps, which include the enactment and enforcement of comprehensive gender equality and anti-discrimination legislation, and the promotion of family-friendly working arrangement. Despite these developments, in practice equality for women at work and in the labor market is yet to be achieved.

So, over the last years, the gender gap regarding access to the media in general has been reduced considerably. Despite the significant gaps in decision-making positions in the print media, there are an increased number of female editors of magazines, which often include articles on current gender issues. The electronic media system seems a more balanced environment. It must be also borne in mind that Maltese law contains provisions which prohibit discrimination in the media. In particular, reference is made to article 10 of the Equality for Men and Women Act, Chapter 456 of the Laws of Malta.

##### **Regulatory act description**

The guidelines on Gender Equality and Gender Portrayal in the Broadcasting Media, issued in 2007 by the Broadcasting Authority apply to all programmes, including news and advertisements, broadcast on radio and television stations and are intended to make the broadcasting media more sensitive to gender equality. They have been chosen among other policies for being extremely specific in focusing on the equal representation of men

and women in the broadcasting media. Such representation should be recognized and the portrayals of men and women should reflect their actual social and professional achievement, career, interests and roles. The broadcasting media are strongly recommended to reflect the continuous change in Maltese society with regard to the professional roles of men and women.

These guidelines are directed to the people in production, decision-makers of programme structures and producers of advertisements, amongst others. They address sex-role portrayal in television and radio programming and attempt to address the issue of stereotyping in the broadcast media. Media images and productions should provide an equal representation of women and men in roles of authority in characterization and in production as well as in caring situations. Overall, the guidelines focus on the equal representation of men and women in the broadcasting media and recommend the use of a gender inclusive language.

Table 5: Assessment criteria grid for the second good practice Malta

| CRITERIA      | OPERATIONALISATION             | REGULATORY ACT ASSESSMENT  |
|---------------|--------------------------------|--|
| It works well | Legally binding                | Such guidelines provide guidance for broadcasters who should portray the role diversity for both genders and must use media as a tool to promote equality and thus promote change rather than perpetuate gender stereotypes. Radio and television broadcasters should eliminate media representations which encourage discrimination and degradation on the basis of gender. It is to be emphasized that such an approach is illegal and that the guidelines are legally <b>binding</b> . Since negative portrayal and representation of one sex may be linked to the lack of gender policy guidance, these guidelines are intended to advance the awareness of, and sensitivity to, the problems related to the negative or inequitable sex-role portrayal of persons. In fact, broadcasters are encouraged to refrain from presenting women as inferior beings and exploiting them as sexual objects as it is illegal to do so.  |
|               | Adequateness                   | The guidelines prove to be <b>adequate to the country context</b> in the sense that they provide tools that can be effectively enacted in the context of the Maltese society and Malta's social policy, and because they explicitly address the traditional male-dominated model of the family that underpins much of social, political, and economic life in Malta. As the guidelines say, TV and radio programming should promote equal opportunities for men and women, portraying them in a wide range of roles, both traditional and non-traditional, in paid work, social, family and leisure activities. Men and women should both be seen as taking decisions to support the family and in household tasks and home management. TV contents should portray diversity in family structures, like the portrayal of single parenting and adopted children, avoiding 'victimisation' of atypical family structures. Broadcasters should promote recognition of tasks usually associated with women and portray them equally important as traditional male tasks and which should be carried out by both genders. |
|               | Engenders other good practices |  |

| CRITERIA                  | OPERATIONALISATION                                 | REGULATORY ACT ASSESSMENT  |
|---------------------------|--|--|
| <b>Transferability</b>    | Specific conditions that contribute to its success | The guidelines appear to be <b>transferable</b> , at least in countries where an Authority regulating the Broadcasting sector already exists.  |
|                           | Adaptability                                       | The main success factors of this regulation are not specific of the particular context of implementation and can be easily replicated in other geographic contexts.  |
| <b>Learning potential</b> | General lessons to be drawn                        | The <b>Learning Potential</b> of the guidelines lies in the acknowledgement of the crucial role that a stereotyped gender portrayal in the media content can play in socially legitimating gender imbalances and reinforce the patriarchal power relation where men are seen to be more powerful.  |
| <b>Gender specific</b>    | Is the regulatory act gender-specific              | These guidelines are <b>gender-specific</b> because they address the gender stereotyping in broadcasting content, going deeply into details in articles 2.11 to 2.14: “The broadcasting media should not over emphasise certain roles of women mainly the domestic and sexual role and portray as submissive. Women should appear more on the screen and should not be seen in limited roles. Women’s thinking abilities and men’s caring abilities should also appear on the screen; men and women should be portrayed in both public and private spheres; radio and television programmes should not ridicule and stigmatise people on the bases of gender and sexual orientation.” Moreover, the guidelines are gender-specific because they explicitly address sexist language in broadcast media and ensure that a non-sexist language is used. Sexist language reflects the idea that one sex is superior to the other. Such language contributes, promotes or results in the oppression of one of the sexes to the detriment of the other and exploits an unfair distinction between sexes. Sexist language imposes stereotypes. Also radio and television productions should not use language that can be offensive, misrepresents and excludes women or men. Generic terms which include both sexes should be used with regard to the question of language in the media. All discussion programmes’ panels should be constituted of both genders. |

Source: Present study data collection

### 3.2.4. Spain

#### ***Ley Orgánica 1/2004, de 28 de diciembre, de Medidas de Protección Integral contra la Violencia de Género (Organic Law 1/2004, 28 December, on Measures of Integral Protection against Gender-Based Violence)***

##### **Context analysis**

In Spain, over 60% of journalism students are women; however, 59% of workers are men. At management levels, the disparity is even greater<sup>223</sup>. Still, the exclusion of women from top positions does not explain why few women have access to news stories on the front page or in hard news. The analysis of the main local newspapers reveals that women journalists have signed just 26% of the articles on the front page, while men account for 63%.

One of the factor accounting for such gender imbalances probably is that all media, except RTVE, are in private and multinational hands and follow a common pattern of glass ceiling for women. A mix of diverse socio-cultural elements is also responsible for women's underrepresentation in the media, among which it is worth quoting the lack of policies/tools on work/life balance and of reasonable work schedules<sup>224</sup>. As a consequence, only men, within newsrooms, are able to decide editorial lines, news stories topics as well as media contents in general.

By contrast, Spain's civil society is a particularly lively one and many initiatives exist, both at the level of grass-root activism and at the level of women's NGOs and professional associations, that are committed to foster gender equality in and through the media. Interesting examples, are CELEM (Coordinadora Española del Lobby Europeo de Mujeres/Spanish Coordinating European Women's Lobby) and the 'Observatorio sobre la Imagen de la Mujer' (Observatory on Women's Image)The Database of Professional Women in the Media with a Gender Perspective, set up by CELEM, is an example of a good practice in the field of women's access to expression through the media: through the database, the promoting organization is able to introduce a gender perspective in media outputs and increase the attention given to issues of gender equality, gender-based violence, women's empowerment, etc. Another initiative that proved to be effective in this area is the 'Observatorio sobre la Imagen de la Mujer' (Observatory on Women's Image), managed by the Women's Institute and established in 1994 to comply with the legal commitments, both European and national, to promote a balanced and non-stereotyped portrayal of women. Its purpose is to analyze the representation of women in advertising and media, watch what are the most significant roles attributed to them and, in the event that they are sexist, to promote actions that help to eliminate stereotyping.

