

**EQUALITY IN THE
CLASSROOM :
EQUALITY BODIES AND
GENDER EQUALITY IN
EDUCATION**

**EQUINET REPORT:
GENDER EQUALITY**

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Equinet Secretariat | Rue Royale 138 | 1000 Brussels | Belgium

info@equineteurope.org | www.equineteurope.org

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Table of contents

Acknowledgements	3	
Foreword by Commissioner Věra Jourová	4	
Introduction	5	
Why this report?	5	
Structure of the report	5	
How and why equality bodies engage on gender equality in schools	6	
Complaints on discrimination in schools based on gender	7	
Stereotypes in school books and teaching materials	8	
Evidence of sexual harassment in schools	9	
Gender equality in school curricula	10	
Segregation in vocational training and its impact on career choices of boys and girls	10	
Chapter 1	Legal framework on gender equality in schools	13
	International legal framework	13
	European legal framework	14
	National level frameworks	15
Chapter 2	Equality bodies combatting gender-based discrimination in schools	16
Chapter 3	Harassment, sexual harassment and gender-based bullying in schools	20
	Preventing bullying based on gender and gender-based harassment	20
	Preventing sexual harassment in schools	24
Chapter 4	Equality bodies promoting gender equality in schools	28
	Equality plans and gender mainstreaming in schools	29
	Gender equality in school curricula	30
	Gender equality as reflected in textbooks for schools	33
	Working with teachers on gender equality	35
Conclusions	Remaining challenges and recommendations	37

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List of Working Group Members

Commissioner for the Protection from Discrimination, **Albania**; Ombud for Equal Treatment, **Austria**; Institute for the Equality of Women and Men, **Belgium**; Human Rights Ombudsman of Bosnia and Herzegovina, **Bosnia and Herzegovina**; Commission for Protection from Discrimination, **Bulgaria**; Gender Equality Ombudsperson, **Croatia**; Office of the Commissioner for Administration and Human Rights, **Cyprus**; Public Defender of Rights, **Czech Republic**; Gender Equality and equal Treatment Commissioner, **Estonia**; Ombudsman for Equality, **Finland**; Defender of Rights, **France**; Federal Anti-Discrimination Agency, **Germany**; Greek Ombudsman, **Greece**; Commissioner for Fundamental Rights, **Hungary**; Ombudsman Office of the Republic of Latvia, **Latvia**; National Commission for the Promotion of Equality, **Malta**; Protector of Human Rights and Freedom of Montenegro, **Montenegro**; Equality and Anti-Discrimination Ombud, **Norway**; Commissioner for Human Rights, **Poland**; Commission for Citizenship and Gender Equality, **Portugal**; Commission for Equality in Labour and Employment, **Portugal**; National Council for Combating Discrimination, **Romania**; Commissioner for Protection of Equality, **Serbia**; Slovak National Center for Human Rights, **Slovakia**; Advocate for the Principle of Equality, **Slovenia**; Equality Ombudsman, **Sweden**; Equality and Human Rights Commission, **United Kingdom**; Equality Commission of Northern Ireland, **United Kingdom**.

Authors

The national experiences were collected and drafted by the following Working Group members:

Ana Soares de Almeida (Commission for Citizenship and Gender Equality, Portugal)

Teresa Alvarez (Commission for Citizenship and Gender Equality, Portugal)

Maryana Borisova (Commission for Protection from Discrimination, Bulgaria)

Timea Csikos (Commissioner for Fundamental Rights, Hungary)

Caroline Mitt Holm (Equality Ombudsman, Sweden)

Dagmar Krisova (Public Defender of Rights, Czech Republic)

Tijana Milosevic (Commissioner for Protection of Equality, Serbia)

Mirela Rrumbullaku (Commissioner for the Protection from Discrimination, Albania)

Nathalie Schlenzka (Federal Anti-Discrimination Agency, Germany)

Katrine Steinfeld (Equinet Secretariat)

Bojana Todorovic (Commissioner for Protection of Equality, Serbia)

Katarzyna Wilkolaska Zuromska (Commissioner for Human Rights, Poland)

Editorial and publication coordinators

Nathalie Schlenzka (Federal Anti-Discrimination Agency, Germany)

Katarzyna Wilkolaska Zuromska (Commissioner for Human Rights, Poland)

Katrine Steinfeld (Equinet Secretariat)

Formatting

Sarah Cooke O'Dowd (Equinet Secretariat)

FOREWORD

Education is power. Power to develop knowledge and skills essential for the personal and professional environment. Power to gain economic independence and to achieve social change. Power to establish an equal, productive and inclusive society that both women and men can benefit from.

Education is also a fundamental human right.

This is why, across the EU, equal access for girls and boys to education is provided. Empowering girls and boys through education helps them to pave a professional path of their choice and gain economic independence through work. However, despite the overall higher success rates of girls and women in terms of educational outcomes and higher education, recent statistical figures show that women remain at greater risk of social exclusion, unemployment and low-quality jobs in the EU.

We must eliminate this continuous divergence. For this reason, it is one of the Commission's most relevant objectives as part of the gender equality strategy to promote well-balanced education for both girls and boys and to empower girls to participate more vigorously in the labour market and in politics, as well as to obtain professional positions that better reflect their educational results.

In order to achieve this goal, the Commission puts emphasis on the root of the matter: gender prejudices and stereotypes that young girls face already in their early years of life and in education. These stereotypes, which tend to place women in certain roles in society such as pre-school teachers, secretaries, domestic or personal carers, are still present in teaching materials. As a result, young girls are guided by social expectations concerning their educational and professional choices, which does result in gender segregation in the EU labour market.

School books and teaching material do not only have the power to determine a young girl's occupational path in the future. Gendered images and narratives diminishing the role of girls and women can fuel gender stereotypes at an early age, which can lead to gender-based violence, harassment and sexist language even in educational settings.

In order to tackle this problem, schools and teachers need to ensure that their educational agenda puts a specific focus on gender equality and the prevention of gender discrimination. Where the promotion of gender equality in school curricula is merely a voluntary option, as an educational tool, the importance of equality bodies becomes apparent.

