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The image of women in advertising

Reply to Recommendation¹: Recommendation 1799 (2007)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly [Recommendation 1799 \(2007\)](#) on the image of women in advertising, as supplemented by [Resolution 1557 \(2007\)](#) on the same subject.
2. It thanks the Assembly for the thoughts and the proposals put forward in its resolution, which may further the attainment of the Organisation's key objectives of safeguarding and promoting human rights and human dignity through resolute action against all forms of discrimination. The Committee of Ministers has brought these two texts to the attention of the governments of its member states, to be taken into account in drawing up and implementing their national policies and legislation in the relevant field.
3. The Committee of Ministers shares the Parliamentary Assembly's approach, namely that the negative images and representations of women in advertising constitute a persistent problem that affects women's and girls' dignity and health. It considers that the media can perform a decisive role in bringing about changes in this field, particularly by raising the public's awareness and sense of responsibility. In that regard, it emphasises the principles laid down by Recommendation Rec(2006)12 of the Committee of Ministers to member states on empowering children in the new information and communications environment.
4. In accordance with the undertakings made by the heads of state and government at the 3rd Summit, the Committee of Ministers is working towards true equality between women and men in all spheres of society, the media and advertising included, in order to guarantee effective democracy, human rights and human dignity for all. Accordingly, on 21 November 2007 it adopted Recommendation Rec(2007)17 on gender equality standards and mechanisms, providing member states with guidelines for the implementation of gender equality in practice.
5. This approach presupposes in particular that advertising is conceived in a spirit of responsibility towards society.² The Committee of Ministers would stress the need, particularly in government-sponsored media campaigns, to bar any exploitation of the bodies of women and men to draw attention to goods or services.³
6. Such measures should 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, which are subject to no restrictions but those stated in Article 10, paragraph 2, of the European Convention on Human Rights. Here it should be recalled that, according to the case law of the European Court of Human Rights, freedom of expression and information is applicable not only to information or ideas that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb. This likewise applies to the images contained in commercial messages and advertising.

1. Adopted by the Committee of Ministers on 20 February 2008, at the 1018th meeting of the Ministers' Deputies.
2. Recommendation No. R (84) 3 of the Committee of Ministers on principles on television advertising.
3. Recommendation No. R (84) 17 of the Committee of Ministers on equality between women and men in the media.



7. However, with regard to the recommendation made by the Assembly in paragraph 12.3.1 of its [Resolution 1557 \(2007\)](#), the Committee of Ministers does not deem it indispensable that incitement to discrimination in advertising be classed as a criminal offence in the member states' domestic law. It reaffirms the right to freedom of expression and information in accordance with Article 10 of the European Convention on Human Rights, and encourages the adoption and implementation, where they do not yet exist, of measures and of national self-regulating schemes to increase the responsibilities of the national agencies with authority for advertising.⁴

8. The Committee of Ministers also acknowledges the value of measures to encourage basic and further training for advertising professionals,⁵ to teach children to distinguish between advertising and reality,⁶ and to organise press campaigns⁷ on gender equality. It is considered highly expedient that such actions be conducted by the media.

9. In reply to the Assembly's recommendation to appoint an international committee of experts to make an in-depth study of the image of women and men in advertising (paragraph 2 of [Recommendation 1799 \(2007\)](#)), the Committee of Ministers considers that the aforementioned Recommendation Rec(2007)17 offers member states a strategic and legal framework already covering most of the aspects adverted to by the Assembly. It further considers that any code of good conduct (paragraph 3 of [Recommendation 1799 \(2007\)](#)) should be the outcome of self-regulation. Indeed, having regard to Article 10 of the European Convention on Human Rights and to the case law of the European Court of Human Rights, it is not desirable that this question be addressed by intergovernmental activity of a standard-setting kind.

10. The Committee of Ministers recognises the interest of establishing a European prize (paragraph 4.1 of the recommendation) as a measure of incentive and information regarding the best examples of good practice. In this context, it welcomes the Assembly's recent initiative for creating a "Gender Equality Prize". This could be enlarged to cover the concerns expressed by the Assembly in its [Recommendation 1799 \(2007\)](#) and in its [Resolution 1557 \(2007\)](#).

4. Parliamentary Assembly [Resolution 1557 \(2007\)](#) on the image of women in advertising, paragraph 12.4.

5. *Ibid.*, paragraph 12.5.1.

6. *Ibid.*, paragraph 12.5.3.

7. *Ibid.*, paragraph 12.5.4.