

## **Recommendation CM/Rec(2019)1 of the Committee of Ministers to member States on preventing and combating sexism<sup>[1]</sup>**

*(Adopted by the Committee of Ministers on 27 March 2019 at the 1342<sup>nd</sup> meeting of the Ministers' Deputies)*

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The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe, Recalling that gender equality is central to the protection of human rights, the functioning of democracy and good governance, respect for the rule of law and the promotion of well-being for all, that it entails equal rights for women and men, girls and boys, as well as the same visibility, empowerment, responsibility and participation in all spheres of public and private life, and that it implies equal access to and distribution of resources between women and men, as set out in the Council of Europe Gender Equality Strategy 2018-2023;

Recalling that discrimination on the grounds of sex and/or gender constitutes a violation of human rights and an impediment to the enjoyment of human rights and fundamental freedoms, as recognised by the United Nations Committee on the Elimination of Discrimination against Women in its General Recommendation No. 28 on the core obligations of States parties under Article 2 of the Convention on the Elimination of All Forms of Discrimination against Women;

Recalling that sexism is a manifestation of historically unequal power relations between women and men, which leads to discrimination and prevents the full advancement of women in society;

Noting that sexism is widespread and prevalent in all sectors and all societies;

Affirming that sexism is reinforced by gender stereotypes affecting women and men, girls and boys, and runs counter to achieving gender equality and inclusive societies;

Noting that sexism constitutes a barrier to the empowerment of women and girls, who are disproportionately affected by sexist behaviour; and further noting that gender stereotypes and inherent biases shape the norms, behaviour and expectations of men and boys, and therefore lead to sexist acts;

Concerned that sexism is linked to violence against women and girls, whereby acts of "everyday" sexism are part of a continuum of violence creating a climate of intimidation, fear, discrimination, exclusion and insecurity which limits opportunities and freedom;

Noting that women and girls can be subject to multiple and intersecting forms of discrimination and may face sexism combined with other norms or behaviour which are discriminatory, hateful or harmful;

Aware that sexism and sexist behaviour are perpetrated at the individual, institutional and structural levels, and experienced with detrimental effect at all three levels, and that measures to prevent and combat sexism should therefore be taken at all levels;

Recalling the 1979 United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which requires States parties to take all appropriate measures "to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women";

Bearing in mind the objectives set forward in the Beijing Declaration and Platform for Action adopted by the United Nations Fourth World Conference on Women (1995), and in particular the Report of the Beijing+20 Regional Review Meeting for Europe, organised by the United Nations Economic Commission for Europe in 2014, which indicated that "discriminatory stereotypes remain widespread, and affect women's education and participation in the economy and in public life";

Bearing in mind the United Nations 2030 Agenda for Sustainable Development, including Sustainable Development Goal 5 ("Achieve gender equality and empower all women and girls"), Sustainable Development Goal 16 ("Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels") and Sustainable Development Goal 4 ("Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all"), which are of universal application;

Taking account of the United Nations Convention on the Rights of the Child (1989) and its prohibition of discrimination based on the child's or his or her parent's or legal guardian's sex;

Recalling the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5) and its prohibition of discrimination in the enjoyment of human rights;

Recalling that combating gender stereotypes and sexism and ensuring the integration of a gender equality perspective in all policies and measures are priority objectives in the Council of Europe gender equality strategy documents and recommendations;

Recalling that the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, Istanbul Convention) requires parties "to promote changes in the social and cultural patterns of behaviour of women and men with a view to eradicating prejudices, customs, traditions and all other practices which are based on the idea of the inferiority of women or on stereotyped roles for women and men", and that the Istanbul Convention also requires that parties criminalise stalking and take the necessary measures to ensure that sexual harassment is subject to criminal or other legal sanctions;

Taking account of the European Social Charter (ETS No. 35, ETS No. 163 [revised]) and its provisions on equal opportunities, non-discrimination and the right to dignity at work;

Recalling that the European Court of Human Rights in its case law has reiterated that the advancement of gender equality is today a major goal in the member States of the Council of Europe and that reference to traditions, general assumptions or prevailing social attitudes are insufficient justification for a difference in treatment on grounds of sex. Furthermore, the Court has indicated that gender stereotypes, such as the perception of women as primary child-carers and men as primary breadwinners, cannot of themselves justify a difference in treatment;

Recalling the following recommendations of the Committee of Ministers to member States: CM/Rec(2007)13 on gender mainstreaming in education; CM/Rec(2007)17 on gender equality standards and mechanisms; CM/Rec(2013)1 on gender equality and media; and CM/Rec(2017)9 on gender equality in the audiovisual sector;

Referring to General Policy Recommendation No. 15 on combating hate speech, adopted by the European Commission against Racism and Intolerance (ECRI) in December 2015, which includes sexist hate speech;

Taking account of the Council of Europe Strategy for the Rights of the Child (2016-2021), which stresses the need to fight discrimination and violence, particularly sexual violence and the need to promote equality between girls and boys including by continuing to address stereotypes, sexism and over-sexualisation, notably in the media and education;

Taking account of the Council of Europe Internet Governance Strategy 2016-2019 and its call for monitoring action to protect everyone, in particular women and children, from online abuse, including cyberstalking, sexism and threats of sexual violence;

Recalling Resolutions 2119 (2016), 2144 (2017) and 2177 (2017) of the Parliamentary Assembly of the Council of Europe, respectively on "Fighting the over-sexualisation of children", "Ending cyberdiscrimination and online hate" and "Putting an end to sexual violence and harassment of women in public space";