This report highlights the essential role that equality bodies hold when promoting gender equality and combatting gender-based discrimination in schools. Despite remaining challenges and obstacles, it offers a beneficial approach towards equal opportunities for young girls and boys, in particular towards a more versatile way of empowering girls and women through education

Věra Jourová

European Commissioner for Justice, Consumers and Gender Equality

INTRODUCTION

“Protection from discrimination and equality are important issues that schools should tackle. Schools are places where children can learn how important equal and fair dealings are with each other. At the same time, schools can also be the place where children experience discrimination for the first time - be it through peers, through teachers or through discriminatory structures such as lack of accessibility or stereotypes in textbooks”

German Federal Anti-Discrimination Agency (FADA)

Why this report?

Research, statistics and complaints received by equality bodies in Europe show that gender discrimination, bullying based on gender¹ as well as sexual harassment are happening in schools. Mechanisms to report gender discrimination and sexual harassment in schools are often missing and data on these issues is scarce. Gender equality has not been reached and traditional gender roles and stereotypes can still be found in textbooks and teaching material. School curricula do not always reflect enough on gender equality and issues such as sexual harassment. When choosing vocational training, girls and boys still follow different paths based on the stereotypical perception of their gender roles. Therefore it is important that equality bodies engage in promoting gender equality in schools, as well as focus on preventing discrimination based on gender and sexual harassment in schools. Additionally, certain European countries² have observed different forms of backlash against gender equality in schools, particularly against the topic of sexual and reproductive health and rights in school curricula in their jurisdictions. This report helps equality bodies and other institutions engaging in this area to better understand the issues and provides them with ideas and good practices on how to become active in promoting gender equality and fighting gender-based discrimination in schools.

Structure of the report

Chapter 1 of the report outlines the legal framework for combating gender discrimination, gender inequality and sexual harassment in schools. Information on existing Conventions and Directives on the international and European level concerning these issues is provided. Some examples of legislation in individual countries in Europe prohibiting discrimination based on gender or promoting equality in schools is also presented.

¹ Gender based bullying comprises bullying behaviours targeting a person’s gender, that is, behaviours based on gender stereotypes or sexist attitudes. Please see Chapter 3 for definitions.

² **Austria, Croatia, France, Germany, Hungary, Ireland and Poland.**

Chapter 2, briefly outlines the mandates of equality bodies concerning discrimination in schools and provides some examples of complaints handled by them.

Activities and measures carried out by equity bodies to prevent bullying based on gender and sexual harassment in schools are the focus of **Chapter 3**. Operational definitions of gender based bullying and sexual harassment in educational settings are provided, and good practices from different equality bodies are displayed. Special attention is paid to issues such as setting up confidential reporting mechanisms, data collection, as well staff training and support.

Different approaches used by equality bodies to promote gender equality in schools are presented in **Chapter 4**. The chapter looks at the possibilities to promote gender equality in school curricula, equality plans, teacher education and training, the use of gender sensitive school books and teaching materials, as well as working with teachers.

Finally, the report summarizes the main **conclusions** and recommendations drawn from the work of equality bodies in fostering gender equality in schools. These provide insights on ways equality bodies can get engaged, as well as outlining challenges that remain to be tackled.

How and why equality bodies engage on gender equality in schools

Looking at education in the European Union today, we find that women account for more than 50% of all tertiary students in the EU Member States (Eurostat 2015). Also in upper secondary education the gender distribution is relatively balanced. Girls in many Member States obtain better results in upper secondary education, as surveys on educational attainment among the EU-28 of 2017 show (Eurostat 2016). **So why is the topic of gender equality and gender-based discrimination still salient?** In the introduction, we aim to outline why it is still important to address gender equality and gender-based discrimination in the school context using recent statistics and outlining the long-term consequences of inequalities at school.

The need to address gender equality in schools is demonstrated by problems such as **sexual harassment and discrimination** based on gender in the school setting, **stereotypes** in school material, missing focus on gender equality in **school curricula**, a general **lack of equality plans**, as well as gender **segregation** in vocational training and later careers.

There are international legal obligations for Members States of the European Union to focus on gender equality in education (see **Chapter 1** for details). The right to education belongs to the human rights catalogue and is a fundamental tool for achieving goals such as non-discrimination and equal opportunities for women and men, in particular ensuring they have the same opportunities for career and vocational guidance, for access to higher education, and to obtain diplomas in educational establishments of all categories in rural as well as in urban areas. This equality shall be ensured in pre-school, general, technical, professional and higher education, as well as in all types of vocational training (art. 10 § 1 of the Convention on the Elimination of All Forms of Discrimination against Women).

In Art 14 of the European Parliament resolution of 9 September 2015 on empowering girls through education in the EU (2014/2250(INI)), the European Parliament encourages all Member States to invest consistently in information, awareness-raising and educational campaigns and to improve the provision of career guidance for girls and boys, addressing stereotyped perceptions of gender roles, as well as gender stereotypes in vocational and professional orientation, notably in science and new technologies. The resolution recalls that this would reduce gender segregation on the labour market and strengthen the position of women, whilst permitting all to benefit fully from the human capital represented by girls and women in the EU, and promoting discussions of educational and career choices in schools and in the classroom.

In addition, equality bodies in some Member States have a mandate that covers the field of education and therefore can handle complaints in this area, including complaints in schools concerning gender discrimination and sexual harassment (for details please see **Chapter 2**).

Complaints on discrimination in schools based on gender

Only some Member States regulate discrimination in schools in the national anti-discrimination act and institutional procedures to report discrimination in schools are often missing. Consequently, there are few complaints concerning discrimination based on gender received by equality bodies. Additionally, children and parents often lack information on their rights and existing possibilities to complain. Alternatively, complaints on discrimination in schools are not brought forward as victims are afraid of negative consequences, do not have trust in schools, or simply have the feeling that their complaint is not taken seriously and would lead to nothing. Cumulatively, this can lead to a serious issue of underreporting of cases of discrimination and harassment in schools. This lack of administrative data does not mean, however, that gender discrimination does not happen in schools.

Existing case work by equality bodies covers a broad variety of challenges. Complaints received by the equality body in **Sweden** often concern harassment based on gender and/or sexual harassment between students. The **Croatian** equality body and the Board of Equal Treatment in **Denmark** received complaints regarding gender discrimination in textbooks and other teaching material. There are also complaints of intersectional discrimination combining the grounds of gender and religion. An example would be the Federal Antidiscrimination Agency in **Germany**, which receives complaints regarding girls in schools who are not allowed to wear the headscarf in school or during sports lessons. Similarly, several parents of Muslim girls report that their daughter receives lower marks because of her religion and gender. Other complaints on gender discrimination in schools concern trans girls or trans boys being discriminated against because their change of gender is not accepted by pupils or teachers (Germany). In **Serbia** a complaint concerned a girl who could not enroll in a Military Gymnasium. In **Northern Ireland**, the Equality Commission secured a settlement in relation to a discrimination complaint by a pregnant pupil against her school³. It also secured a settlement in relation to a complaint by a female pupil who alleged that a school

³ [Nadia Coyle v Board of Governors of St Joseph's Grammar School Donaghmore](#) (2007)

policy of prohibiting girls from wearing trousers was discriminatory on grounds of sex⁴.

