

Issue paper

Portrayal of gender in advertising

- This document has been designed for EASA members, in order to provide general baseline guidance on gender portrayal in advertising.
- These general baseline guidance are not a "how to" guide, nor do they cover all situations which require care in gender portrayal. They are designed to assist the advertising industry and SROs in order to help ensure that portrayal of women and men in advertising continues to be positive and responsible.
- We invite EASA members to disseminate this document among their membership in order to raise awareness on this issue, recurrently brought up on the political agenda.

General baseline guidance

The primary purpose of advertising is to promote goods and services, not to effect changes in society. Advertising therefore 'holds a mirror up to society', portraying it in a sometimes idealised form, but essentially in a form which consumers can recognise and with which they can readily identify. To safeguard the advertiser's right to free speech, it is important to strike the right balance between the sensitivities of consumers and the recognition of an advertiser's right to freedom of speech. It is important for advertisers to be aware of the need for care in this area, if necessary seeking advice from self-regulatory bodies before publishing their campaigns. Self-regulatory rules are particularly well-suited to handling subjective issues of this kind, since they are able to react swiftly and sensitively to changing public attitudes.

What seems abundantly clear from the evidence collected and the discussions held over the years is that the political sensitivity towards, and subsequent call for action on the issue bear little relation to the actual feedback from consumers to self-regulatory organisations which register relatively low numbers of complaints received on this issue. While there are relatively few complaints concerning the portrayal of gender across Europe (less than 2% of overall complaints), debates at national level and subsequent high profile media coverage show the importance of having a coherent approach to the issue across Europe, thus demonstrating the responsibility of the advertising industry. The European network for self-regulation, which is brought together within EASA, provides a unique platform in which a coherent self-regulatory approach in this area can be ensured.

The International Chamber of Commerce Consolidated Code of Advertising and Marketing Communication Practice, upon which all of EASA members' codes are inspired from:

- Art1: All marketing communication should be **legal, decent, honest and truthful**. All marketing communication should be prepared with a **due sense of social and professional responsibility (...)**
- art.4 on Social Responsibility: "Marketing communication should **respect human dignity and should not incite or condone any form of**

discrimination, including that based upon race, national origin, religion, **gender**, age, disability or sexual orientation”

- Art. 2 on Decency: “**Marketing communication should not contain statements or audio or visual treatments which offend standards of decency currently prevailing in the country and culture concerned**”.

All the European national codes of advertising practice broadly reflect this rule and many go further, in terms of specific rules on the portrayal of gender. The different rules to be found in different countries reflect the varied cultural values and social customs which exist within the EU and a wider Europe.

Self-regulation is better able to assess advertisements and any complaints arising on a case by case basis quickly and in a flexible manner. In contrast, the few legislative initiatives in the same area have set precedents which arguably pose an infringement on the freedom of expression, and proved no more effective.

Sensitive matters in Gender Portrayal

These general baseline guidance are not a "how to" guide, nor do they cover all situations which require care in gender portrayal. They are designed to assist the advertising industry and SROs in order to help ensure that portrayal of women and men in advertising continues to be positive and responsible. They also provide direction in those areas which appear to have been most problematic.

Grave and widespread offence

In areas of subjective judgment and often strongly-held beliefs, it is an impossible goal to say that no single ad should ever offend anyone. In practice, rules of this sort are therefore normally interpreted to mean that no advertisement should cause either *grave or widespread* offence.

Spirit and letter

Caution should be taken to ensure that the overall impression of an ad does not violate the spirit of the code even though the individual elements of the ad may not violate any particular guideline.

Stereotypes of role

There is a need to avoid the confusion often made between discrimination (which is illegal) and stereotyping (which can be negative but is not in itself degrading). It is unrealistic to expect advertisements to avoid showing women in traditional roles, e.g. carrying out household tasks or caring for children, but care is needed to avoid any suggestion that such activity is 'women's work', or has little value, or that those who do it are unintelligent or interested only in domestic trivia.

Nudity and sexual innuendo

The acceptability of nudity in advertisements is strongly influenced by cultural traditions and levels of tolerance vary widely between countries. However, generally speaking there is widespread acceptance of the discreet portrayal of nudity in an appropriate context, e.g. advertisements for toiletries. By contrast, blatant or gratuitous use of nudity, in contexts where it has little or no relevance to the product advertised, or merely in order to gain attention, is likely to cause offence and provoke complaints in most countries.

Exploitation as sex objects

Differences in national culture notwithstanding, it generally no longer regarded as acceptable for advertisements to exploit persons as 'sex objects' merely to attract attention. This is equally applicable to women or men.

Denigration

Situations where Women or Men are portrayed as generally inferior to the other sex and/ or their role belittled or criticized in a derogatory manner should be considered with care and if possible avoided.

Language

Caution should be taken when using language that is likely to denigrate, insult or offend.

Use of specific features

Humour, works of art and historical settings can all be positive elements in advertising. However, these techniques should not serve as an excuse to portray behaviour which would not be acceptable nowadays.

Media used

It is important to consider the nature of the media used when assessments are made.

Outdoor advertising: Outdoor advertising is in the public domain and has a broad audience. The messages and images presented in this medium therefore need to be developed with a general audience in mind.

Digital media: with regard to the increased use of electronic media and telephone, the ICC code in its article D.8 also reminds advertisers that given the global reach of electronic networks, and the variety and diversity of possible recipients, they should respect the potential sensitivities of a global audience, ensure that their marketing communication are consistent with the principles of social responsibility contained in the General Provisions and should take special care to ensure that they do not cause offence.

Seeking advice

Where it is anticipated that advertising material could cause public concern, advertisers and agencies are invited to seek copy advice on their proposed advertising campaign to their national self-regulatory organisation prior to the launch.

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