

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

*(Adopted by the Committee of Ministers on 27 September 2017
at the 1295th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Noting the following:

Gender equality is a necessary condition for the full enjoyment of human rights as secured by the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5) and its protocols;

Genuine democracy requires the equal participation of women and men in society. Democracy and gender equality are interdependent and mutually reinforcing. The inclusion of women and men, with respect for equal rights and opportunities, is an essential condition for democratic governance and sound decision making. Gender equality means equal visibility, empowerment, responsibility and participation of both women and men in all spheres of life;

Gender equality is a prerequisite for the achievement of social justice. This is not just in the interests of women, as it concerns society as a whole. The Council of Europe has accorded much importance to these matters over the last few decades, as shown, *inter alia*, by the Committee of Ministers' Declaration on Equality of Women and Men, adopted on 16 November 1988 at its 83rd session, and the Committee of Ministers' Declaration on Making Gender Equality a Reality, adopted on 12 May 2009 at its 119th Session;

Measures for the effective implementation of standards can contribute to gender equality and combat gender inequality. The Council of Europe has adopted a number of standards and instruments promoting gender equality (see Appendix III), including the Council of Europe Gender Equality Strategy 2014-2017, which sets forth the following strategic objectives:

- combating gender stereotypes and sexism;
- preventing and combating violence against women;
- guaranteeing equal access of women to justice;
- achieving balanced participation of women and men in political and public decision making;
- achieving gender mainstreaming in all policies and measures;

In addition, Article 4 of the revised European Social Charter (ETS No. 163) recognises the right of men and women workers to equal pay for work of equal value;

The audiovisual sector, which includes, but is not limited to, cinema, broadcasting, digital media and video games, has a particular role to play in relation to the achievement of these objectives. In this sector, freedom of expression and gender equality are intrinsically interrelated: the exercise of freedom of expression can advance gender equality;

The audiovisual sector is well placed to shape and influence perceptions, ideas, attitudes and behaviour prevalent in society. It reflects the reality of women and men, in all their diversity. Audiovisual content can either hinder or hasten structural change towards gender equality. Gender inequalities in society are reproduced in audiovisual content, but also within the audiovisual sector, notably women's under-representation in the different professions and in decision making. Furthermore, women who are audiovisual professionals are more likely to encounter pay inequalities, the "glass ceiling" and precarious employment conditions. There is also a significant under-representation of women in the creative, technical and executive branches of all levels of the industry;

The audiovisual sector serves all members of society. This calls for particular attention to gender equality both in terms of participation and access to the sector and in terms of content and the manner in which women are treated and portrayed, particularly in line with the request to Parties to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210) to encourage the information and communication technology sector and the media to enhance respect for the dignity of women as provided for in its Article 17;

The Council of Europe is committed to combating gender inequality in the audiovisual sector, as stated in the Declaration on Gender Equality in the European Audiovisual Industry, adopted at the Conference "Women in today's European film industry: gender matters. Can we do better?", held in Sarajevo on 14 August 2015, and as reflected in numerous national policy statements;

Recognising the need to integrate a gender equality perspective in the audiovisual sector,

Recommends that the governments of member States:

1. adopt policies to promote gender equality in the audiovisual sector as a fundamental principle of its activities and in those of its institutional organisations, duly taking into account the guidelines as provided in Appendix I;
2. encourage European, national and regional film funds, public and commercial broadcasters and other key stakeholders in the audiovisual sector to monitor the situation with regards to gender equality, drawing on monitoring methods and performance indicators such as those proposed in Appendix II;
3. encourage European supranational film and audiovisual funds, such as Eurimages and Creative Europe, as well as broadcasters and other key audiovisual sector stakeholders, to address gender equality issues in all their policies, measures and support programmes, such as training, production, distribution, festivals and media literacy initiatives;

4. encourage the relevant audiovisual sector organisations (including public and private financing bodies, sectoral employers, trade unions and professional organisations, training and education providers and industry professionals, as well as the relevant regulatory authorities) to prepare, or revise, regulatory and self-regulatory strategies, collective bargaining agreements and codes of conduct or other frameworks for implementation, taking into account a gender equality perspective;
5. disseminate this recommendation together with its appendices and raise awareness among the relevant stakeholders and those active in the audiovisual sector, in particular about the central role of gender equality as an enabling factor for fully-functioning democracy and the full enjoyment of human rights;
6. monitor and evaluate progress in achieving gender equality in the audiovisual sector, and report on a five-year basis to the Committee of Ministers on the measures taken and progress made in implementing this recommendation.

Appendix I to Recommendation CM/Rec(2017)9

Guidelines for improving gender equality in the audiovisual sector: measures for implementation

Context

Research on gender equality in the European audiovisual sector^[1] has identified several barriers preventing women from working in the industry on equal terms with men.