Additionally, research shows that girls are still likely to receive lower marks in science, technology, engineering and mathematics (STEM) tests and subjects, as teachers are influenced by gender stereotypes and are subsequently not able to assess them on a fair and neutral basis⁵. These examples illustrate that gender based discrimination takes many different forms. Equality bodies with a mandate concerning education should therefore take measures to support schools to prevent gender-based discrimination. We hope **Chapter 3** of the report can support this by describing ways to prevent gender-based discrimination in schools.

Stereotypes in school books and teaching material

Gender stereotypes can have an influence on the choice of vocational training and tertiary education. So what do schools do to fight gender stereotypes and how do equality bodies support them in this context? Studies and research reports in various EU countries such as **Sweden, Croatia, Portugal, Poland, Germany, Albania** and **Serbia** found that gender stereotypes are still dominant in school books and teaching

material. Stereotypes on gender roles and competences attributed to the different genders can be found in school books for different subjects, ranging from history through language education to mathematics and natural sciences. Often women are underrepresented in school books and teaching material or depicted only as mothers, housewives and roles related to care. On the other hand, men are portrayed more often than women in their professional capacity, which tend to be more diverse than the jobs typically portrayed as being occupied by women. As regards the language used in school books, different studies reveal

GENDER STEREOTYPES IN SCHOOL BOOKS

“[I]n schoolbooks, males are described as ambitious, possessing a spirit of leadership, having analytical skills, and being independent. On the other hand, females are described as gentle, caring, merciful, and knowing how to please others. Men are described more prominently in the public sphere, and women in the private sphere” (Slovakia)

From: Kišoňová (2005), page 79-80
http://www.esfem.sk/subory/rodvychova-texty/kisonova_j_dipl_pr.pdf

that gender sensitive language is missing (**Germany**⁶) and sexist language is used in teaching materials (**Portugal**⁷). One study also showed that a female perspective is missing from some history books

⁴ [Hannah Dawson v Bangor Academy & Sixth Form College](#) (2014)

⁵ Hofer SI: Studying Gender Bias in Physics Grading: The role of teaching experience and country. *International Journal of Science Education*, 2015, 37: 2879-2905, doi: [10.1080/09500693.2015.1114190](https://doi.org/10.1080/09500693.2015.1114190)

⁶ Franziska Moser & Bettina Hannover, How gender fair are German schoolbooks in the twenty-first century? An analysis of language and illustrations in schoolbooks for mathematics and German, in: *European Journal of Psychology of Education*, 2014, Volume 29, Issue 3, pp 387–407

⁷ Sexist distortions in teaching materials: how to identify and how to avoid them / Isabel Romão. 1989

(Sweden⁸). This can also be connected to the fact that men in some countries dominate as authors of school books (Serbia⁹). A bachelor's thesis in Denmark showed that in the seventh grade, students generally described boys as sporty and physically fit and ascribed them an active role in regards to the given situation, while girls were mostly described in relation to their looks and often ascribed a passive or observing role in relation to the given situation. This shows the need to address gender stereotypes in school books and teaching material.

The report provides information on how different equality bodies such as the Croatian equality body¹⁰ has become active in preventing stereotypes in school books and teaching material (see Chapter 4).

Evidence of sexual harassment in schools

There has traditionally been little open debate on sexual harassment in schools and the topic was long considered taboo. However, following greater public awareness driven by the #MeToo movement, the public debate on sexual harassment is in some countries also reaching schools.

Official statistics on sexual harassment in schools still do not exist in many European countries, and there are often no institutions to collect such data. Equality bodies themselves are most of the time unable to collect such data. Nevertheless, there are several studies and surveys looking at sexual harassment, sexual violence and harassment in schools, showing the high prevalence of these forms of discrimination. A survey in Sweden from 2016 among students in the school years 4 to 6 and 7 to 9 showed that one out of every 12 students had been subject to sexual harassment¹¹. Of the 443 complaints regarding discrimination in education the Swedish Equality Ombudsman received in 2016, a total of 100 complaints concerned sexual harassment. A study in Serbia found that around 23% of girls in schools in Serbia had experienced sexual harassment by male students. The same study came to the conclusion that students often did not know that sexual harassment was not permitted.¹² In 2010 in Great Britain a YouGov poll of 16–18 year olds found 29% of girls experienced unwanted sexual touching at school and a further 71% of 16–18-year-olds said they heard sexual name-calling such as “slut” or “slag” towards girls at school daily or a few times per week¹³. A recent report in Germany found that around 10% of all girls in schools had

⁸ Sweden: Social studies in the Government Official Report SOU 2010:33 and history in the Government Official Report SOU 2010:10.

⁹ Gender sensitive analysis of eighth grade literature textbooks for the Serbian language, for the Serbian language as a non-native language and for the Hungarian language”, Margareta V. Bašaragin, Svenka L. Savić, 2016.

¹⁰ For more information on recent complaint to Croatia Equality body on gender stereotypes in school books see: Equinet Members' Bulletin from February 2017: <http://us4.campaign-archive1.com/?u=ca7cb0e9cba4eeb79c4db1929&id=d8f4977089&e=67ca865947>

¹¹ (<https://friends-brandmanualswede.netdna-ssl.com/wp-content/uploads/2016/08/Friends-Report-2016-web.pdf>)

¹² „Istraživanje rodno zasnovanog nasilja u školama (Research on Gender Based Violence in Schools in Serbia), “Centar za studije roda i politike, Fakultet političkih nauka Univerziteta u Beogradu (Center for Gender and Politics, Faculty of Political Sciences, University of Belgrade), 2015, pp. 8-9.

¹³ <https://publications.parliament.uk/pa/cm201617/cmselect/cmwomeq/91/91.pdf>

experienced sexual harassment in schools¹⁴. These studies highlight how widespread sexual harassment is in schools and the need for schools to address the issue when working on gender discrimination and promoting gender equality. (Please see **Chapter 3** for details.)