Over the last 10 years, Spain has paid special attention to the relations between Media and Gender at the institutional level too. The country has made a major legislative effort, and there are laws designed to contrast gender imbalances that have media relevance. Along with the 2004 National Act to Protect Against Gender Based Violence, another important

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<sup>223</sup> According to statistics from the Women's Institute in 2011, the percentage of women in office and boards of major Spanish companies (IBEX-35) is 7.17% and their presence in the management bodies (president, senior management, etc.) is 7.24%. that guarantee a fair and not stereotyped representation of women and girls on the media, the regulatory acts.

<sup>224</sup> New technologies and the chance to work from home do not compensate for this gender imbalance. Those who choose and design the news must be available 24 hours a day, have decision meetings very early in the morning or very late in the evening, etc. and they are mostly men. The front pages of newspapers are entrusted to men because they are believed to be more committed to work. And this is a mistake.

regulatory act is the Ley Orgánica 3/2007 de 22 de marzo, para la igualdad efectiva de mujeres y hombres (National Equality Law). In its Title III, Equality and Mass Media (art. 36-41), this law contains a series of provisions aimed at both public and private media organisations. The public-owned media (as EFE News Agency or RTVE) must ensure an egalitarian image of women and men in society, and promote the knowledge and dissemination of the principle of equality between women and men<sup>225</sup>.

Finally, the law 'Ley 7/2010, de 31 de marzo, General de la Comunicación Audiovisual', (General Audiovisual Communication Law) is the act through which Spain implemented the 2010/13/UE Audiovisual Media Services Directive, stating that Audiovisual communication can never incite hatred or discrimination on grounds of gender or any personal or social circumstance and must respect human dignity and constitutional values, with special attention to the eradication of behaviour situations favouring women's inequality (art. 7. 2).

The 2004 National Act to Protect Against Gender Based Violence has become a milestone in the field of equality policies for the comprehensiveness of its approach. It was agreed by all political parties and feminist organizations, and it is precisely the media and communication field where most initiatives and tools for making awareness have been developed.

### **Regulatory act description**

The section of the law that are relevant for the purpose of this study are Title I- chapter II in the field of advertising and media (art. 10 – 14): Title I- chapter II. These articles contain both provisions on prohibitions and on active measures that can be summarised as follows:

- Advertising using the image of women with degrading or discriminatory nature is unlawful.
- The Public Administration will pay particular attention to the eradication of behaviour and situations favouring inequality of women in all media, in accordance with current legislation, and promote self-regulatory arrangements, with preventive control mechanisms and effective court settlement of disputes.
- Media must promote the protection and safeguarding of equality between men and women, avoiding any discrimination among them.
- The dissemination of information on violence on women will ensure objectivity, defence of human rights, freedom and dignity of women victim of violence and their children. In particular, special care will be taken in the visual treatment of the information.

The Government Delegation on Violence against Women (belonging to Ministry of Health, Social Services and Equality) the Women's Institute (depending on the Directorate General of Equal Opportunities) or equivalent in each region, the Prosecution Minister and the Women associations shall be entitled to promote cessation and remedial actions.

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<sup>225</sup> The main objectives set by the law, especially for public Media, are: to show the presence of women in the various fields of social life; use non-sexist language; promote self-regulation tools aimed to convey the content of the principle of equality; to promote institutional awareness-raising campaigns aimed at promoting equality between women and men and to eradicate gender violence; to promote the role of women in top level positions within media organisations. Also, the law prescripts to foster relationships with women's associations and groups in order to identify their needs and interests in the field of communication. Advertising that behave discriminatory conduct under this Act shall be deemed illegal, in accordance with the provisions of the general law of advertising and advertising and corporate communication.

Table 6: Assessment criteria grid for the third good practice Spain

| CRITERIA      | OPERATIONALISATION | REGULATORY ACT ASSESSMENT  |
|---------------|--------------------|--|
| It works well | Legally binding    | One of the success factors of the law rests in its <b>binding</b> nature: the above-mentioned subjects, as stated in art. 12, are entitled to bring before the courts of the injunction advertisements that are deemed to be sexist or degrading to women under the provisions of the Law 34/1988 of 11 November, General Advertising. The law can be therefore considered as a necessary 'complement', endowed with binding power, to the work of the Spanish advertising self-regulation organisation ('Autocontrol-Asociación para la Autoregulación de la Comunicación Comercial') whose politically and legal effectiveness is blunted by its non-binding power.  |
|               | Adequateness       | The law is <b>adequate to the country context</b> in the sense that it provides tools that can be effectively enacted and to its specific problems: according to the Annual Report 2011 published by the European self-regulatory body advertising (EASA), the Spanish advertising industry is known for its sense of responsibility, being Spain the second EU country where the most advertising campaigns are subject to volunteer prior checking before dissemination. Meanwhile, Spain has dropped to the fourteenth place in the number of complaints received about already disseminated campaigns; yet, according to the findings of the Observatory on Women's Image, advertising and media contents that are sexist and socially legitimate violence against women still exist. The phenomenon of violence against women can and should be efficiently fought in the collective imagery, which is deeply shaped by media representation. The law is therefore adequate because its provisions specifically target the media system and have proved to be effective in raising awareness and shaping a different culture. The Report on the Evaluation of the Application of the Organic Law 1/2004 provides evidences to this: two lines of results are reported, both concerning effective actions undertaken under the law provisions <sup>226</sup> . |

<sup>226</sup> The first line is 'Preventing GBV through advertising and communication'. It encompasses training of media professionals through agreements with the public service broadcaster (RTVE) and the EFE news service; the institution of awards against GBV in the press, radio and TV; the agreement to reinforce self-regulation in advertising, signed on 17 October 2007 by the Secretariat General for Equality Policies and the Association for the Self-Regulation of General Communications, aimed at cooperating in the good practices that prevent discrimination against women in advertising. The second line of results reported by the Executive Report on the application of the law concerns the 'Detection and correction of improper treatment of GBV' in advertising: the Secretariat General for Equality in Politics, through the Institute for Women, set up the Observatory on the Image of Women to monitor and analyse advertising for messages that reaffirm and reinforce a stereotyped image of women; a Framework Cooperation Agreement was signed by the Ministry for Labour and Social Affairs and the Ministry for Industry, Tourism and Trade (signed 5 October 2007), to develop monitoring, inspection and sanctioning of media that fails to comply with constitutional principles and values.

| CRITERIA                  | OPERATIONALISATION                                 | REGULATORY ACT ASSESSMENT  |
|---------------------------|--|--|
|                           | Engenders other good practices                     | The law works well because it has <b>engendered good practices</b> in the field of women and the media: three years after the enactment, the Executive Report states that the law has fostered a wide range of institutional solutions and regulatory measures at national level and in the autonomous communities that extends from the promotion of the existing national Observatory of Advertising, to the creation of bodies and commissions on gender discrimination. Observatories on sexist advertising have been created in four autonomous regions (Andalusia, the Canary Islands, Valencia and Melilla); a State Observatory for Gender-Based Violence, belonging to the Ministry of Health, Social Services and Equality, was created. And in almost every region, the Women’s Institute has started multiple awareness-raising activities and a specific service for complaints about sexist advertisement. |
| <b>Transferability</b>    | Specific conditions that contribute to its success | The law appears to be <b>transferable</b> , as its implementation does not rely on special funding, its main success factors are not specific of the particular context of implementation and can be easily replicated in other geographic contexts.   |
|                           | Adaptability                                       | Its main success factors can be easily replicated in other geographic contexts: first, the law addresses the problem of gendered-based violence, that is spread worldwide; second, the law provides a complement, of binding nature, to the work of advertising self-regulations bodies, that, with few exceptions, in all the EU Member States have no binding power and/or have not the power to inflict penalties and fines.  |
| <b>Learning potential</b> | General lessons to be drawn                        | The Law has a great <b>Learning Potential</b> and its most valuable lesson concerns the acknowledgement of the pivotal role that media can play in socially legitimating GBV as well as in eradicating those behaviours and attitudes that may favour it; also, the Law ‘teaches’ that the involvement of feminist organisations, women’s NGO and gender-sensitive bodies is a <i>sine qua non</i> condition in order to question the gender power system in which GBV is rooted.  |