1. Lack of awareness of the prevalence of gender inequality.
2. Conscious and unconscious gender bias at all levels of the industry.
3. Lack of willingness to invest in financially ambitious female-created audiovisual content.
4. Unequal distribution between women and men of funding for audiovisual content.
5. Unequal investment on the part of equity investors.
6. Unbalanced support for the dissemination of female-created content.
7. Low representation of women on commissioning and funding panels, as well as on supervisory and executive bodies.
8. Unequal pay between women and men.
9. Failure to support parents and carers, and non-reconciliation of work/life balance in the sector.
10. Unequal access to employment opportunities between women and men.

Despite these barriers, women make a significant contribution to the audiovisual sector. In the film sector, for example, even given the lower number of films directed by women, research shows that the participation rate of female-directed films in both national and international festivals is often proportionately higher, and that female-directed films win proportionately more awards than films directed by men. Films directed by women are nonetheless significantly under-represented at A-list festivals.

Research^[2] and industry reports^[3] highlight that in television, scripted shows with strong female leads are increasingly prominent on TV schedules and on online platforms and have enjoyed great commercial success. Across genres as diverse as fantasy, crime, hospital and family dramas, female protagonists, often developed by female scriptwriters, have enjoyed huge popularity with audiences and reflect the appetite for diversity in television casting and portrayal.

In terms of women as video game consumers, a recent study found that 44% of women in Europe play video games, demonstrating that women constitute a significant gaming audience – and an increasingly dedicated one; in 2012 women spent, on average, three hours per week playing mobile/tablet games; by 2016 this had risen to over four and a half hours.^[4] This is indicative of an untapped market for female-driven content.

Having more female-created audiovisual content would impact positively on the portrayal of women and men, promote equality and encourage fairness in our society. Furthermore, one of the most important ways to encourage women to create audiovisual content is by ensuring greater visibility of their works on television, cinema screens and on digital media platforms.

There is broad support among member States for policy change, including measures to:

- a. address the under-representation of women in the industry;
- b. improve the gender-balanced distribution of public funds;
- c. achieve equal representation of women and men and greater awareness on commissioning boards, in juries, in decision-making positions and selection groups for festivals;
- d. introduce incentives for producers to support female creatives;
- e. introduce incentives for distributors to support female-created content.

The governments of member States are invited to examine the following measures to support the implementation of the recommendation:

I. Review legislation, regulations and policies

1. Unless they already have one in place, member States should adopt an appropriate legal framework intended to ensure respect for the principle of human dignity and the prohibition of all discrimination on grounds of sex, and incitement to hatred or to any form of gender-based violence within the audiovisual sector.

2. Member States should ensure, through appropriate means, that key figures in the audiovisual sector observe gender equality principles in their decision making and practice.

3. National, supranational and regional bodies should be encouraged to adopt self-regulatory measures, internal codes of conduct/ethics and internal supervision, and develop standards that promote gender equality, in order to promote consistent internal policies and working conditions aimed at:

- a. ensuring equal access to, and representation in, the audiovisual sector for women and men;

- b. ensuring the balanced participation of women and men in management posts, in bodies with an advisory, regulatory or internal supervisory role, and generally in the decision-making process;
- c. fostering gender equality awareness (for example, training on unconscious bias or gender mainstreaming initiatives);
- d. supporting awareness-raising initiatives and campaigns on combating gender stereotypes, including hate speech and sexism in the audiovisual sector;
- e. promoting non-stereotypical images, and avoiding sexist advertising, language and content which could lead to discrimination on grounds of sex, incitement to hatred and gender-based violence;
- f. supporting and promoting good practices through social dialogue and through the development of networks and partnerships between different audiovisual sector stakeholders to further gender equality in their various activities;
- g. supporting and promoting the development of workplace policies that allow for reconciliation of work and family life (for example, access to appropriate childcare);
- h. including an assessment of the implementation of gender equality policy in the audiovisual sector in their annual reports.

II. Collect, monitor and publish data

1. Adopt monitoring methods and performance indicators such as those set out in Appendix II.
2. Monitor on a yearly basis the situation regarding gender equality in the audiovisual sector at national level, based on the above-mentioned indicators.
3. Highlight causal relationships using qualitative analysis of the data.

III. Support research

1. Promote active research on gender equality in the audiovisual sector, particularly relating to access, representation, participation and working conditions, and regularly publicise the outcomes of such initiatives.
2. Support active research from a gender equality perspective on the audiovisual sector, and organise debates with a view to improving policy and legislation.
3. Promote research on the impact of the audiovisual sector in the shaping of values, attitudes, needs and interests of women and men.
4. Encourage co-operation initiatives for research networks and partnerships, for example bringing together academic institutions, non-governmental organisations and other bodies.