Gender equality in school curricula

A focus on sexuality, relationships, gender and gender equality is included in the school curricula of most European countries. However, it is the responsibility of teachers to address sex education in the context of different subjects and include themes such as gender stereotypes, gender equality and sexual harassment. As a result of this individualized approach, there is a risk that the quality and content of sex and gender education varies by teacher or school. Schools and teachers have to ensure that sex and gender education is focusing on gender equality and prevention of gender discrimination and violence.¹⁵ Where curricula do not include a mandatory focus on gender equality in education, equalities bodies could engage. **Chapter 4** outlines good practices for how equality bodies can promote gender equality in school curricula.

Segregation in vocational training and its impact on career choices of boys and girls

There is still a high level of gender segregation in vocational training. According to research conducted by the European Institute for Gender Equality (EIGE), gender segregation is much stronger in vocational than in tertiary education in almost all EU countries. Overall, only 13% of EU graduates from STEM (science, technology, engineering and mathematics) vocational education are women, whereas 32% graduate from STEM tertiary education.¹⁶ The share of women among STEM graduates in the EU (in both tertiary and vocational education) dropped from 23% in 2004-2006 to 22% in 2013-2015.¹⁷

Based on official statistics, girls tend to select professions in the field of economy, administration, personal services, textile and leather industry, chemistry and food processing, while boys choose the fields of technical sciences, manufacturing and technology development in most European countries.¹⁸

¹⁴ Stefan Hofherr (2017): Wissen von Schülerinnen und Schülern über sexuelle Gewalt in pädagogischen Kontexten. DJI. https://www.dji.de/fileadmin/user_upload/bibs2017/hofherr_schuelerwissen_sexuelle_gewalt.pdf

¹⁵ The Istanbul Convention specifies in Article 14 that "Education Parties shall take, where appropriate, the necessary steps to include teaching material on issues such as equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity, adapted to the evolving capacity of learners, in formal curricula and at all levels of education."

¹⁶ EIGE Report 'Study and work in the EU: set apart by gender. Review of the implementation of the Beijing Platform for Action in the EU Member States', European Institute for Gender Equality, 2018

¹⁷ Ibid. p. 33.

¹⁸ Examples include reports of the **Polish** National Statistics Office ("Education in the school year 2014/2015"), which state that 99.4% of boys study in the fields of engineering and technology, architecture and construction, while girls

The school system plays a significant role in pupils' choices of vocational training. Due to the long-term consequences of such choices for individual lives as well as the labour market more broadly, it is crucial that schools promote gender equality. Gender mainstreaming has to be implemented in both primary and secondary school. In some countries, special campaigns have been undertaken to raise awareness among pupils that they can choose non-stereotypical career paths. Examples include the “Girls’ Days” in **Austria** and **Germany**, with workshops and talks by professionals of all genders, or the Equality and Human Rights Commission’s *Equal Choices, Equal Chances* project in **Great Britain**, which provided free online education resources to help school teachers challenge gender stereotypes about certain jobs¹⁹. In the **German** federal state of Nordrhein-Westfalen, schools provide individual career counseling based on a gender neutral skills assessment.

However, there is no systematic focus on promoting gender neutral or gender sensitive choices in vocational training or later career choices across Europe today. In the **Czech Republic**, classes with a career counselor are guaranteed by law. In practice, however, career counselors are not employed in schools and tasks in this field are handed over to teachers who are burdened with additional duties and unable to analyze the current needs of the labour market. Often, they only provide students with leaflets and organize discussions. A research conducted in the Czech Republic in 2005 (loosely translated as ‘Gender aspects of pupil’s transition between educational levels’), showed that career counselors do not have an appropriate impact on children’s choices and that career counselors have stereotypical perceptions. In **Denmark**, career counselling is a part of the course entitled “Education and work”, which does not have a defined amount of hours. Every student is required to make an education plan as s/he ends 9th grade, but this is only a compilation of the student’s thoughts, goals and choices about their future. In 2013, a Danish Institute for Human Rights (DIHR) report revealed that career counselling at school was not gender neutral, as the counsellors themselves had a perception of which career opportunities were “boy trades” and “girl trades”. Similarly, a report from the Danish Ministry of Education from June 2017 proclaims that the school system is still impacted by gender normative expectations, which leads to gender normative career choices.

The prestige of work usually performed by women has a mutually reinforcing impact on the prestige of the training needed to undertake those same jobs. This low prestige is especially crucial for the remuneration in these types of jobs, as confirmed by data on the pay gap between women and men. The cause may inter alia be that primary vocational schools do not conduct gender diversity policies in recruiting students. In the long run, this may have negative effects, such as horizontal and vertical

dominate in the fields of economy or administration (87.5%) and services (70.0%). Among the exam takers in 2014 in the occupations: mechanic of motor vehicles, bricklayer, electrician, sanitary installations or locksmith there was no girls. Most of the girls (81.3%) took the exam in the hairdressing profession. **Denmark** likewise experiences a great gender-gap in vocational educations. For example, only 18% men applied to studies related to “Care, Health and Pedagogy”, and similarly only 6% of women applied to studies related to “Tech, Craft and Transport”, only 27,5% women applied to “IT studies” and only 11,5% applied for “Software developer”. Similarly, based on the analysis on the participation of women and men in education that were conducted by the equality body in Croatia over three consecutive years (2010-2012), it was concluded that not only is the trend permanent with no signs of change for the better, but the gender gap also shows signs of slight increase.

¹⁹ <https://www.equalityhumanrights.com/en/primary-education-resources>

segregation between women and men in the labour market and in particular the concentration of women in low paid sectors of public employment alongside limited participation of women in employment.

CHAPTER 1: Legal framework on gender equality in schools

International legal framework

The definitions and provisions of all relevant international treaties are unanimous on the right to education free of discrimination, including discrimination based on sex.²⁰ The instruments state that states shall respect and ensure the rights of each child within their jurisdiction to education without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

UN Member States, while respecting the diversity of national educational systems, therefore have the duty not only to prohibit any form of discrimination in education, but also to promote equality of opportunity and treatment for all in education. For these purposes, **the term 'discrimination'** normally includes any distinction, exclusion, limitation or preference which, being based on race, colour, **sex**, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education. **The term 'education'** usually refers to all types and levels of education, including access to education, the standard and quality of education, and the conditions under which it is given.

In order to eliminate and prevent discrimination in education, the international community undertakes to abrogate any statutory provisions and any administrative instructions; to discontinue any administrative practices which involve discrimination in education; and to ensure, by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions.