Drawing on the outcomes of implementing the above-mentioned instruments and documents at international, national, regional and local levels, including achievements and challenges;

Mindful that, despite the existence of standards at international, national and regional levels guaranteeing the principle of gender equality, a gap still persists between standards and practice, between de jure and de facto gender equality;

Acknowledging that the prevalence of different manifestations of sexism is closely linked to the persistent difficulties in achieving gender equality, and desirous to tackle sexism as a critical cause and consequence of gender inequality;

Noting the lack of an internationally agreed definition of "sexism" and of a dedicated legal instrument to tackle it;

Aspiring to create a Europe free from sexism and its manifestations,

Recommends that the governments of member States:

1. Take measures to prevent and combat sexism and its manifestations in the public and private spheres, and encourage relevant stakeholders to implement appropriate legislation, policies and programmes, drawing on the definition and guidelines appended to this Recommendation;
2. Monitor progress in the implementation of this Recommendation and inform the competent Council of Europe steering committee(s) of the measures undertaken and the progress achieved in this field;
3. Ensure that this Recommendation, including its appendix, is translated and disseminated (in accessible formats) to relevant authorities and stakeholders.

## **Appendix to Recommendation CM/Rec(2019)1**

### **Guidelines for preventing and combating sexism: measures for implementation**

#### **Definition**

For the purpose of this Recommendation, sexism is:

Any act, gesture, visual representation, spoken or written words, practice or behaviour based upon the idea that a person or a group of persons is inferior because of their sex, which occurs in the public or private sphere, whether online or offline, with the purpose or effect of:

- i. violating the inherent dignity or rights of a person or a group of persons; or
- ii. resulting in physical, sexual, psychological or socio-economic harm or suffering to a person or a group of persons; or

- iii. creating an intimidating, hostile, degrading, humiliating or offensive environment; or
- iv. constituting a barrier to the autonomy and full realisation of human rights by a person or a group of persons; or
- v. maintaining and reinforcing gender stereotypes. [2]

## Context

The need to tackle sexism, sexist norms and behaviour and sexist speech is implicit in a number of international and regional instruments. Both the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, Istanbul Convention) and the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) recognise a continuum between gender stereotypes, gender inequality, sexism and violence against women and girls. In this way, acts of "everyday" sexism in the form of apparently inconsequential or minor sexist behaviour, comments and jokes are at one end of the continuum. However, these acts are often humiliating and contribute to a social climate where women are demeaned, their self-regard lowered and their activities and choices restricted, including at work, in the private, public or online sphere. Sexist behaviour such as, in particular, sexist hate speech, may escalate to or incite overtly offensive and threatening acts, including sexual abuse or violence, rape or potentially lethal action. Other consequences may include loss of resources, self-harm or suicide. Tackling sexism is thus part of States' positive obligation to guarantee human rights, gender equality and to prevent violence against women and girls in accordance with international human rights law and, for States Parties, the Istanbul Convention.

Sexism and sexist behaviour result in physical, sexual, psychological or socio-economic harm and impact different sectors of the population differently. Women and girls are disproportionately affected by such behaviour. Sexism and sexist behaviour constitute a barrier to the empowerment and advancement of women and girls; the elimination of sexism and sexist behaviour would benefit everyone: women, girls, men and boys.

Sexism and sexist behaviour occur across the full range of human activity, including in cyberspace (internet and social media). They can be experienced individually or collectively by a person or a group of persons, even if neither the individual nor the group has been directly targeted, for example through sexist advertising, or posting of pictures of naked women in the workplace. The three levels of perpetuating and experiencing sexism are: individual, institutional (for example family, work or education environment), and structural (for example through societal gender inequalities, social norms and behaviour). Sexism is silencing when individuals and groups fail to report or complain about sexist behaviour for fear of not being taken seriously, of being ostracised or even held responsible.

The internet has provided a new dimension for the expression and transmission of sexism, especially of sexist hate speech, to a large audience, even though the roots of sexism do not lie in technology but in persistent gender inequalities. Additionally, social phenomena such as the #MeToo campaign and the series of actions and policy measures that it has triggered in different parts of the world (from 2017 onwards), including in Council of Europe member States, have helped shed light on the ubiquity of sexism and on the need for stronger measures to combat it.

Sexism and sexist behaviour are rooted in and reinforce gender stereotypes. The European Court of Human Rights has considered that "the issue with stereotyping of a certain group in society lies in the fact that it prohibits the individualised evaluation of their capacity and needs" [3]. Gender stereotypes reinforce unequal social power structures and impact resource allocation between women and men negatively. The persistent gender pay gap and the pension gap in member States are cases in point. Gender stereotypes are thus social constructions of the "appropriate" roles for women and men, which are determined by cultural prejudices, customs, traditions, and in many instances, interpretations of

religious beliefs and practices. Women who challenge or deviate from what is regarded as their “proper” place in society can be confronted with sexism and misogyny and men who challenge dominant perceptions of masculinity may be confronted with sexism.