IV. Encourage the ongoing development of media literacy

1. Promote gender-sensitive media literacy for the younger generations, prepare young people to approach different forms of audiovisual content responsibly and enable them to acquire a critical view of representations of women and men and to decode sexist stereotypes.

2. Enhance the gender equality perspective in media literacy programmes for young people as a means of ensuring a broad human rights education and active involvement in the democratic processes.
3. Develop specific media literacy awareness-raising tools through and about audiovisual works for adults, including parents and teachers, as important factors for developing gender education and active citizenship.
4. Raise the awareness and strengthen the capacities of audiovisual professionals and students by offering regular educational and vocational training programmes geared to the acquisition of in-depth knowledge of gender equality and its crucial role in a democratic society.
5. Incorporate a gender equality perspective in curricula pertaining to the audiovisual sector and in continuous training.

V. Enhance accountability processes

1. Raise awareness of the complaints procedures which citizens can use in relation to audiovisual content which they consider contrary to gender equality.
2. Support non-governmental organisations, associations, academia, individuals and other relevant stakeholders in defending gender equality by bringing their concerns to self-regulatory bodies or other specialist bodies (for example, ethical commissions or anti-discrimination commissions).
3. Encourage the updating of existing accountability mechanisms and their effective use in cases of violation of gender equality in the audiovisual sector.
4. Facilitate the establishment of new mechanisms for accountability and civic responsibility on gender equality, for example, forums for public debate and platforms opened online and offline, making direct exchanges possible between citizens.

Appendix II to Recommendation CM/Rec(2017)9

Recommended monitoring methods and performance indicators

Monitoring methods

In addition to the points set out above, member States are invited to encourage the following bodies to monitor gender equality in the European audiovisual sector.

1. Supranational, national and regional audiovisual institutes, funds, agencies, festivals, public-service broadcasters and regulatory authorities need to contribute to the collection of data, commit to the publication of these data and adopt measures on the basis of the findings to achieve gender equality and greater visibility for women.
2. European organisations representing public sector bodies (such as the European Broadcasting Union (EBU), European Film Agency Directors (EFADs) and Cine-Regio) and other industry representative organisations are recommended to:
 - a. adopt a common approach to gathering quantitative and qualitative data on gender equality;

- b.* achieve this through agreed common indicators as set out below, using standardised sets of data;
 - c.* commit to the publication of these data on a regular basis in order to track trends and progress;
 - d.* encourage their members to adopt the same indicators and monitor and publish these data on a regular basis in order to track trends and progress.
3. European organisations representing the commercial audiovisual sector (such as associations representing commercial broadcasting, digital media platforms and video game publishers) are encouraged to adopt the above-mentioned methods.
 4. The European social partners in the audiovisual sector, including the European Federation of Journalists, and social partners from the European Union Audiovisual Sectoral Social Dialogue Committee, are invited to continue to monitor the progress made under the European Framework of Actions on Gender Equality in the audiovisual sector, which they adopted in 2011.
 5. All commissioning bodies, policy-making boards, selection panels and juries are to be made aware of gender bias and be composed on the basis of gender parity.
 6. Educational and academic institutions in the audiovisual sector should maintain and monitor statistics on gender equality regarding applicants and graduates; they are recommended to ensure gender equality among teaching staff and ensure greater visibility for women in all curricula and source materials.

Performance indicators

Indicators to measure gender equality should cover several areas.

1. Organisational structures in the audiovisual sector:
 - a. Decision makers by gender:
 - i. board membership;
 - ii. other decision-making positions;
 - iii. other levels of the industry.
 - b. Production and financing decisions by gender:
 - i. funding and commissioning;
 - ii. production budgets;
 - iii. pay structures.
 - c. Labour rights and equal pay.
2. Content creation:
 - a. key content creators;
 - b. additional content creators;

- c. technical crew;
 - d. performers;
 - e. others.
3. Visibility, availability and performance of content:
- a. festivals and awards;
 - b. availability of content;
 - c. commercial performance of content;
 - d. critics and reviewers of audiovisual content.
4. On-screen content:
- a. genre (for example, action, comedy, etc.) by gender of the lead content creator;
 - b. representation by gender:
 - i. key protagonists;
 - ii. secondary and supporting roles.
5. Teaching and training:
- a. gender courses in educational and academic establishments providing audiovisual education;
 - b. training of audiovisual professionals, including continuous professional development.
6. Media literacy:
- access, use and understanding of audiovisual content.
7. Gender and audiovisual policy:

laws, regulations, policies, programmes and codes of ethics for gender equality in and through the audiovisual sector.

The following off-screen and on-screen performance indicators are based on indicators originally developed by Eurimages – the European Cinema Support Fund – for use in the European film industry. All branches of the audiovisual sector are invited to develop equivalent indicators applicable to their branch.

Indicators have been categorised as either Phase I or Phase II indicators. Phase I indicators are to be implemented as a priority.