MAIN INTERNATIONAL TREATIES AND CONVENTIONS ADDRESSING THE RIGHT TO EDUCATION FROM A GENDER PERSPECTIVE:

- ❖ Universal Declaration of Human Rights - Convention against Discrimination in Education (Paris, 14th December 1960) – Preamble, Article 1., 3-4.
- ❖ UNESCO Convention against Discrimination in Education 1960
- ❖ UN Convention on the Rights of the Child - Article 2., 28-29.
- ❖ UN Convention on the Elimination of All Forms of Discrimination against Women (UN CEDAW, 18 December 1979 / 3 September 1981), Article 10
- ❖ Council of Europe Convention on preventing and combating violence against women and domestic violence, 12 April 2011., Article 14.

²⁰ UN Convention on the Rights of the Child Article 2; Universal Declaration of Human Rights; the Convention against Discrimination in Education Preamble and Articles 1, 3 and 4; UN Convention on the Elimination of All forms of Discrimination against Women Article 10; Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence Article 14.

Additionally, the Istanbul Convention stresses the need to include teaching materials on issues such as equality between women and men; non-stereotyped gender roles; mutual respect; non-violent conflict resolution in interpersonal relationships; as well as gender- based violence against women and the right to personal integrity adapted to the evolving capacity of learners in formal curricula and at all levels of education. The Istanbul Convention also highlights the importance of the need to promote the principles referred to in Article 1 of the Convention among a broader range of stakeholders contributing to education, explicitly naming informal educational facilities, as well as sports, cultural and leisure facilities, along with the media.

The international legal acquis thus recognizes the need to prevent discrimination based on gender on the one hand, and to promote gender equality on the other hand.²¹ This is crucial also in the possibility granted to states to undertake positive action measures with the aim of rectifying past injustices. The acquis also recognizes that education takes place both in formal and informal settings, and leaves room for engagement with a broad range of stakeholders in ensuring that gender equality is a reality in all spheres of education.

European legal framework

On the European level there are several documents focusing on education free of discrimination.

As already outlined above, the Council of Europe's **Istanbul Convention**²² emphasizes the importance of gender equality in education at the regional level in Europe. Both the founding Treaties of the European Union, namely the Treaty of the European Union (Lisbon Treaty)²³ and the Treaty on the Functioning of the European Union (Rome Treaty),²⁴ recognize gender equality as a founding value of the Union. The European Union's **Charter of Fundamental Rights** makes explicit this principle as it relates to education when it declares the right to education as follows:

- “1. Everyone has the right to education and to have access to vocational and continuing training;
2. This right includes the possibility to receive free compulsory education;
3. The freedom to found educational establishments with due respect for democratic principles and the right of parents to ensure the education and teaching of their children in conformity with their religious, philosophical and pedagogical convictions shall be respected, in accordance with the national laws governing the exercise of such freedom and right.”²⁵

²¹ This dichotomy is visible also in the approaches taken by equality bodies, and is reflected in the present report in the division of Chapters 2 and 4.

²² Council of Europe Convention on preventing and combating violence against women and domestic violence, 12 April 2011., Article 14.

²³ Article 2 of the TEU.

²⁴ Article 8 of the TFEU.

²⁵ The EU Charter of Fundamental Rights, Article 14.

As compared to the international and regional acquis, the EU Charter mainly stresses access to education free of discrimination, without specifying the quality or content of the education provided as it applies to gender equality.

On the level of secondary law, both the **EU Gender Equality Directives**²⁶ go beyond a purely reactive approach to gender equality by recognizing that Member States may need to undertake positive action measures. However, neither of these Directives cover gender equality in the educational setting.²⁷ Member States therefore retain a broad scope for discretion in how to realize gender equality in the field of education.

National legal frameworks

Many Member States²⁸ have gone beyond the requirements of the EU Equal Treatment Directives, with national equality laws covering the field of education also for gender equality. Only one Member State responded to the survey stating that their national legislation does not cover gender equality in the field of education following the exact transposition of the EU Equal Treatment Directives into national legislation.²⁹ In some jurisdictions,³⁰ the duty to refrain from discrimination also on grounds of sex or gender is included directly in the national legislation governing education rather than deriving from the equal treatment laws, and in many Member States³¹ there are provisions covering the field of education in both the equal treatment legislation and in the laws governing education.

An interesting case study is **Germany**, where the equality legislation does not cover gender equality in education. Instead, the duty to consider gender equality in education is derived from the Germany's Basic Law which is also directly applicable to schools. Article 3 of the Basic Law places a duty on school boards as well as teachers to ensure freedom from discrimination in the educational setting, both at the hands of the school itself as well as other pupils. This means victims of discrimination must seek redress in court.

In practice, equality bodies note that there is a lack of low threshold complaint mechanisms for victims of discrimination in the school setting when the national equality legislation does not extend to the field of education. When protection from discrimination stems from provisions of the education laws or is derived from constitutional protection for equality, equality bodies are often left without competence to assist victims as equality bodies' mandates derive from equality legislation. The varieties of mandates equality bodies have in relation to gender equality in education is described in Chapter 2.

²⁶ Directive 2004/113/EC and Directive 2006/54/EC.

²⁷ The only Equal Treatment Directive to cover the field of education is Directive 2000/43/EC (the so-called Race Directive).

²⁸ Examples include **Albania**, **Denmark**, and **Great Britain**. In Great Britain, the equality legislation provides protection on grounds of sex and gender reassignment, also in the school setting.

²⁹ The survey response came from the **Polish** Commissioner for Human Rights.

³⁰ For instance **Portugal**.

³¹ Examples include the **Czech Republic**, **Croatia**, **Hungary**, **Serbia**, **Slovakia**, and **Sweden**.

CHAPTER 2: Equality Bodies combatting gender-based discrimination in schools

The mandate of equality bodies concerning discrimination in schools is, in most cases, very similar to the broader anti-discriminatory mandate of the equality body in question. Acts and laws regulating discrimination in the respective countries usually cover the area of education and provide equality bodies with a remit in the field, despite the fact neither Directive 2004/113/EC nor Directive 2006/54/EC cover the field of education. Exceptions include the German Federal Anti-Discrimination Agency (FADA)³², the Ombud for Equal Treatment³³ in Austria, or the Hungarian Commissioner for Fundamental Rights³⁴. The **Greek** Ombudsman does not have the competence to deal with cases linked to the access to and supply of goods and services in the field of media, education or advertisement. However, one claim was received on the access to public education of an adult trans student. The Ombudsman could not use the Directive 2004/113; therefore the case was dealt with under the general mandate of the Ombudsman instead.