### **Intersectionality, situational vulnerabilities and aggravating circumstances**

Women and men may be confronted with different and intersecting forms of sexism, based on a range of other factors including but not limited to ethnicity, minority or indigenous status, age, religion, refugee or migrant status, disability, marital status, social origin, gender identity, sexual orientation or sexuality. They may be in more vulnerable situations or be targeted by different acts of sexism in different settings, such as young women and women active in predominantly male environments, for instance business, finance, the military or politics. Women in positions of power or authority, including public figures, are also particular targets for sexism as they are perceived to have deviated from social gender norms that exclude women from public spaces or authority. Intersex and trans persons also face additional and/or enhanced challenges with regard to sexism.

Some circumstances can add to the seriousness or impact of sexist behaviour, or can affect the capacity of the victim to react. Such aggravating circumstances exist where sexist acts or words take place within a hierarchical or dependent relationship, in particular at work, in an educational or medical setting, in the framework of (public) services, or within commercial relationships. Sexism is especially damaging when the author is in a position of power, authority or influence such as a politician, an opinion maker or a business leader. Another aggravating factor is where the reach, or potential reach, of the sexist words or acts is extensive, including the means of transmission, use of social or mainstream media and the degree of repetition.

#### **I. General tools and measures for addressing sexism**

The primary purpose of measures to prevent and combat sexism is to induce behavioural and cultural change at individual, institutional and structural levels.

Tools to prevent and combat sexism can include legislative, executive, administrative, budgetary and regulatory instruments, in addition to plans, policies and programmes. States should choose the tools best suited to their own context and the objective of the particular action. Different tools are needed to address, on the one hand, unconscious bias and, on the other, deliberate sexist behaviour. The former may be addressed through awareness raising, training and education, while stronger measures are needed to eliminate deliberate and persistent sexist behaviour and sexist hate speech. Legislation addressing sexism, including definitions; a user guide; and an indication of the avenues of recourse and reparation for victims, and of the risks and ramifications for perpetrators, are important options to be considered.[4]

States should draw upon existing tools and ensure their effective implementation or make new tools available to prevent and protect against sexist behaviour, where appropriate, to prosecute and punish offenders and to provide reparation to victims.

The governments of member States are invited to examine the following measures to support the implementation of this Recommendation.

##### **I.A. Legislation and policies**

I.A.1. Consider legislative reform that condemns sexism and that defines and criminalises sexist hate speech.

I.A.2. Intersecting factors, differences between women, situational vulnerabilities and aggravating circumstances need to be recognised and taken into account when devising legislation and policies to combat sexism.

- I.A.3. Develop and invest in a comprehensive public infrastructure that serves as a platform for women's empowerment and gender equality and develop a policy framework on the elimination of sexism and gender discriminatory stereotypes, with targeted objectives, benchmarks, timelines, progress and results indicators, and a monitoring and evaluation mechanism to assess the impact of the steps taken.
- I.A.4. Encourage the participation of civil society, in particular women's non-governmental organisations, religious and community leaders, lawyers' and judges' professional bodies and labour unions, in the design of policy and legal frameworks aimed at combating sexism, in order to promote collaboration and to ensure their engagement in the implementation of these measures.
- I.A.5. Recognise, encourage and support, at all levels, the work of relevant civil society organisations, in particular women's non-governmental organisations, active in combating sexism in all areas (in particular those covered in Section III below) and establish effective co-operation with these organisations.
- I.A.6. Encourage relevant public bodies and services, for instance ombudspersons, equality commissions, legislative assemblies, national human rights institutions, public enterprises and complaints bodies, to draw up and implement codes of conduct or guidelines on sexism, in accordance with a comprehensive policy on the elimination of sexism, and provide such activities with adequate resources.
- I.A.7. Consider designating a gender equality body or other official institution with the responsibility for monitoring and evaluating policies and measures for the elimination of sexism in public and private life. Such a body should be afforded the necessary authority and resources to pursue these tasks.
- I.A.8. Provide for appropriate remedies for victims of sexist behaviour.
- I.A.9. Put in place training programmes for those working with victims and perpetrators of gender-related and sexual crimes.
- I.A.10. Consider the imposition of non-criminal penalties, for example the withdrawal of financial and other forms of support from public bodies or other organisations that fail to denounce sexism and sexist behaviour, especially sexist hate speech.

## **I.B. Awareness-raising measures**

- I.B.1. Encourage speedy reactions by public figures, in particular politicians, religious, economic and community leaders, and others in a position to shape public opinion, to condemn sexism and sexist behaviour and to positively reinforce the values of gender equality.
- I.B.2. Initiate, support and fund research, including collaborative research across member States, that provides systematic and sex- and age-disaggregated data on the incidence and negative impact of sexism and its manifestations, including on sexism and sexual harassment in the workplace, sexist hate speech, targets, perpetrators, the means of transmission, media and public response. Disseminate widely such data on a regular basis to the relevant public authorities, education establishments and the public.
- I.B.3. Allocate resources to finance effective communication and awareness-raising campaigns on the links between sexism and violence against women and girls, and fund organisations that support victims.
- I.B.4. Design, implement and promote regular national awareness-raising initiatives at all levels and through diverse forms of media (for example the production of handbooks, guidelines, video clips available on the internet and in mainstream media, the introduction of a national day against sexism, the setting up of museums to celebrate gender equality and women's rights). These initiatives should

aim to increase awareness and understanding among the general population, especially parents, of different forms of sexism, including phenomena such as “mansplaining” [5], of how to prevent and respond to them, and of the harm they generate for individuals and society, including girls and boys.