| CRITERIA               | OPERATIONALISATION                    | REGULATORY ACT ASSESSMENT   |
|------------------------|---------------------------------------|---|
| <b>Gender specific</b> | Is the regulatory act gender-specific | <p>The law is <b>Gender-Specific</b>. It is embedded in a gender mainstreaming strategy, as it was created in a country that, over the last 10 years, has issued important gender equality policies, such as the already mentioned Gender Equality Law (2007), from which a national Strategic Plan for Equal Opportunities has resulted.</p> <p>Also, the issue, application and monitoring of the law directly depend on the institutions that, are competent for gender equality policies in Spain (the Ministry of Health, Social Services and Equality ; the Government Delegation on Violence against Women, belonging to this Ministry; the Women's Institute, depending on the Directorate General for Equal opportunities). The law can be considered as expressing a strong gender perspective also because feminist organisations, women's NGO and gender-sensitive bodies strongly supported its enactment and are directly involved in the developing of the awareness- raising activities that the law promotes.</p> <p>Finally, unlike many other acts/policies found across Europe that address gender-based discrimination within the context of generic anti-discrimination provisions, this law specifically focuses on gender-based violence, a problem that is deeply rooted in the gender power system.</p> |

**Source:** Present study data collection

### 3.2.5. Sweden

#### ***Sweden, Radio and Television Act (2010:696), Swedish Code of Statutes***

##### **Context analysis**

In 2008 the inquiry "Discriminatory Advertising - offensive design of commercial messages" was published. The inquiry was ordered by the Swedish Government as an attempt to chart the trends and the extent of sexist advertising in Sweden. The purpose of the inquiry was also to present proposals on how legislation against such advertising could be designed, as well as probable advantages and disadvantages of such a proposal. One of the conclusions reached by the assigned team of experts behind that did the inquiry was that a Swedish law against gender-discriminatory advertising was needed to successfully manage to combat the constantly reoccurring gender-discriminatory practices that occupy a generous amount of space in advertising in Sweden today. The team also did an evaluation of whether or not the regulation and control of such activities should be relied upon an Advertising Ombudsman; their proposal was that it should not (SOU 2008:5 p.200). Today in Sweden no law exists to regulate and sanction discriminatory advertisements or other media contents/forms on the basis of gender.

##### **Regulatory act description**

The Act regulates radio and television broadcasting activities within the territory of Sweden, issued in 2010. Article 6 of the AV-Directive (the consolidated version of the Directive) is considered as implemented in Swedish law through the penal provision on the incitement to racial hatred and the so-called democracy provision in Chapter 5. § 1 and Chapter 14. § 1 Radio and Television Act (2010:696). The articles cannot be applied to individual programs - but to the whole program activity, and may therefore not examine a particular program. The ability to set specific demands on media service providers exists through another article in the Radio and TV Act (Chapter 4. 9 §), this says that providers must take into consideration television's impact in terms of content, design and time of broadcasting of a show: e.g. discriminatory representations of women may be considered by the the Swedish Broadcasting Commission through the application of this article. What falls within the provision of media's special impact has been decided by the Swedish Broadcasting Commission through the Commission's praxis (and former Radio Board until 1994), and by the statements in the bill (1995/96: 160 p. 94).

The sanction that can be considered in this type of offense is the disclosure of a decision of the Commission. An announcement should be done according to the Radio and Television Act. According to the praxis of the Commission, this should be done close in time of the decision and reflect the decision in a proper and neutral manner. It may not be requested for this to happen in a broadcast, but that is how it usually works. Withdrawal of a license is an extreme instrument, but a possible one. It cannot result from a single precipitation of a program but requires substantial breach.

Table 7: Assessment criteria grid for the fourth good practice Sweden

| CRITERIA                  | OPERATIONALISATION                                 | REGULATORY ACT ASSESSMENT   |
|---------------------------|--|---|
| <b>It works well</b>      | Legally binding                                    | This Act is binding: if convicted, the media service provider is obliged to adequately disclose the decisions of the Board. If a media service provider is repeatedly convicted The Swedish Broadcasting Commission may decide to withdraw its license.   |
|                           | Adequateness                                       | In the beginning of 2000 a debate was initiated, within the Swedish political agenda, about 'sexualisation of the public domain'. The debate was about gender-discriminatory, stereotypical, objectifying and offensive images in media. Erotic commercialisation of the naked female body was one aspect highlighted in the debate. Nowadays, despite this long-running debate, Sweden still lacks of law regulating and sanctioning discriminatory advertisements or other media contents/forms on the basis of gender. The Radio and Television Act is the only binding legislative instrument that has the potential to contrast the increasing exploitation of female body and to guarantee a fair representation of women and girls in media coverage. This is proved by some significant cases of the correct application of the Act, that have led to convict programmes whose content was deemed harmful to women's dignity (see Criterion 'Gender Specific' below). |
|                           | Engenders other good practices                     |   |
| <b>Transferability</b>    | Specific conditions that contribute to its success | The possibility to withdraw a license has increased the success of the Act. The fact that there are at least a few examples of convicted programmes to refer to in upcoming reports has helped in making new claims.  |
|                           | Adaptability                                       | The Act appears to be transferable, as its implementation does not rely on special funding, its main success factors are not specific of the particular context of implementation and can be easily replicated in other geographic contexts where a Public-owned broadcaster is found.  |
| <b>Learning potential</b> | General lessons to be drawn                        | As to the <b>Learning Potential</b> , the most valuable lesson that can be learnt from this practice concerns the importance of relaying on binding measures.   |

| CRITERIA               | OPERATIONALISATION                    | REGULATORY ACT ASSESSMENT  |
|------------------------|---------------------------------------|--|
| <b>Gender specific</b> | Is the regulatory act gender-specific | <p>The provision of the special impact of television can also be applied in relation to violence, horror; also, gender-based discrimination is only addressed within the context of generic anti-discrimination provisions. Nevertheless, the ways in which the Act it has been applied confirms that it is very effective in tackling and punishing unfair representation of women, girl and gender power relations. For instance, the Broadcasting Commission considered that two episodes of the Big Brother (TV11) conflicted with the provision of the special impact of television, as they expressed 'a prejudiced view of the roles and needs of women and men' and encouraged 'the sexual objectification of women' (The Swedish Broadcasting Commission, Decision 2011-10-31, Dnr: 11/00751, 770, 774, 795 &amp; 825). Another Decision from the Commission (202/95, 1995-05-03, Dnr:523/94-22) convicted "Mittnytt" (TV 2, 1994-11-18), a program features on resigning local politicians, because it insisted in portraying female politicians as 'hot', thus expressing 'an offensive and prejudiced view of the relationship between men and women in working life'.</p> |

Source: Present study data collection

## 4. CONCLUSIONS AND RECOMMENDATIONS

The report has aimed at providing an overview of the main definitions, theories and studies as well as to explore the regulatory acts existing in EU 27 Member States regarding gender, gender roles and gender stereotypes and their representation on the media (TV, advertising, news and new media) and to explain why gender stereotyping hampers the achievement of gender equality. Among the existing regulatory acts good practices have been highlighted in order to provide indications on the most effective regulatory measures existing in EU 27 Member states.