Protection against discrimination and promotion of the right to equal treatment in the area of education has high priority among equality bodies. Equality bodies investigate individual complaints, assist victims of discrimination, make recommendations for the public, as well as statements intended for experts and stakeholders, and engage broadly to educate and raise awareness of children's rights and equal treatment in society at large.



COURT CASES

The **Swedish** Equality Ombudsman can bring complaints to court as part of its supervisory function. One of the main objectives in pursuing individual cases in a court of law is to help establish case law, which can lead to positive effects for many individuals affected by the issue.

³² FADA's mandate is based on the General Equal Treatment Act that only applies to the fields of employment and occupation and the access to and the supply of goods and services. Thus, only teachers and other employees in schools are protected against discrimination. This is lack of protection of pupils and students in schools and universities is seen as a problem by FADA and has been addressed in the second report of FADA to the **German** Bundestag

(http://www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/publikationen/BT_Bericht/Gemeinsamer_Bericht_zweiter_2013.pdf?__blob=publicationFile).

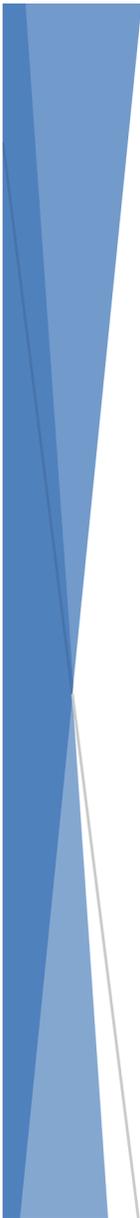
³³ The **Austrian** Equal Treatment Act only prohibits discrimination on the ground of ethnicity in education, thus discrimination and harassment on the ground of gender is not prohibited.

³⁴ The Equal Treatment Authority holds the mandate in **Hungary**.

Concerning discrimination in schools, equality bodies have not dealt with many cases on the grounds of gender, sex or sexual identity. Complaints received by equality bodies usually pertain to discriminatory behaviour on the grounds of disability, or race and ethnic origin. Specifically, the segregated education of Roma children is a perpetual problem of the Croatian, Czech, Hungarian, Slovak, and Serbian education systems.

However, some equality bodies have made own initiative investigations into whether school materials are discriminatory or not. Some have used their power to commission studies to establish the prevalence of discriminatory content, and followed up by issuing recommendations to state the discriminatory content must be removed from teaching materials (see boxes for examples).

Complaints received may span from situations where girls in school are being offered advice on careers as make-up artists, while boys are advised on how to write their CVs; to cases where more special education teachers are allocated for boys than for girls; but also to cases of the segregation of men and women at universities for religious reasons. The **Polish** Commissioner for Human Rights received complaints about the failure to recognize the preferred gender of trans persons at school. Recently, the Commissioner received a complaint about the segregation of classes in English for boys and girls, without taking into account the level of advancement of the pupils. This was due to the fact that during the English classes there were sports activities, which also ran separately for boys and girls. At the time when the girls had English classes, the boys had sports classes and vice versa.



RESEARCH

In its annual report for 2013, the **Croatian** Ombudswoman for Gender Equality reports that out of 72 chosen texts, 51 were estimated as positive examples (they include anti-discriminatory dimension) while for 21, proposals for changes or additions were made. Based on the study results and conclusions, the Ombudswoman recommends: (1) to cancel the invisibility of the theme of sexual orientation in textbooks and thus avoid mentioning the subject only in the contextual framework of AIDS; (2) to avoid insisting on preoccupation of girls and young women with their physical looks in school textbooks; (3) to avoid gender stereotypes on roles of women and men, especially a stereotype of a woman as a housekeeper in visuals and graphics as well as in texts; (4) to increase the representation of women in visuals and graphics and texts in nature and society textbooks; (5) to use female and male grammar gender related to professions and qualifications, whenever it is acceptable, without impairing the natural style of Croatian language and legibility of text.



TRAINING

The **Czech** Public Defender of Rights trains school inspectors in antidiscrimination law.

The **Swedish** Equality Ombudsman receives and investigates cases of sexual harassment and harassment on the ground of sex. The Equality Ombudsman's investigations often concern the education provider's obligation to investigate circumstances surrounding

the alleged harassment and, where appropriate, take the measures that can reasonably be demanded to prevent harassment in the future. The investigations regularly include the education provider's work with active measures. The investigations inter alia show that there's a lack in education providers methodology to promote equal rights and prevent harassment. In May 2015 there was a judgment in a case the Equality Ombudsman had brought regarding an education provider's obligation to investigate sexual harassment. The appeal court found that the education provider had failed to fulfil their obligations to investigate and take measures against sexual harassment under the Discrimination Act. The appeal court awarded damages of 50 000 SEK.

As a good practice for countries which have been dealing with underreporting of discrimination (as for example described in the [Czech Republic³⁵](#)), it is worth looking at an initiative of the **Serbian** Commissioner for the Protection of Equality. In order to involve children in equal treatment issues, the Commissioner established a Panel of Young Commissioners for the Protection of Equality. The main aim of establishing the panel is to train and sensitize young people to the issue of discrimination. Furthermore, it sets out to enable young people to transfer acquired knowledge to their peers, to empower children to express their opinion regarding discrimination and its causes, as well as to propose effective preventive programs and activities.

In **Sweden**, the Child and School Student Representative works to counteract degrading treatment of children and students. One very important task for the Representative is to safeguard the rights of children and students. This means that they investigate complaints concerning degrading treatment and can represent children and students in court. The Child and School Student Representative and the Swedish Equality Ombudsman cooperate on certain issues.



REGULATORY ACTION

The Equality and Human Rights Commission (Great Britain) has the power to fund individuals to challenge unlawful discrimination in court. It can also take regulatory action, for example where it appears an unlawful act may have taken place.

³⁵ Please see the report "*Discrimination in the Czech Republic*" of the **Czech** Public Defender for details: https://www.ochrance.cz/fileadmin/user_upload/DISKRIMINACE/Vyzkum/diskriminace_EN_fin.pdf

In conclusion, many equality bodies covered in the present report have a mandate to handle cases of discrimination in the school setting similarly to their broader equality body mandates. Where the equality body does not have an explicit mandate, bodies with multiple grounds (such as ombudsmen) can take cases by using a legal basis other than the equality mandate if needed. There are also examples of discrimination cases in schools being handled as cases of discrimination in employment if needed (please see the Danish example below for details). In the experience of equality bodies, there may be a lack of legal clarity on how to address discrimination in the field of education when this is not spelled out in the legislation (i.e. whether education may fall within the scope of providing goods and services or not).