I.B.5. Ensure the design and implementation of tailored, ongoing education and training for educators in all spheres and at all levels of education, including in education establishments, for human resources personnel in the public and private sectors and in professional training institutions (for example the media, the military, medical and legal professionals, and accountancy, management and business schools) on gender equality, the meaning of gender stereotypes, how to recognise and address sexism, prejudices and biases, and how to challenge stereotypes.

I.B.6. Ensure the assessment of textbooks, training materials and teaching methods used by/for pupils of all age groups and in all forms of education and training (starting with preschool education) for sexist language, illustrations and gender stereotypes, and revise them so that they actively promote gender equality.[6]

I.B.7. Promote a gender equality perspective, as well as the development of critical thinking for the countering of sexism in the content, language and illustrations of toys, comics, books, television, video and other games, online content and films, including pornography, which shape the attitudes, behaviour and identity of girls and boys.

I.B.8. Promote and conduct regular awareness-raising campaigns on the construction of femininities and masculinities and what it means to be a woman/girl and a man/boy in contemporary society, for example through media, free public lectures and discussions.

I.B.9. Encourage collaboration between professionals (for example journalists, educators, law-enforcement agents) and civil society organisations to determine and share good practices on preventing and combating sexism.

I.B.10. Establish structures accessible to all, especially young people, to provide them with expert advice on how to prevent, combat and respond to sexism.

## **II. Specific tools and measures for addressing sexism and sexist behaviour in targeted areas**

Some fields of activity are especially prone to acts of sexism and/or to specific forms of sexist behaviour; it is therefore critical to take targeted action to prevent and combat sexism in these areas, in addition to the generally applicable recommended measures and tools listed in the previous section.

### **II.A. Language and communications**

Language and communication are essential components of gender equality and “must not consecrate the hegemony of the masculine model”. [7] Non-stereotypical communication is a good way to educate, raise awareness and prevent sexist behaviour. It encompasses eliminating sexist expressions, using the feminine and masculine or gender-neutral forms of titles, using the feminine and masculine or gender-neutral forms

when addressing a group, diversifying the representation of women and men, and ensuring equality of both in visual and other representations.

The governments of member States are invited to consider the following measures:

II.A.1. Reaffirm and implement relevant existing recommendations of the Council of Europe Committee of Ministers to member States, including Recommendation No R (90) 4 on the elimination of sexism from language, and Recommendation CM/Rec(2007)17 on gender equality standards and mechanisms, which underlines that “actions of member States must be targeted at the promotion of the use of non-sexist language in all sectors, particularly in the public sector”.

II.A.2. Undertake a systematic review of all laws, regulations, policies, etc., for sexist language and reliance on gendered assumptions and stereotypes with a view to replacing them with gender-sensitive terminology. Good practice includes the preparation of practical guides for language and communication that are non-sexist and without gender stereotypes for use in public administration documents.

## **II.B. Internet, social media and online sexist hate speech**

Online sexism is rampant throughout Europe, with women disproportionately affected – especially young women and girls, women journalists, politicians, public figures and women’s human rights defenders. One aspect of online sexism is adversely commenting on expressed views or opinions. While attacks on men are more often based on their professional opinions or competence, women are more likely to be subject to sexist and sexualised abuse and invective, the extremity of which may be magnified by the anonymity offered by the internet. Online attacks not only affect women’s dignity but may also prevent women, including in the workplace, from expressing opinions and result in pushing them out of online spaces, undermining the right to free speech and opinion in a democratic society, limiting professional opportunities and reinforcing the gendered democratic deficit. Another aspect is that the digital age has deepened the scrutiny to which women’s bodies, speech and activism are subjected. In addition, sexist misuse of social media – such as posting of intimate visual material without the consent of those depicted – is a form of violence that needs to be addressed.

The internet and social media are both vehicles for freedom of expression and promoting gender equality, but they also allow perpetrators to express their abusive thoughts and engage in abusive behaviour. While racist hate speech is recognised as contrary to European and international human rights standards, the same is not always true of sexist or misogynist hate speech, and current policies and legislation at all levels have not been able to adequately address the issue. Therefore, States are encouraged to take responsibility for combating hate speech and ensuring that the same rules apply to sexist hate speech as those developed for racist hate speech when it comes to the use of criminal law sanctions.

In addition, artificial intelligence poses specific challenges in relation to gender equality and gender stereotypes. The use of algorithms can transmit and strengthen existing gender stereotypes and therefore may contribute to the perpetuation of sexism.

The governments of member States are invited to consider the following measures.

II.B.1. Implement legislative measures that define and criminalise incidents of sexist hate speech and are applicable to all media, as well as reporting procedures and appropriate sanctions. More proactive detecting and reporting procedures for sexist hate speech should also be encouraged in respect of all media, including the internet and new media.

II.B.2. Establish and promote programmes (including software) for children, young people, parents and educators to assist in advising children on media literacy for a safe and critical use of digital media and appropriate digital behaviour. This should be done through school curricula and through the production of handbooks and factsheets on what constitutes sexist behaviour, unwanted sharing of material on the internet, and appropriate responses, including gender-sensitive information about online safety. Ensure the wide dissemination of such materials.

II.B.3. Develop information and campaigns to raise awareness about sexist misuse of social media, threats in the internet environment and the situations children and young people face (for example blackmail, requests for money or unwanted posting of intimate pictures) with practical assistance about how to prevent and respond to such situations.

II.B.4. Undertake campaigns directed at the wider public on the dangers, opportunities, rights and responsibilities related to the use of new media.