### *1. The role of the media in shaping gender identities*

In explaining that what defines a woman or a man is much more related to culture and society rather than to sex, sexuality and personal appearance, gender is defined as a social construct. Along with other 'socialization agencies', such as the education system, family, and so forth, the media 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.

Although the audiences are free to accept or refuse media contents and meanings, the media system has the power to decide which gender role models will be visible and which not: all media contents are powerful sources of gender information that might reinforce or challenge our ideas about gender. The media, especially mainstream commercial media, aim to attract as much audience as possible. Therefore, they tend to use a simple language and provide a stereotyped representation of social reality, groups and phenomena, referring to preconceived ideas, whereby males and females are arbitrarily assigned characteristics and roles determined and limited by their sex. This phenomenon promotes an asymmetrical and stereotyped vision of women and men (as of girls and boys) in society.

The most researched areas in terms of theoretical and empirical studies are those analysing stereotyped gender portrayals in TV Drama, Advertising, News and New Media. Researches show that TV drama featuring women in top-level positions within traditionally male-dominated work environments fail to articulate the real social tensions created by the 'collision' of these women with the patriarchal power structures.

Studies on advertising have given evidence of a wide use of stereotyping in the representation of women. Women are featured in the promotion of kitchen and bathroom products, working inside the home or, whenever outside, subservient to men. Moreover, the majority of authoritative voice-overs are reported to be male ones. The post-feminist utopia is a place where advertisers use feminist discourses to sell to female customers. Studies indicate that women more often than men are portrayed in a sexual manner and are objectified; an unrealistic standard of physical beauty is heavily emphasized. Studies conducted in different disciplines have shown that the sexual objectification of female body in media contents does have a negative influence on the audience, and that this influence finds in young women and teenagers a particularly vulnerable target. Such a shift only apparently contrasts the sexist tendencies of advertising, as the models of femininity that are being offered (the young heterosexually desiring 'midriff', the vengeful woman and the 'hot lesbian') are still the expression of a male-dominated culture.

The representation of women in news is a very scarcely covered area of investigation. The largest and longest longitudinal study on the subject is The Global Media Monitoring

Project, which highlighted an underrepresentation of female subjects in the news: as individuals interviewed, women appear mostly as persons voicing popular concerns and personal experience and least as spokespersons and experts. The presence of women as TV news readers has to be ascribed not only to their capacities but for their attractiveness to audiences. Women are able to give more drama to the events reported or eventually, distracting audiences from the horrors of the war. A journalist who wishes to advance in his or her career in mainstream journalism has to prove his or her capability in the traditional core areas such as politics, sport or economics. For female journalists this is perhaps more demanding because such topics are conventionally considered a natural part of masculine competence. Thus, female journalists have to prove their ability to go beyond the female boundaries that stop them from being taken seriously as professionals.

Finally, as to new media, several feminist scholars have claimed that the Internet is a woman's medium. This belief has become widespread and is largely undisputed. However, recent studies have highlighted that women participating in online environments have encountered considerable negative feedback from men, including deception, harassment, obnoxious behaviour, sexism, and other forms of net abuse.

## ***2. Media effects on the audience and their repercussions in society at large***

The issue of media effects on the audience is also one of the most longstanding theoretical problems in Communication Research. In the realm of TV drama, in recent years, researches have build upon the legacy of Cultural Studies analysing the audience of contemporary popular 'feminine' TV series. For instance Sex and the City was perceived as 'empowering' by viewers.

In the realm of advertising, recent studies on the influence of sexist media contents on the audience have shown that the ability to recognize gender-based discrimination or sexist elements in advertising are directly correlated to the respondents' gender awareness and self-esteem. A widespread 'reluctance' to recognise sexism in media content is signalled in the literature and it should be interpreted as alarming, as it shows a low gender-awareness among the audience rather than being the evidence of the individuals' ability to actively negotiate the meanings of media representations.

More specifically mass media propose a sexualized representation of women and girls which might have negative effects in a variety of domains including cognitive functioning, physical and mental health, sexuality and attitudes and beliefs.

In general being exposed to gender stereotyping from an early age perpetuates gender segregated education and training paths. Even pre-school children have gender stereotyped notions of what jobs men and women do. Thus, stereotyping narrows the range of careers considered by children from an early age.

## ***3. Regulating the representation of women in the media: state of the art at European level and in Member States***

The present study has once again highlighted that in the **European Union**, the issue of women's representation in the media is mainly regulated at national level through a mix of legislation and self-regulation (the latter affecting advertisement). While the legislative approach varies greatly across the EU, self-regulation proves to be more consistent as it often refers to the code elaborated by Chambers of Commerce in Advertisement and Marketing Communication Practice.

The 2010/13/UE Audiovisual Media Services Directive has been already implemented in all European Countries. The Directive 'prohibit[s] discrimination based on sex, age, racial or ethnic origin, nationality, religion, belief, or disability' in TV adverts and other audiovisual commercial communications. The Directive stipulates also that 'audiovisual media services may not contain any incitement to hatred based on race, sex, religion or nationality'. The present study individuated 61 regulatory acts and policies on gender and media across the 27 EU member States. Most of them (26) are laws, of which 21 are sectoral regulations (15 on the media and 5 on the advertising sector, plus 1 on the wider marketing sector). The remaining 4 are laws aimed at protecting against discrimination and/or at fostering gender equality. Additionally, there are 7 regulations (5 for broadcasting and 2 for advertising) issued by authorities competent for media and communication with a gender relevance.

13 out of 21 regulatory acts are codes of conduct issued by advertising self-regulation bodies, created by the advertising industry to comply with national laws ruling the sector. They are to be found in the Codes of conduct and Protocols. r. Regarding the remaining regulatory acts, 4 belong to the broadcasting and news media sector, 1 to e printed media and internet sector, and 3 to all forms of media and communication. The main weaknesses of codes and protocols collected in this study 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'.

Laws and regulations on the matter are legally binding; failure to comply therewith can entail fines and the suspension of advertising/broadcast content. However, the regulatory acts analysed lack a strong gender perspective and sensitivity: there are no specific provisions on women's representation in media other than the generic stigmatisation of 'discrimination on the grounds of sex/gender', and the monitoring activity carried out by the appointed authorities/institutions is often insufficient.

Additionally, seven Gender Equality Plans make reference to the media sectors. T6 are action tools (6) and only 1 envisages a long term organic strategy. 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, including the media. Some of these plans address the representation of gender and gender equality in the media in a detailed way, however, they are not legally binding.

#### ***4. Drafting legislation on gender issues: good practices at Member State level***

Four assessment criteria have been adopted to identify good practices in regulatory acts that guarantee a fair and non-stereotyped representation of women and girls on the media, They draw on the criteria indicated by EIGE for the evaluation of good practices in gender mainstreaming and are the following: : 1) 'Works well' (the regulatory act can ensure a non-stereotyped portrait of women and girls in the media, thus guaranteeing a fair representation of women and girls in media coverage and improving gender equality); 2) Transferability (it can be applied to other situations and contexts); 3) Learning Potential (the act transcends its particular context showing a way to how to tackle the issue of women's and girls' representation on the media appropriately); 4) Gender-specificity (it has a strong gender perspective; it is grounded in an appropriate and comprehensive definition of gender-based discriminations, encompassing the diverse manifestations that it takes on in media contents).