TAKING CASES TO A SPECIALIZED TRIBUNAL

The **Danish** Institute for Human Rights has the possibility to make a complaint to the Board of Equal Treatment according to section 1(7) of the Act on the Board of Equal Treatment.

The Danish Board of Equal Treatment recently made a decision regarding harassment in the area of education. Before an exam at a high school, the students received a message from their teacher informing them that the examiner would not shake hands with women students because of his religious beliefs. The Board found that the message from the teacher was covered under harassment provisions. Since it was a high school, the case was dealt with under the Danish law on discrimination in the employment sphere and not in access to goods and services.

CHAPTER 3: Harassment, sexual harassment and gender-based bullying in schools

Preventing bullying based on gender and gender-based harassment

Available data from Europe, North America and Australia suggests that bullying is the most common form of school violence³⁶. A growing number of countries have adopted anti-bullying legislation and defined the notion of bullying at the national level.

Despite inconsistencies regarding the definition of bullying behaviours across Europe, there are some main criteria for bullying: intent to harm, power imbalance and repetition³⁷. Bullying can manifest itself in many different ways: it can be physical, including hitting, pushing, kicking or restraining another; verbal, such as threatening, taunting, teasing and calling names; or relational, through the spreading of rumours and exclusion from a group.³⁸ With the development of new technologies, cyber-bullying has become the most common form of aggressive act carried out by a group or individual, using electronic forms of contact, primarily social networks.

Gender based bullying comprises these behaviours targeting a person's gender, that is, behaviours based on gender stereotypes or sexist attitudes. For example, a common form of gender based bullying against a girl would be repeated unwanted sexual comments, jokes, and gestures, as well as physical harassment (being touched or grabbed).³⁹ Similarly, gender based bullying would target a boy because of his gender (or the way in which he presents his gender) and/or his masculinity is being denigrated by bullying behaviour. Scholarship suggests that boys often experience gender based bullying that implies a boy is not



SAMPLE DEFINITION OF BULLYING

Methodological Guideline no. 7/2006 adopted by the Slovakian Ministry of Education, Science and Research defines bullying as „any behaviour of a pupil or pupils intended to harm another pupil or pupils or threaten/intimidate them. It is a targeted and repetitive use of violence against a pupil or group of pupils who, for various reasons, cannot defend themselves. Bullying is manifested in various forms that may have consequences for mental and physical health“.

³⁶ *School Violence and Bullying*, Global Status Report, UNESCO, 2017, p. 12.

³⁷ Donna Cross, Sheri Bauman, Jenny Walker (eds), *Principles of Cyberbullying Research*, Chapter 3, Peter K. Smith, Cristina del Barrio Martinez, Robert S. Tokunada, *Definitions of Bullying and Cyberbullying: How Useful Are the Terms?*, 2013, p. 68.

³⁸ Dan Olweus, *Bullying at School: What we know and what we can do*, Blackwell, 1993, p. 18.

³⁹ Britney G Brinkman, *Detection and Prevention of Identity-Based Bullying*, *Social Justice Perspectives*, 2016, p. 6.

“adequately” meeting others’ definitions of masculinity⁴⁰. Bullying can meet the legal requirements of harassment if the grounds for bullying are a protected characteristic, such as sex or gender.

The importance of regulating the issue of gender based harassment at a supranational level can be seen through the EU Equal Treatment legislation, i.e. Directive 2006/54/EC, Directive 2004/113/EC and Directive 2010/41/EU. These Directives define harassment based on gender as unwanted conduct relating to the sex of a person which occurs with the purpose or effect of violating the dignity of that person, and of creating an intimidating, hostile, degrading, humiliating or offensive environment. Even though the aforementioned Directives pertain to the field of employment, goods and services and self-employed workers, there are no obstacles to applying the same definitions at a supranational level to gender based harassment and gender-based bullying in educational settings. Bullying is recognized as forming a continuum with harassment, with bullying often meeting the criteria for harassment when the basis for bullying is a protected ground.⁴¹ As such, there is a need for clearer and more gender sensitive definitions in work on bullying in schools.

Research commissioned by the **Maltese** National Commission for the Promotion of Equality (NCPE)⁴² and conducted for the purpose of analysing the occurrence of violence, bullying and harassment in schools from a gender perspective, showed that the acts of bullying committed by boys manifest more commonly through acts of physical violence, while with girls, it is more commonly based on isolation and gossip⁴³. When it comes to the educational effects of bullying, research shows that this form of violence reduces children’s achievement in school and affects their learning outcomes. However, the detrimental effect of bullying victimization appears to be greater for girls than boys. Girls experiencing bullying may become more concerned about their personal safety because of the bully’s physical attacks, threats, and/or destruction of the girls’ personal property than about achieving their educational goals⁴⁴.

The **consequences of bullying** do not affect only a child’s school attendance and performance, but also renders the victims of bullying typically insecure, vulnerable and causes them to suffer from low self-esteem. On the other hand, literature shows that the perpetrators’ school attendance is affected, as well as that bullying behaviour represents a critical risk factor for the development of future problems with violence and delinquency.⁴⁵

⁴⁰Ibid, p. 8.

⁴¹ <https://www.gov.uk/workplace-bullying-and-harassment>

⁴² Research study on violence, harassment and bullying in schools, National Commission for the Promotion of Equality (NCPE) of **Malta**. The research consulted with 120 participants including students, parents, teachers, other professionals working within schools, professionals working with youth outside of schools, and other stakeholders in the field of education and social welfare.

⁴³ Ibid, p. 32.

⁴⁴ Ibid, p. 38.

⁴⁵ William Ross, *A National Perspective of Peer Victimization: Characteristics of Perpetrators, Victims and Intervention Models*, National Forum of Teacher Education Journal, Volume 16, 2006, p. 4 and 5.

Dealing with bullying behaviour *requires various interventions* which are all inter-related and inter-linked⁴⁶. The responsibility for the prevention of bullying and other types of school violence does not rest solely on schools, as education providers. Protective national legislation; school policies on bullying and related codes of conduct; the capacity of school staff to tackle the issue; partnerships between policy-makers, teachers, parents and other community members; services and support that include accessible, gender-sensitive, confidential reporting mechanisms; as well as data collection on the causes and prevalence of bullying cases have been recognized as key elements of a comprehensive education sector response to school violence and bullying by UNESCO, the UN agency specialized in education⁴⁷.