II.B.5. Establish online resources providing expert advice on how to deal with online sexism, including procedures for swiftly reporting/removing harmful or unwanted material.

II.B.6. Undertake regular studies and gather sex- and age-disaggregated data on cybersexism and cyberviolence and share outcomes as appropriate.

II.B.7. Integrate a gender equality perspective in all policies, programmes and research in relation to artificial intelligence to avoid the potential risks of technology perpetuating sexism and gender stereotypes and examine how artificial intelligence could help to close gender gaps and eliminate sexism. This includes measures to increase the participation of women and girls in the information and technology area as students, professionals and decision makers. Design of data-driven instruments and algorithms should factor in gender-based dynamics. Transparency around these issues should be improved and awareness raised about the potential gender bias in big data; solutions to improve accountability should be offered.

## **II.C. Media, advertising and other communication products and services**

Sexism in the media – electronic, print, visual and audio – contributes to an environment that tolerates and trivialises “everyday” sexism. It is manifested through:

- sexual, sexualised and racialised depictions and objectification of women, men, girls and boys, including in advertising, films, television, video games and pornographic material;
- derogatory or trivialising reporting about women’s appearance, dress and behaviour rather than balanced and informed discussion of their views and opinions;
- reporting and imaging women and men in stereotypical roles within the family and community;
- reproducing and perpetuating gender stereotypes with respect to victims of gender-based violence;
- unbalanced representation and the lack of meaningful participation of women in diverse professional and informative roles (experts, commentators), especially with respect to minority women. [8]

The governments of member States are invited to consider the following measures:

II.C.1. Introduce legislation banning sexism in media and advertising and encourage the monitoring and enforcement of such measures.

II.C.2. Promote the inclusion of expressions of sexism in defamation laws.

II.C.3. Urge and provide support for the participation of the information and communication technology, media and advertising sectors in the drafting, adoption and implementation of self-regulatory policies and mechanisms for the elimination of sexism, including sexist hate speech within each sector.

II.C.4. Promote the role of media watch and advertising organisations in addressing sexism.

II.C.5. Encourage the establishment of an institution that is competent to receive, analyse and review complaints in relation to sexism in the media and in advertising, and has the authority to require that sexist content or advertisements be withdrawn or modified.

II.C.6. Encourage relevant bodies, such as gender equality commissions or national human rights institutions, to introduce education and training strategies, and tools for journalists and other media and communication professionals on the recognition of sexism, on how to promote positive and non-

stereotypical portrayals of women and men in the media and in advertising, and on how to promote gender-sensitive communication. These additional activities should be adequately resourced.

II.C.7. Support research on the prevalence and impact of sexist portrayals of women and girls in the media and in pornographic material, the extent to which they exacerbate gender inequalities and violence against women and girls, and also on their impact on women's physical, sexual and psychological health. Allocate resources to finance effective communication and awareness-raising campaigns on the links between sexism, lack of gender equality and violence against women and girls; and promote positive and non-stereotypical portrayals of women and men in the media and in advertising.

II.C.8. Encourage the equal participation of women and men in media decision-making positions and in content, and the establishment of databases of women experts on all subjects.

II.C.9. Adopt positive measures for excellence and leadership in promoting balanced gender representation, such as a points-based system that allocates additional funding to media outlets for the production of gender-sensitive content.

II.C.10. Encourage the promotion of positive images of women as active participants in social, economic and political life, and of positive images of men in non-traditional roles such as carers. Provide incentives or rewards for good practice, for instance through public funding.

II.C.11. Support and promote good practice through dialogue and the development of networks and partnerships between media stakeholders to further combat sexism and gender stereotypes within the sector.

II.C.12. Support projects addressing the multiple and intersecting discrimination of women in vulnerable situations. Introduce incentives for the media to promote positive images of women of ethnic minority and/or migrant background.

## **II.D. Workplace**

Workplace sexism takes many forms and is present in the public and the private sector. It manifests itself through sexist comments, and behaviour aimed at an employee or group of employees. Sexism in the workplace includes, among others, derogatory comments, objectification, sexist humour or jokes, over-familiar remarks, silencing or ignoring people, gratuitous comments about dress and physical appearance, sexist body language, lack of respect and masculine practices which intimidate or exclude women and favour fellow men. [9] It impinges upon equality and dignity at work. [10]

Sexist assumptions based on traditional gender roles may result in the belief that women, as mothers or would-be mothers or carers, are less reliable colleagues and employees. Conversely, there may be hostility towards mothers who do not stay at home or, alternatively, they may be excluded from important opportunities to advance their careers and, as a consequence, their professional lives. This contributes to the glass ceiling that limits women's promotion opportunities. Such assumptions can also result in sexist remarks towards men who take up caring responsibilities.

Some workplace environments are especially male-dominated, with a high risk of fostering a culture of sexism. In addition, women occupying decision-making positions or those perceived as challenging the institutional male-dominated hierarchy may be especially subject to sexism. Similarly, men may experience sexism in female-dominated workplaces, or for being employed in typically "female" work.

The governments of member States are invited to consider the following measures:

II.D.1. Review labour legislation to prohibit sexism and sexist acts at work, and promote good practices such as risk analysis, mitigation and management measures, complaints mechanisms, remedies for victims and disciplinary action through civil or administrative law processes.