The analysis focused on four diverse regulatory acts (in terms of typology and geographical coverage).

The general regulation issued by the Advertising Standard Authority of Ireland (ASAI) (2007) specifically concerns the advertising sector and it is more effective than the other regulatory acts/policies because 1) is one of the few acts foreseeing fines for non-compliance) and 2) is gender-specific. Success stories regarding its application show its capacity to ban advertisement campaigns based on images and contents that are harmful to women's dignity.

The 2007 Guidelines on Gender Equality and Gender Portrayal in the Broadcasting Media, issued by the Maltese Broadcasting Authority, have proved to "work well", guaranteeing a fair and non-stereotyped representation of women and girls on the media. They guidelines have a great learning potential, because they show comprehensive understanding of gender discrimination and stereotyping and provide detailed 'instructions' on how to achieve an equal representation of men and women (with particular reference to their changing professional and social roles).

The Spanish Organic Law 1/2004, 28 December, on Measures of Integral Protection against Gender-Based Violence has become a milestone in the field of equality policies because it is very comprehensive and complementary to the 2007 Law on Advertising. The law is binding and adequate to the country context. The law has proved to make room for good practices in preventing GBV through advertising and communication and in detecting and correcting improper treatment of GBV in advertising (awareness-raising initiatives, creation of Observatory on GBV and the media, etc.). The law a) acknowledges the pivotal role that media can play in socially legitimating GBV and fights to eradicate those behaviours and attitudes that may favour it, while recognizing the importance of involving feminist organisations, women's NGOs and gender-sensitive bodies as a *sine qua non* condition in order to question the gender power system in which GBV is rooted.

The Swedish Radio and Television Act (2010) stands out for foreseeing particularly severe punishments for non-compliance and for presenting success stories of correct application, that led to cancel programmes whose content was deemed harmful to women's dignity.

## Recommendations

### ***5. Improving effectiveness of regulatory acts in the media sector in EU 27 Member States***

After reviewing the regulatory acts and policies with a gender relevance enacted in the EU 27 Member States, we can conclude that the most relevant and widespread problem concerns the fact that in general, there is always a lack of some criteria guaranteeing a fair and non-stereotyped representation of women and girls in the media. To put it in other words: few acts/policies/practices are, at the same time, legally binding, gender-specific, and specifically targeting the media sector. Generally speaking, the regulatory acts and practices that stand out for being based on an appropriate and comprehensive definition of gender-based discrimination are mostly Gender Equality laws, Anti-discrimination acts, and Gender Equality Plans.

Almost all of them provide detailed examples of conducts and actions that can contribute to gender mainstreaming (or that are likely to hinder gender equality) in all aspects of public life. The 'scorn' is that, to the exception of the Spanish law above discussed, these acts are *either* binding (Anti-discrimination acts and) *or* media-related. Anti-discrimination acts and Gender Equality laws contain compulsory measures, normally provisions on prohibitions, but fail to appropriately tackle and 'discipline' the role that media play in the reproduction of culturally transmitted stereotypes and images of women and men; on the contrary,

Gender Equality Plans include sometimes even ample sections on gender and media issues; along with the stigmatisation of certain conducts and representations, they also include active measures aimed at raising awareness of the issue of gender equality and women's representation in the media, but their political force is blunted by the lack of legally binding instruments. A possible strategy to increase the effectiveness of the binding acts would be to insert more detailed references to the role and socio-cultural functions of the mass media. As to the Gender Equality Plans, it would be necessary to compensate for their most widespread fragilities, e.g. having monitoring competence and responsibilities more clearly defined, avoiding delayed evaluation processes, as well as to ensure the actual implementation of the GEP through the annual action plans that they foresee.

Conversely sectoral regulations, that is, laws specifically targeting (sectors of) the media system, and the regulations issued by authorities competent for media and communication are potentially very effective in contrasting gender stereotyping and discrimination in the media, as they are binding; though, as previously said, they rarely go beyond a generic and 'self-evident' formulation when it comes to the protection of women's rights and dignity. This is also the case with national laws transposing the EU Directive on Audiovisual Media Services. The competence for monitoring and applying these laws/regulations normally fall under the responsibility of governmental bodies and authorities competent for media and communication (consumer ombudspersons/consumer protection commissions in a couple of cases).

As the experience of good practices preaches, in order for these laws/regulations to express stronger sensitivity and effectiveness in regard to gender and the media issues, National Gender Equality bodies, women's NGOs and associations should be involved as well. This happens in very few cases across Europe, and all of them are concentrated in gender equality policies/laws/plans. On the contrary, out of 21 sectorial laws (14) and regulations (5), such organisations are found in 2 cases only (State Equality Body, Code of Advertising, Portugal, 2001; Office of the Equal Opportunities Ombudsperson, Law on Advertising, Lithuania, 2010). The participation of organisations regulating the laws' content from a gender perspective may help compensate for their weak and generic treatment of women and media issues, as these organisations have developed gender skills and a cultural and political analysis of the gender power system that are very helpful in singling out sexism and discrimination on the ground of gender in media contents.

#### ***6. Improving effectiveness of regulatory acts in advertising in EU 27 Member States***

As to the specific field of advertising, as previously said, in almost all the EU countries vigilance falls under the responsibility of self-regulatory bodies. A positive aspect is that all those who believe to be affected by advertising are allowed to make complaints, including concerned citizens and members of the audience. However, the main fragility of these bodies is the high degree of subjectivity in handling complaints along with their non-binding nature. In spite of the 'success stories' (such as suspension of advertising because deemed by the competent authority to offend women and girls), we believe that unfortunately many opportunities for change go amiss even if complaints about discriminatory advertising are a considerable part of those received by the competent bodies in all Member States. This is a very significant problem because, as it is extensively discussed in the scientific literature, advertising is one of most influent media expressions in shaping gender-imagery. All over Europe (and the world), advertising frequently reproduces stereotyped images of women (as sexual objects, as housekeepers, as scientists and experts *only* when they recommend house-cleaning products, healthy food for the family or products for babies).

More than in any other media content, the subjectivity of judgement becomes a particularly critical aspect in advertising as this form of communication relies often on humour to convey its message. Representations that are humiliating, degrading or offensive to women on the basis of their sex are often expressed in an ironic fashion, as a joke or a humorous commentary. This is likely to 'edge, so to speak, and makes sexism harmless at first glance and as such, acceptable to wider audience'<sup>227</sup> and, sometimes, to the authorities competent for deciding upon complaints as well. For these reasons, once again, it would be very important that these authorities' activity benefit from the advice of women's associations and gender expert groups, which have the proper sensibility to handle sexist advertising.

Most of all, specific tools and guidelines should be introduced in order to better address the issues of women's representation in advertising. Outside of the EU, a positive example to look at is that of Canada, that has a long-entrenched tradition in combating gender stereotyping in the media. The Advertising Standards Canada proposes a series of very specific guidelines for gender portrayal, which were originally developed in 1981 by the Canadian Radio-television and Telecommunications Commission Task Force in Sex-role Stereotyping in the Broadcast Media. The guidelines represent a useful and more sophisticated instrument, complementary to the code of conduct, for the organism's councils to base their decisions regarding consumer complaints about sexist advertising. The Guidelines posit both positive recommendations and prohibitions regarding the representation of men and women, focusing on the depiction of authority, decision-making, sexuality, violence, diversity and the use of anti-sexist language. Their main success factor relies on acknowledging that "men and women are not at equal risk of being negatively portrayed", which is the reason why "while the Guidelines pertain to both women and men, some clauses are particularly directed to the portrayal of women".