I. Off-screen performance indicators

1. Organisational structures in the audiovisual sector

Phase I

1.1. Decision makers by gender

1.1.1. Audiovisual groups, companies and organisations

1.1.1.1. Ownership and control

1.1.1.2. Supervisory and executive boards

1.1.1.3. Senior management positions

1.1.2. Funding and commissioning bodies

1.1.2.1. Presidency of selection committees

1.1.2.2. Composition of selection committees

1.1.2.3. Commissioners

1.1.3. Distributors, publishers and sales agents

1.1.4. Programme controllers

1.1.5. Festivals

1.1.5.1. Presidency of juries

1.1.5.2. Artistic directors

1.1.5.3. Composition of juries

1.2. Production and financing decisions

Phase I

1.2.1. Funding and commissioning decisions by gender of key content creator

1.2.1.1. Applications

1.2.1.2. Projects funded

1.2.1.3. Support granted

1.2.2. Production financing by gender of key content creator

1.2.2.1. Size of budget

Phase II

1.2.2.2. Composition of production financing (public/private)

1.2.3. Pay structures (gender budgeting)

2. Content creation

Phase I

2.1. Key content creators by gender

2.1.1. Producer

2.1.2. Director

- 2.1.3. Scriptwriter
- 2.1.4. Programme editor

Phase II

- 2.2. Additional content creators by gender
 - 2.2.1. Composer
 - 2.2.2. Performers
 - 2.2.3. Head of Department – cinematography
 - 2.2.4. Head of Department – editing
 - 2.2.5. Head of Department - production design
 - 2.2.6. Head of Department – sound
 - 2.2.7. Head of Department – costume
 - 2.2.8. Head of Department – make-up
 - 2.2.9. Head of Department – visual effects (VFX)
 - 2.2.10. Journalist
- 3. Visibility, availability and performance

Phase I

- 3.1. Festivals and awards (national and international) by gender of the key content creator
 - 3.1.1. Works in main competition
 - 3.1.2. Works in other sections
 - 3.1.3. Nominations in all categories
 - 3.1.4. Awards in all categories

Phase II

- 3.2. Availability of content by gender of the key content creator
 - 3.2.1. Theatrical release
 - 3.2.2. Broadcasting scheduling
 - 3.2.3. Prominence on on-demand platforms
- 3.3. Commercial performance by gender of the key content creator
 - 3.3.1. Box office figures
 - 3.3.2. Audience ratings
 - 3.3.3. Downloads/views

3.4. Critics and reviewers of audiovisual content by gender

4. Teaching and training in the audiovisual sector

Phase I

4.1. Staff and students in educational establishments by gender

4.1.1. Candidates (applicants)

4.1.2. Students (accepted)

4.1.3. Graduates

4.1.4. Professors

4.1.5. Lecturers

Phase II

4.2. Curricula

4.2.1. Course content

4.2.2. Availability of courses dealing with gender and the audiovisual sector

II. On-screen performance indicators

5. Content

Phase I

5.1. Genre

5.1.1. Genre (action, comedy, etc.) by gender of the key content creator

5.2. Representation

5.2.1. Key protagonists by gender

Phase II

5.2.2. On-screen representation of protagonists

5.2.2.1. Age

5.2.2.2. Profession

5.2.2.3. Socio-economic status

... and other protected grounds of discrimination

5.2.3. Presence and representation in non-fiction works

5.2.3.1. Gender of lead presenter

5.2.3.2. Gender of invited contributors

5.2.3.2.1. by topic

- 5.2.3.2.2. by length of contribution
- 5.2.3.3. Gender composition of expert panels
- 5.3. Bechdel-Wallace test for fiction works

Phase II

- 5.3.1. Are there two named women in the film?
- 5.3.2. Do they speak to each other (significant dialogue)?
- 5.3.3. About something other than a man?

[1] “Where are the women directors? Report on gender equality for directors in the European film industry, 2006-2013” by the European Women’s Audiovisual Network (EWA), 2016.

[2] “The MS. FACTOR – The Power of Female Driven Content”, PGA Women’s Impact Network and Women and Hollywood, 2015, available at: http://c.ymcdn.com/sites/www.producersguild.org/resource/resmgr/WIN/ms_factor_090115_01.pdf.

[3] “TV’s Strong Female Leads Gain Ground with Women Running Shows on Both Sides of the Atlantic”, *Variety*, 17 October 2016, available at: <http://variety.com/2016/tv/global/tv-female-leads-the-crown-victoria-fleabag-1201889289/>

[4] See “The New Faces of Gaming”, Interactive Software Federation of Europe/Ipsos Connect research, 2017, available at: www.isfe.eu/sites/isfe.eu/files/attachments/ipsos_connect_gaming_feb_17.pdf; www.isfe.eu/industry-facts/statistics