II.D.2. Encourage and provide support for the systematic review of rules, policies and regulations within both public- and private-sector establishments with a view to the adoption of appropriate codes of behaviour that incorporate complaints mechanisms and disciplinary measures in relation to sexism and sexist acts. This should also include intersecting forms of sexism, for instance, concerning migrant status or disability.

II.D.3. Encourage independent professions, professional organisations and trade unions to embrace the fight against sexism within their organisations, including in their internal rules.

II.D.4. Devise and make widely available a toolkit for combating sexism, including relevant legislative provisions and explanations as to the institutional benefits of eliminating sexism, and examples of sexist acts and of good practices for the elimination of sexism. Employers and managers, union representatives and other relevant personnel should be reminded of their obligation to eliminate workplace sexism and of the remedial action available for victims.

II.D.5. Urge commitment from the highest level (in the public and private sectors) for the promotion of an institutional culture that rejects sexism within the workplace, for instance through the drawing up of equality policies, internal guidelines and campaigns on different forms of sexism and deconstruction of stereotypes, increasing the number of women in decision-making positions and breaking the glass ceiling, including through temporary special measures such as targets and quotas.

II.D.6. Urge commitment from the highest level (in the public and private sectors) to promote awareness, information and prevention as regards sexist behaviour and to take all appropriate measures to protect workers from such conduct.

## **II.E. Public sector**

Sexism in the public sector and reliance on gender stereotypes can result in the refusal of public services and unequal access to resources. At the same time, women working in the public sector, including those elected or members of decision-making bodies, at all levels, frequently face challenges to their dignity, legitimacy and authority owing to sexism and sexist behaviour.<sup>[11]</sup>

The governments of member States are invited to consider the following measures:

II.E.1. Include provisions against sexism and sexist behaviour and language in internal codes of conduct and regulations, with appropriate sanctions for those working in the public sector, including elected assemblies.

II.E.2. Support initiatives and investigations undertaken by parliamentarians, civil society organisations, trade unions or activists to address sexism in the public sphere.

II.E.3. Promote the inclusion of gender equality provisions within the applicable legal framework as good public tender/procurement practice.

II.E.4. Ensure training of public sector employees on the importance of non-sexist behaviour in working with the public, as well as with workplace colleagues. Such training should include the definition of sexism, its different manifestations, ways to deconstruct gender stereotypes and biases, and how to respond to them.

II.E.5. Inform recipients of public services about their rights as regards non-sexist behaviour through, for example, awareness-raising campaigns and specific reporting schemes to identify and mediate possible problems.

II.E.6. Promote the strengthening and implementation of internal disciplinary measures for sexism in the public sector and in all decision-making and political bodies, for instance through cutting or suspending responsibilities and funds, or through financial penalties.

## **II.F. Justice sector**

Sexism and gender stereotyping within the civil, administrative and criminal justice and law-enforcement systems are barriers to the administration of justice. It can result in decision makers making misinformed or discriminatory judgments based on preconceived beliefs and inherent biases rather than on relevant facts.[12]

The governments of member States are invited to consider the following measures:

II.F.1. With due regard for the independence of the judiciary, ensure regular and adequate training for all judges and magistrates on human rights and gender equality, and the harm caused by gender bias and gender stereotyping and the use of sexist language, especially in cases involving violence against women and girls.[13]

II.F.2. Provide for training of all law-enforcement personnel on sexism, cybersexism, sexist hate speech and violence against women; facilitate the reporting to police of such behaviour; and enhance police powers to seize and secure evidence of online abuse.

II.F.3. Encourage national and international courts and tribunals to be receptive to third-party interventions and expert opinions on unfamiliar topics, such as sexism and gender stereotyping.

II.F.4. Ensure that systems for reporting violations and access to law enforcement are secure, available and appropriate; alleviate financial charges or other deterrents that prevent victims from reporting or pursuing cases in the appropriate forum. Take steps to address the risk of revictimisation.

II.F.5. Encourage legal professional bodies to organise public lectures and other events to raise awareness among legal professionals and other relevant stakeholders on sexism and gender stereotyping in the justice system.

## **II.G. Education institutions**

Sexist messages shape our society and are imbued with and reproduced by education systems, where they should be challenged. Children and young people assimilate gender stereotypes through curricula, teaching materials, behaviour and language. [14] Sexism may be embedded in the culture of education establishments at all levels from preschool to tertiary institutions. It can take many forms, for example: tolerance for and trivialisation of sexist imagery, language and expressions; intolerance of non-conforming gender behaviour; not addressing unconscious biases by staff and students; absent or inappropriate complaint and recording mechanisms; lack of sanctions for sexual harassment, including by other students. These embedded forms of sexism may influence subsequent education, career and lifestyle choices. States also bear responsibility for ensuring the accountability of private institutions for their actions, and there should be no exclusions for religious education institutions.

The governments of member States are invited to consider the following measures:

II.G.1. Fully implement the provisions of Recommendation CM/Rec(2007)13 of the Committee of Ministers to member States on gender mainstreaming in education.

II.G.2. Ensure the inclusion of gender equality and non-discrimination and the elimination of sexism and sexist behaviour throughout all aspects of the educational process, including mechanisms and guidelines for reporting, responding to and recording incidents.

II.G.3. Implement and/or support prevention campaigns regarding sexism and sexist behaviour in education establishments and ensure zero tolerance for such phenomena, including gender stereotyping and bullying, cyberbullying, sexist insults and gender-based violence.