Few codes protocols/codes of conduct have been found besides those issued by advertising self-regulation bodies. The most striking gap that would be recommendable to fill in, concerns news media and journalism. Besides the already mentioned Finnish Guidelines for Journalists, only two more instruments were found. This appears to be a critical aspect, as fair gender portrayal is a professional and ethical aspiration akin to the respect for accuracy and honesty. On the contrary, the GMMP research reports on underrepresentation of women in the contents of the news. In a world where hard news is still mainly reported and presented by men and where stereotyped gender role models are deeply interiorised by female journalists, there is a strong need to stand up for gender equality in journalism. This equality is not just a women's issue; everyone benefits from eradicating discrimination.

Looking at the regulatory acts that at least mention news media, a positive example is the Code of Programme Standards issued by the above mentioned Broadcasting Authority of Ireland. The provisions under this Code outline the standards required of broadcasters when it comes to the manner in which persons and groups (women included) in society are featured during programme material and, specifically, during factual programming (e.g. news, documentary production): broadcasters are required to avoid the inclusion of references to age, colour, gender, national or ethnic origin, disability, race, religion or sexual orientation where such references are inappropriate and/or serve no editorial purpose.

### ***7. Dissemination of 'positive' gender role models: what regulation?***

Finally, it is important to notice that the most part (39 out of 46) of the initiatives in the field of women and the media found with the present study in the EU Member States are

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<sup>227</sup> Beitrag Gordana Lukac Kortinik (2011).

'detering' measures, that is, they contain provisions on prohibitions against gender discrimination and against media contents that are likely to encourage it. Among them, 7 include also measures encouraging a non-discriminatory behaviour. Only 5 offer only provisions that promote/encourage media representations that can contribute to gender equality in and through the media (the Manual on 'Gender equal Media Design' by the Austrian Trade Union Federation, 2004; Italian Guidelines on the content of the additional obligations of the public broadcasting service, 2004; three Gender Equality Plans, from Greece, Slovenia and Belgium). A general recommendation that is valid for all media-related acts/policies is to encourage the dissemination of positive gender role models and go deeper into their content, in order to provide examples and guidelines that media professionals can refer to. This is line with the suggestions of the "Roadmap for Gender Equality 2006-2010": media have 'to present a realistic picture of the skills and potential of women and men in modern society' and they also have to encourage awareness-raising campaigns or other actions aimed to contrast gender stereotyping.

A positive example to this regard is provided by Australia's codes of conduct for radio and television. The guidelines of women's representations for the Australian radio and television are very similar: both warn against stereotyping and use of sexist language, but also promote the recognition of women's participation in a diverse range of roles and the need to 'achieve a better balance in the use of women and men as experts and authorities'; the preservation of women's dignity on reporting and 'on-air' discussions, and finally, how to discuss about violence that affects women (including domestic assault).

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## ANNEX A

### Mapping of the Primary Stakeholders at EU 27 Member States' level

| COUNTRY               | AUTHORITIES COMPETENT FOR MEDIA AND COMMUNICATION  | MEDIA SECTOR ASSOCIATIONS (INCLUDING PROFESSIONALS INDUSTRY AND UNIONS)  | GENDER EQUALITY BODIES /MINISTRIES OF EQUAL OPPORTUNITIES                                  | WOMEN'S NGOS   |
|-----------------------|--|--|--|--|
| <b>Austria</b>        | Regulatory Authority for Broadcasting and Telecommunications (RTR)   | 1) GPA-djp - Union of Private Sector Employees<br>2) Graphical Workers and Journalists - Austrian Trade Union Federation<br>3) Women's network media   | Division for Women in the Federal Chancellery  | CheckArt, Verein für feministische Medien und Politik-Editor of an.schläge |
| <b>Belgium</b>        | 1) Flemish regulator for the Media (VRM)<br>2) High Council for the Audiovisual sector (CSA) Media Council (Medienrat) | 1) Société de droit d'auteur des journalistes Raad voor de Journalistiek<br>2) Association des Journalistes Professionnels Vlaamse Vereniging van Beroepsjournalisten                                | Institute (federal) for the equality of women and men                                      | Sophia   |
| <b>Bulgaria</b>       | Council for Electronic Media (CEM)   | 1) Union of Publishers in Bulgaria (UPB) radio- and TV operators (ABBRO)<br>2) The National Council for Self-regulation (NCSR) Union of Bulgarian Journalists Gender Project for Bulgaria Foundation | CPD (Commission for protection against discrimination) The Council for Electronic Media    | Bulgarian Fund for Women Gender Project in Bulgaria Foundation             |
| <b>Check Republic</b> | Council for Radio and Television Broadcasting (Rada prorožhlasové a televizní vysílání – RRTV).                        | 1) ATO [Association of Television Organizations] AKA [Association of Communication Agencies]<br>2) Syndikát novinářů [Association of Czech Journalists]  | Rada pro rovné příležitosti žen a mužů (Gender focal point of the Ministerstvo kultury ČR) | Gender Studies o.p.s. Czech Women Lobby                                    |

| COUNTRY | AUTHORITIES COMPETENT FOR MEDIA AND COMMUNICATION   | MEDIA SECTOR ASSOCIATIONS (INCLUDING PROFESSIONALS INDUSTRY AND UNIONS)  | GENDER EQUALITY BODIES /MINISTRIES OF EQUAL OPPORTUNITIES                        | WOMEN'S NGOS  |
|---------|---|--|--|---|
| Cyprus  | Cyprus Radio-Television Authority (CRTA)  | 1) Union of Cyprus Journalists<br>2) Association of Newspapers and Periodicals Publishers  | National Machinery for Women's Rights, Ministry of Justice and Public Order      | Mediterranean Institute of Gender Studies (MIGS) Cyprus Gender Equality Observatory |
| Denmark | Radio and Television Board (RTB)  | 1) Producentforeningen (Danish Producers' Association)<br>2) Dansk Journalistforbund (Danish Journalist Association)   | Ministeriet for Ligestilling og Kirke (Ministry for Equality and Church Affairs) | KVINFO's <i>database</i> of women professionals.                                    |
| Estonia | 1) Media and Copyright De-partment in the Ministry of Culture (MoC)<br>2) Public Broadcasting Council (PBC) | 1) Eesti Kaubandus-Tööstuskoda (Estonian chamber of Commerce and Industry)<br>2) Eesti Ajakirjanike Liit (Estonian Union of Journalists)   | Gender Equality Department (Ministry of Social Affairs)                          | Eesti Naisuurimus- ja Teabekeskus (Estonian Women's Studies and Resource Centre)    |
| Finland | Finnish Communications Regulatory Authority(FICORA),  | 1) The Federation of the Finnish Media Industry, Finnmedia (Viestinnän keskusliitto)<br>2) The Union of Journalists in Finland (Suomen journalistien liitto)<br>3) Liiketapalautakunta (LTL) - Council of Ethics in Advertising (under the ICC national committee) | Ministry of Social Affairs and Health, the Equality Unit                         | Association for women in journalism (Naistoimittajien liitto)                       |

| COUNTRY | AUTHORITIES COMPETENT FOR MEDIA AND COMMUNICATION  | MEDIA SECTOR ASSOCIATIONS (INCLUDING PROFESSIONALS INDUSTRY AND UNIONS)  | GENDER EQUALITY BODIES /MINISTRIES OF EQUAL OPPORTUNITIES       | WOMEN'S NGOS  |
|---------|--|--|---|---|
| France  | Conseil supérieur de l'audiovisuel (CSA) ARCEP (The French Telecommunications and Posts Regulator) | 1) Syndicat national des journalistes (SNJ)<br>2) Association des femmes journalistes  | Observatoire de la Parité entre les Femmes et les Hommes (OPFH) | CNIDFF - Centre National d'Information sur les Droits des Femmes et des familles        |
| Germany | 14 Regional Media Authorities (LMAs)   | 1) BDZV (Verleger-verband) VPRT Verband Privater Rundfunk und Tele. Medien<br>2) Deutscher Journalisten Verband (DJV)<br>Deutscher Werberat (DW)               | Bundes-ministerium für Familie, Senioren, Frauen und Jugend     | Journalistinnen Bund (JB) Pro Quote – a new initiative for equality in media leadership |
| Greece  | National Council for Radio and Television (NCRTV)  | Union of Athens Daily Newspapers' Editors  | General Secretariat for Gender Equality                         | European network of women (ENOW)  |
| Hungary | 1) National Radio and Television Commission (ORTT)<br>2) National Communication Authority (NHH)    | 1) Association of Hungarian Journalist, Women in the Media (Equal Opportunities)<br>2) Center for Independent Journalism<br>Önszabályozó Reklám Testület (ÖRT) | Egyenlő Bánásmód Hatóság  | Hungarian Women's Lobby   |
| Ireland | 1) Broadcasting Authority of Ireland (BAI)<br>2) Advertising Standard Authority (ASAI)             | Services Industries Professional and Technical Union   | Equality Authority  | National Women's Council of Ireland Women on Air Women in Media and Entertainment       |

| COUNTRY          | AUTHORITIES COMPETENT FOR MEDIA AND COMMUNICATION      | MEDIA SECTOR ASSOCIATIONS (INCLUDING PROFESSIONALS INDUSTRY AND UNIONS)  | GENDER EQUALITY BODIES /MINISTRIES OF EQUAL OPPORTUNITIES                                 | WOMEN'S NGOS  |
|------------------|--|--|---|---|
| <b>Italy</b>     | Autorità per le Garanzie nelle Comunicazioni (AGCOM)   | 1) Ordine giornalisti -Federazione Relazioni Pubbliche Italiane (Ferpi) Associazioni pubblicitarie (ASSOPROM) FERPI<br>2) Dip. Pari opportunità Istituto dell'Autodisciplina Pubblicitaria (IAP) | Inter Press Service   | Zeroviolenzadonne   |
| <b>Latvia</b>    | National Electronic Media Council (NEPLP)              | 1) Latvian Press Publishers Association  | Ministry of Welfare   | Latvian Women's Studies and Information Center Women's Studies, Department of Communication                                     |
| <b>Lithuania</b> | Commission of Radio and Television of Lithuania (LRTK) | 1) Versli Lietuva.lt – “Enterprise Lithuania”<br>2) Lietuvos statybininkų asociacija - “Lithuanian Builders Association”   | Lygių galimybių kontrolieriaus tarnyba – “The Office of Equal Opportunities Ombudsperson” | Moterų informacijos centras – Women Information Center Lietuvos žmogaus teisių asociacija – Lithuanian human rights association |

| COUNTRY            | AUTHORITIES COMPETENT FOR MEDIA AND COMMUNICATION   | MEDIA SECTOR ASSOCIATIONS (INCLUDING PROFESSIONALS INDUSTRY AND UNIONS)  | GENDER EQUALITY BODIES /MINISTRIES OF EQUAL OPPORTUNITIES           | WOMEN'S NGOS  |
|--------------------|---|--|---|---|
| <b>Luxembourg</b>  | National Council of Programmes (CNP) Media and Communications Service (SMC)<br>Independent Commission for Broadcasting (CIR)<br>Consultative Media Commission (CMC) | 1) APSI- Association des professionnels de la société d'information (Professional association for information society)<br>2) ALEJ- Association luxembourgeoise des éditeurs de journaux - Luxemburgish Association of Newspaper Publishers) www.apsi.lu<br>3) ALJ Association Luxembourgeoise des journalistes Luxemburgish Association of Journalists Commission Luxembourgeoise pour l'Ethique en Publicité (CLEP) | MEGA – Ministère de l'égalité des chances                           | CNFL – Conseil national des femmes du Luxembourg<br>National Council of Women in Luxembourg<br>www.cnfl.lu                    |
| <b>Malta</b>       | Broadcasting Authority (BA)   | Institute of Maltese Journalists   | National Commission for the Promotion of Equality                   | National Council of Women   |
| <b>Netherlands</b> | 1) Commissariaat voor de Media (CvdM, or Media Authority)<br>2) Onafhankelijke Post en Telecommunicatie Autoriteit (OPTA).  | 1) Sector Council for the Creative Industries (GOC)<br>2) The Dutch Society of Chief Editors or the Dutch Association of Journalists NVJ) (Alternative, The Council For Journalism RVDJ)   | Aletta E-quality (Alternative, Commission for Equal Treatment (CGB) | Women in the Media (VIDM) or Foundation for women in the media (Stichting Vrouw en Media)                                     |
| <b>Poland</b>      | National Broadcasting Council (Krajowa Rada Radiofonii i Telewizji – KRRiT)   | 1) Izba Wydawców Prasy (Chamber of Press Publishers) Związek Zawodowy Dziennikarzy i Mediów Regionalnych<br>2) Stowarzyszenie Dziennikarzy Polskich, Polish Journalists Association Rada Reklamy (RR)  | Government Plenipotentiary for Equal Treatment                      | Feminoteka<br><a href="http://www.feminoteka.pl/viewpage.php?page_id=10">http://www.feminoteka.pl/viewpage.php?page_id=10</a> |

| COUNTRY         | AUTHORITIES COMPETENT FOR MEDIA AND COMMUNICATION   | MEDIA SECTOR ASSOCIATIONS (INCLUDING PROFESSIONALS INDUSTRY AND UNIONS)   | GENDER EQUALITY BODIES /MINISTRIES OF EQUAL OPPORTUNITIES   | WOMEN'S NGOS  |
|-----------------|---|---|---|---|
| <b>Portugal</b> | Regulatory Entity for the Media (ERC)   | 1) Confederação Portuguesa dos Meios de Comunicação Social (CPMCS)<br>2) Sindicato dos Jornalistas  | Comissão para a Igualdade no Trabalho e no Emprego (CITE)   | UMAR - União de Mulheres Alternativa e Resposta       |
| <b>Romania</b>  | National Audiovisual Council (CNA)  | 1) Asociația Română de Relații Publice Confederația Sindicatelor Democratice din România (CSDR)<br>2) ARIADNA – Asociația Femeilor Jurnaliste din România | Consiliul National Pentru Combaterea Discriminării (CNCD)   | Ministerul Muncii, Direcția pentru egalitate de șanse |
| <b>Slovakia</b> | Council for Broadcasting and Retransmission   | Association of Public Relations Agencies in Slovak Republic Confederation of Trade Unions of the Slovak Republic  | Department of Gender Equality and Equal Opportunities (within the Ministry of Labour, Social Affairs and Family of the Slovak Republic) | Professional Women Association/ Profesionálne ženy    |
| <b>Slovenia</b> | 1) Agency for Post and Electronic Communication (APEK)<br>2) Inspectorate for Culture and Media-Media Inspector (Ministry of Culture) | 1) Medijska zbornica [Media Chamber]<br>2) Društvo novinarjev Slovenije [Slovene Association of Journalists] Slovenska Oglaševalska Zbornica (SOZ)        | Služba za enake možnosti in evropsko koordinacijo   | Ženski lobi Slovenije (Slovenian women's lobby)       |
| <b>Spain</b>    | National Audiovisual Council (CEMA)   | 1) FAPE CCOO- Fundación 1º de Mayo<br>2) AMECO Asociación para la Autorregulación de la Comunicación Comercial (Autocontrol)                              | Instituto de la Mujer   | CELEM   |
| <b>Sweden</b>   | Broadcasting Authority  | 1) Tidningsutgivarna (The Printed Press Association)<br>2) Journalistförbundet (Swedish Union of Journalists)   | Utbildningsdepartementet (Ministry of Education and Research)   | Sveriges Kvinnolobby (Sweden Women's Lobby)           |