II.G.4. Organise events, including through State bodies, that address gender equality issues and ways of preventing and combating sexism, gender stereotypes and unconscious gender bias in all education establishments.

II.G.5. Integrate a gender equality perspective in all aspects of teacher pre-service and in-service training courses, and in school management personnel courses.

With regards to teaching methodology, tools and curricula:

II.G.6. Produce guidelines to ensure the integration of gender equality, non-discrimination and human rights teaching methodologies and tools into curricula at all levels of education, both public and private, from early childhood. This includes education for private life, in order to encourage children to be self-reliant and enhance responsibility in their relationships and behaviour – including consent and personal boundaries. Curricula should contain age-appropriate, evidence-based and scientifically accurate and comprehensive sex and sexuality education for girls and boys. The curricula should also cover intersecting forms of sexism, based for example on migrant status or disability.

II.G.7. Encourage the development of a website with resources, good practices and teaching/learning materials, and a manual to help detect and eliminate gender stereotypes in educational materials for trainers, teachers and inspectors.

II.G.8. Promote special programmes and career counselling which support students in making study and career choices that are not based on gender stereotypes, including training for staff on gender stereotypes and unconscious biases.

## **II.H. Culture and sport**

Sexism is manifest in many aspects of cultural life, especially through the pervasiveness of gender stereotypes. According to the United Nations International Committee on Economic, Social and Cultural Rights, cultural life encompasses ways of life, language, oral and written literature, music and song, non-verbal communication, religion or belief systems, rites and ceremonies, sport and games, methods of production or technology, natural and man-made environments, food, clothing and shelter, art, customs and traditions. Art and culture are essential shapers of attitudes and gender roles and it is therefore crucial to address sexism in these areas. In addition, according to the Istanbul Convention, culture, religion, custom or tradition, shall not be considered as justification for acts of violence against women and girls.

Issues that need to be addressed in sporting life include: the sexist attitudes of the media, sport organisations, coaches, sport leaders, athletes, etc.; sexist portrayals of women in sport, trivialising women's sporting achievements by depicting them in stereotypical roles or demeaning their sports; and sexism and sexist hate speech in sporting events.

The governments of member States are invited to consider the following measures:

II.H.1. Produce and promote tools for combating sexism in the cultural and sport sectors, such as training material or tools on gender-sensitive language and communication.

II.H.2. Reaffirm and implement Recommendations CM/Rec(2015)2 of the Committee of Ministers to member States on gender mainstreaming in sport and CM/Rec(2017)9 of the Committee of Ministers to member States on gender equality in the audiovisual sector.

II.H.3. Encourage leading cultural and sporting figures to correct sexist assumptions or denounce sexist hate speech.

II.H.4. Urge sport federations and associations and cultural institutions at all levels to prepare codes of conduct to prevent sexism and sexist behaviour which should include provisions for disciplinary action. Foster zero tolerance towards sexism and sexist hate speech in cultural and sporting events.

II.H.5. Urge sports and cultural sectors at all levels to take concrete actions to promote gender equality and the non-stereotypical portrayal of women and men, girls and boys.

II.H.6. Promote the broadcasting and coverage by the media, especially public media, of women's cultural and sports events on an equal footing as men's, and publicly celebrate women's achievements. [15] Give visibility and promote positive role models of women and men, girls and boys, who participate in sports where they are under-represented.

## **II.I. Private sphere**

Sexism within the family can contribute to reinforcing stereotypical roles, women's disempowerment, low self-esteem and the cycle of violence against women and girls. It can also influence life and career choices. Although traditional gender roles within the family (men as breadwinners, women performing household tasks) have generally shifted as more women have entered the paid workforce, factors contributing to change across families and States vary greatly. Sexist behaviour remains widespread in interpersonal relations and women continue to perform much more unpaid work in the home than men.

CEDAW Article 16 requires States parties to take appropriate measures to ensure equality between women and men within the family. [16] The link between sexism and prevention of violence against women and girls reinforces the need to take action in the private sphere.

The recommended measures above, in particular those with respect to language and awareness raising, as well as those regarding the media, education and cultural sectors, are especially relevant to addressing sexism in the private sphere.

However, sanctions for sexism within the family are inappropriate, unless behaviour reaches the threshold of criminality such as physical, psychological or economic violence against women.

The governments of member States are invited to consider the following measures:

II.I.1. Introduce measures in relation to the conciliation between private and working life, including paid maternity and paternity leave, paid parental leave for women and men, universal access to quality and affordable childcare and other social services, and flexible working arrangements for both women and men. Improve access to services for the care of the elderly and other dependants. Organise campaigns to encourage the equal sharing of household and care responsibilities between women and men.

II.I.2. Promote policies and measures supporting positive parenting which guarantee equal opportunities for children irrespective of their sex, status, abilities or family situation. Positive parenting refers to parental behaviour based on the best interests of the child that is nurturing, free of gender stereotyping, empowering, non-violent and provides recognition and guidance which involves the setting of boundaries to enable the full development of the child.

II.I.3. Introduce measures and tools enhancing the skills of parents to deal with cybersexism and internet pornography.

II.I.4. Promote training in recognising and addressing sexism and sexist behaviour as part of professional courses for those dealing with family and interpersonal relationships, for example, social services personnel including maternity welfare and childcare centres.

## **III. Reporting and evaluation**

This Recommendation asks member States to monitor progress in its implementation and to inform the competent steering committee(s) of the measures taken and progress achieved.

Reporting should be regular and include information on:

- legal and policy frameworks, measures and best practices that address sexism, sexist behaviour, gender stereotyping and sexist hate speech, in particular in public spaces, the internet and media, the workplace, the public sector, the justice, education, sport and cultural sectors, and in the private sphere, including tools for reporting sexist behaviour, as well as disciplinary processes and sanctions;
- any comprehensive policy, or policy within the framework of a national strategy on gender equality, adopted to eliminate sexism and sexist behaviour, including definitions, indicators, national monitoring and evaluation mechanisms;
- the work of any co-ordinating body established or designated to monitor implementation at the national level;
- research undertaken and supported to provide data on the incidence and consequences of sexism and sexist behaviour in the targeted areas, as well as the outcomes of any such research;
- national awareness-raising measures and campaigns undertaken at all levels, including on the media through which they were conducted.

[1] When this Recommendation was adopted and in application of Article 10.2c of the Rules of Procedure for the meetings of the Ministers' Deputies, the Representative of the Russian Federation reserved the right of his government to comply or not with the Recommendation, in particular paragraph 3 of the Preamble, rejecting the use of the term "gender", as the Russian legislation does not contain the concept of "gender" and in view of the fact that there is no commonly accepted definition of the term "gender" on the international level. Furthermore, the Russian Federation considers that intersex and trans persons do not fall under the scope of the Recommendation.

[2] "Gender stereotypes are preconceived social and cultural patterns or ideas whereby women and men are assigned characteristics and roles determined and limited by their sex. Gender stereotyping presents a serious obstacle to the achievement of real gender equality and feeds into gender discrimination. Such stereotyping can limit the development of the natural talents and abilities of girls and boys, women and men, their educational and professional preferences and experiences, as well as life opportunities in general." (Council of Europe Gender Equality Strategy 2018-2023, Strategic objective 1)

[3] *Carvalho Pinto de Sousa Morais v. Portugal*, application No. 17484/15, judgment of 25 July 2017 of the European Court of Human Rights, paragraph 46.

[4] For example, "Anti-Sexisme – Mode d'emploi", Institut pour l'égalité de femmes et des hommes, Belgium, available in French at [http://igvm-iefh.belgium.be/sites/default/files/downloads/79%20-%20Anti-sexisme%20mode%20emploi\\_FR.pdf](http://igvm-iefh.belgium.be/sites/default/files/downloads/79%20-%20Anti-sexisme%20mode%20emploi_FR.pdf).

[5] Mansplain (verb, informal): (of a man) to explain something to a woman in a manner regarded as condescending, patronising, overconfident, oversimplified, or which assumes the interlocutor has no knowledge of the topic.

[6] CEDAW, Article 10.c requires the elimination of "any stereotyped concept of the roles of men and women at all levels and in all forms of education ... in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods".

[7] Committee of Ministers Recommendation Rec(2003)3 on the balanced participation of women and men in political and public decision-making, Explanatory Memorandum.

- [8] See findings and recommendations of the Council of Europe Conference Media and the Image of Women (Amsterdam, 4-5 July 2013). See conference report at <https://rm.coe.int/1680590fb8>.
- [9] Higher Council for professional equality between men and women (2016), "Kit to act against sexism – Three tools for the world of work", available at <https://rm.coe.int/16806fbc1e>.
- [10] Article 26.2 of the European Social Charter (revised) requires parties "to promote awareness, information and prevention of recurrent reprehensible or distinctly negative and offensive actions directed against individual workers in the workplace or in relation to work and to take all appropriate measures to protect workers from such conduct".
- [11] For example, according to a 2018 study by the Inter-Parliamentary Union and the Council of Europe Parliamentary Assembly, 85% of respondent women parliamentarians have suffered from psychological violence in parliament; women parliamentarians under 40 were more likely to be harassed; women parliamentary staff endured more sexual violence than women parliamentarians; and the majority of parliaments did not have mechanisms to enable women to speak out. Inter-Parliamentary Union and Council of Europe Parliamentary Assembly (2018), "Sexism, harassment and violence against women in parliaments in Europe", available at [www.ipu.org/resources/publications/reports/2018-10/sexism-harassment-and-violence-against-women-in-parliaments-in-europe](http://www.ipu.org/resources/publications/reports/2018-10/sexism-harassment-and-violence-against-women-in-parliaments-in-europe).
- [12] "Council of Europe Plan of Action on Strengthening Judicial Independence and Impartiality" (CM(2016)36-final), "all efforts should be undertaken to fight gender stereotyping within the judiciary itself" (Action 2.4); OHCHR, "Eliminating judicial stereotyping – Equal access to justice for women in gender-based violence cases", 9 June 2014.
- [13] See Council of Europe (2017), "Manual for Judges and Prosecutors on Ensuring Women's Access to Justice", available at <https://rm.coe.int/training-manual-women-access-to-justice/16808d78c5>
- [14] See conclusions and recommendations of the Council of Europe Conference "Combating gender stereotypes in and through education" (Helsinki, 9-10 October 2014). See conference report at <https://rm.coe.int/1680590f0>.
- [15] Such as the site "This Girl Can", which is a celebration of active women ([www.thisgirlcan.co.uk/](http://www.thisgirlcan.co.uk/)).
- [16] In addition, CEDAW Article 2.e requires States to undertake "all appropriate measures to eliminate discrimination against women by any person, organisation or enterprise".