| COUNTRY               | AUTHORITIES<br>COMPETENT FOR<br>MEDIA AND<br>COMMUNICATION  | MEDIA SECTOR ASSOCIATIONS<br>(INCLUDING PROFESSIONALS<br>INDUSTRY AND UNIONS)   | GENDER EQUALITY BODIES<br>/MINISTRIES OF EQUAL<br>OPPORTUNITIES                                  | WOMEN’S NGOS              |
|-----------------------|---|---|--|---------------------------|
| <b>United Kingdom</b> | 1) Office of Communications (Ofcom)<br>2) Advertising Standards Authority (ASA)<br>3) Association of Television On-Demand (ATVOD) | 1) National Union of Journalists<br>2) British Association of Journalists<br>3) Society of Women Writers and Journalists<br>4) British Association of Journalists | 1) Fawcett Society<br>2) Equality and Human Rights Commission<br>3) Government Equalities Office | Women Journalism Tithe in |

Source: Present study data collection

## ANNEX B

In the Beijing Platform for Action (henceforth BPfA) the issue of women and media is considered as pivotal<sup>228</sup>. The BPfA states that the expanding of the communication sector potentially may contribute to the advancement of women and girls, more specifically the communication sector may improve women's conditions from two different angles:

- an economic perspective i.e.: offering job opportunities;
- a content perspective, i.e. by promoting positive images of women and girls.

However, in both cases the BPfA stresses that without policy interventions both these objective may not be achieved.

Actions to be taken to achieve the first objective are (in bold those that are relevant for this study):

- By Governments: support women's education, training and employment to promote and ensure women's equal access to all areas and levels of the media; support research; **promote women's full and equal participation in the media aiming at gender balance in the appointment of women and men to all advisory, management, regulatory or monitoring bodies; encourage, to the extent consistent with freedom of expression, these bodies to control that women's needs and concerns are properly addressed by the media;** encourage and recognize women's media networks, including and support women's groups active in all media; encourage and provide the means or incentives for the creative use of programmes; guarantee the freedom of the media.
- By national and international media systems: develop, consistent with freedom of expression, **regulatory mechanisms, including voluntary ones, that promote balanced and diverse portrayals of women by the media** and international communication systems and that promote increased participation by women and men in production and decision-making.
- By Governments, as appropriate, or national machinery for the advancement of women: encourage the development of educational and training programmes for women; encourage the use of communication systems, including new technologies, as a means of strengthening women's participation in democratic processes; facilitate the compilation of a directory of women media experts; encourage **the participation of women in the development of professional guidelines and codes of conduct or other appropriate self-regulatory mechanisms to promote balanced and non-stereotyped portrayals of women by the media.**
- By non-governmental organizations and media professional associations: encourage the establishment of media watch groups; train women to make greater use of information technology for communication and the media, including at the international level; **create networks among and develop information programmes for non-governmental organizations, women's organizations and professional media organizations in order to recognize the specific needs of women in the media;** Encourage the media industry and education and media training institutions to develop, in appropriate languages, traditional, indigenous and other ethnic forms of media.

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<sup>228</sup> The specific issue is discussed on the BPfA website at the page:  
<http://www.un.org/womenwatch/daw/beijing/platform/media.htm#diagnosis>

Actions to be taken to achieve the second objective are (in bold those that are relevant for this study):

- By Governments and international organizations: to the extent consistent with freedom of expression they should encourage research and implementation of a strategy of information, education and communication aimed at promoting a balanced portrayal of women and girls and their multiple roles; encourage the media and advertising agencies to develop specific programmes to raise awareness of the BPfA; **encourage gender-sensitive training for media professionals, including media owners and managers, to encourage the creation and use of non-stereotyped, balanced and diverse images of women in the media; encourage the media to refrain from presenting women as inferior beings and exploiting them as sexual objects and commodities**, rather than presenting them as creative human beings, key actors and contributors to and beneficiaries of the process of development; promote the concept that the sexist stereotypes displayed in the media are gender discriminatory, degrading in nature and offensive; take effective measures or institute such measures, including appropriate legislation against pornography and the projection of violence against women and children in the media.
- By the mass media and advertising organizations: **they should develop, consistent with freedom of expression, professional guidelines and codes of conduct and other forms of self-regulation to promote the presentation of non-stereotyped images of women**; establish, consistent with freedom of expression, **professional guidelines and codes of conduct that address violent, degrading or pornographic materials concerning women in the media, including advertising**; develop a gender perspective on all issues of concern to communities, consumers and civil society; increase women's participation in decision-making at all levels of the media.
- By the media, non-governmental organizations and the private sector, in collaboration, as appropriate, with national machinery for the advancement of women: promote the equal sharing of family responsibilities through media campaigns that emphasize gender equality and non-stereotyped gender roles of women and men within the family and that disseminate information aimed at eliminating spousal and child abuse and all forms of violence against women, including domestic violence; **produce and/or disseminate media materials on women leaders, inter alia, as leaders who bring to their positions of leadership many different life experiences, including but not limited to their experiences in balancing work and family responsibilities, as mothers, as professionals, as managers and as entrepreneurs, to provide role models, particularly to young women**; promote extensive campaigns, making use of public and private educational programmes, to disseminate information about and increase awareness of the human rights of women; support the development of and finance, as appropriate, alternative media and the use of all means of communication to disseminate information to and about women and their concerns; develop approaches and train experts to apply gender analysis with regard to media programmes.

## ANNEX C

The experts team have adopted the following 'Regulatory act analysis fiche' to analyse existing legislation, regulation and code of conducts. The fiches, when fully completed, are also the primary tool for the identification of best practices in the selected countries (see. Step 4), because they include already some important evaluation elements.

**Table: Regulatory act analysis fiche**

| REGULATORY ACT ANALYSIS FICHE  |
|--|
| Typology (kindly cross the right typology):  |
| <input type="checkbox"/> Law/legislation<br><input type="checkbox"/> Regulation issued by authorities competent for media and communication<br><input type="checkbox"/> Code of conduct<br><input type="checkbox"/> Protocol<br><input type="checkbox"/> Directive |
| Country  |
| Sector   |
| Issuing institution or company   |
| Date of issue  |
| Detailed description of the regulatory act: objective(s), target group(s),   |
| How is the application of the act monitored? Is there a competent authority (Ombudsperson, court, person responsible within the company, professional media organisations and associations etc)?   |
| Are act infractions punished and how (pecuniary penalties, fines etc.)?  |
| Is the act effective in reaching its objectives?   |
| Is there an authority/institution of professional media organisations and associations regulating the advertising content from a gender perspective?   |
| Please list some significant cases of the correct application of the act.  |
| Which are act's main weaknesses?   |
| Which aspect shall be improved?  |
| Further comments   |