A necessary condition for a systemic approach to the bullying phenomenon is the *existence of an adequate legislative framework*, comprised of anti-discrimination and education legislation, as well as legislation aimed at the direct prevention of violence (please see Chapter 1 for the requirements laid down by the international legal framework). According to research, in most countries with a low rate of bullying there are also anti-bullying national programs and policies in place⁴⁸.

In addition to institutional involvement, the personal involvement of individuals plays a major role as well. Pupils, parents and school staff, their understanding of the bullying issue and their coordinated action could be achieved through drafting *school policies on bullying and related codes of conduct*.

An example of such cooperation can be found in **Denmark**. Denmark's Education Act stipulates that every school board is obliged to establish a set of values in order to set guidelines for good behaviour and information on how to create a good environment for teachers and students. As a specific obligation, the school boards must establish an anti-bullying strategy, but taking gender into consideration is not stipulated. As such, the extent to which a given anti-bullying strategy is gender sensitive is left to the school in question. In addition to that, Denmark's Ministry of Education, along with three non-governmental organizations, developed an anti-bullying campaign, which included considerations of gender. This anti-bullying campaign is based on a cooperative approach between students, families and schools. As part of the project, the Danish ministry also released a code of conduct in relation to sharing pictures without consent. The code of conduct was based on cooperation between students, teachers, parents and school board.

School capacity building requires *staff training and support*, so that their understanding of bullying and gender based bullying, as well as their preventive, identification and response abilities to such incidents are increased.⁴⁹ Equality bodies could certainly join such efforts, bearing in mind their scope of work and their ability to cooperate with the education sector in this area. Equality bodies could provide trainings to education stakeholders and pupils themselves in the fields in which the equality body specializes (such as gender equality and non-discrimination). For example, in **Great Britain**, the Equality and Human Rights

⁴⁶Ibid, p. 73.

⁴⁷ *School Violence and Bullying*, Global Status Report, UNESCO, 2017, p. 32.

⁴⁸Edmond Dragoti and Emanuela Ismaili, *National Survey on Bullying and Violent Extremism in the Education System of Albania*, Study report, The Council of Europe, 2017, p. 87.

⁴⁹ *School Violence and Bullying*, Global Status Report, UNESCO, 2017, p. 38.

Commission has undertaken a project on identity-based bullying in schools.⁵⁰ The project sought to encourage policy makers and schools to increase their leadership and activity on preventing and tackling identity based bullying in schools, particularly by gathering and using equality data to inform and evaluate their anti-bullying strategies.

In **Northern Ireland**, the Equality Commission is represented on the Northern Ireland Anti-Bullying Forum, funded by the Department of Education, which is tasked with developing guidance for schools on tackling bullying, including on grounds of gender. This guidance is being developed in the framework of the *Addressing Bullying in Schools Act (NI) 2016* in Northern Ireland. The Act lists sex and gender reassignment in its list of motivating factors to be recorded within the requirements of the legislation, which requires bullying to be addressed by schools in bullying strategies.

Setting up accessible, effective, gender-sensitive and, crucially, confidential reporting mechanisms empowers children to become personally involved in efforts for change. Keeping in mind the shared effects on the victims of bullying, an *effective reporting mechanism* is crucial to increase self-esteem in these children, their sense of security and certainty of a safe future school environment that they contributed to, personally, through their efforts. Prompt reporting mechanisms are not only important as an intervention, but also as a preventive measure, in that reporting can yield effects even in cases of minor incidents, which in turn prevent future bullying behaviour that could drastically escalate in the absence of such mechanisms.



UNDERREPORTING

Research commissioned by the National Commission for the Promotion of Equality (NCPE) in Malta provided significant insight on the opportunities schools missed in terms of bullying prevention. Namely, students and parents expressed their limited faith in schools' ability to tackle this issue. The students pointed out that reporting was not confidential, which led to additional adverse consequences for the victim as their "case" became a subject of gossip among other children, and the victim characterized as a „tattle tale". In addition to that, fear of retaliation from the bully is present as well

Source: [Research study on violence, harassment and bullying in schools, National Commission for the Promotion of Equality \(NCPE\), p. 40.](#)

Data collection on the causes and bullying incidents is a necessary element in building an accurate picture of the presence and prevalence of bullying in schools, but it is also a reliable method for determining the effectiveness of the measures undertaken. Having in mind that different types of bullying usually require different types of preventive measures to address them, it is crucial to have an appropriate classification of all recorded cases by gender of perpetrators and victims, age and motives that led to the behaviour. The Federal Anti-Discrimination Agency (FADA), the **German** equality body, in its research entitled „Discrimination experiences in Germany“, provides insight into the prevalence of this issue in German schools. The rate of bullying experiences in education, including schools, for gender-related reasons, is estimated at 32.1% for women, 18.6% for men and 27.3% for transsexuals. Research into bullying and

⁵⁰ This includes bullying related to sex and being transgender.

harassment of transgender persons conducted for the Equality Review in the **UK**, found that 64% of transgender men and 44% of transgender women had experienced bullying or harassment in schools.⁵¹

From the above, it can be concluded that bullying encompasses different forms, of which some, like physical assault, can be more readily identified and sanctioned, while others, such as emotional bullying that can be equally or even more damaging, are far more difficult to identify and address. Given the fact that bullying appears to be frequently gender-motivated, it is important to work on empowering all stakeholders, including equality bodies, against this type of school violence, to allow them to identify bullying in all its forms and grounds more readily. This allows the highest quality of reactions from all stakeholders, but also allows them to design and implement measures to prevent future cases. Prevention and raising awareness on the need to respect others become key instruments in achieving the goal of eradicating bullying, especially having in mind that children's interactions are not limited only to their school hours.

Preventing sexual harassment in schools

Tolerating and failing to sanction harassment motivated by gender can help create an environment that facilitates harassment based on a person's sex. The World Health Organization's report on sexual harassment states that for young women, the most common place where sexual harassment and coercion are experienced is in school.⁵² EU legislators have recognized the importance of including a definition of sexual harassment in the EU acquis, particularly in the areas of employment relations, goods and services, and the self-employed. Sexual harassment is defined as any form of unwanted verbal, non-verbal or physical conduct of a sexual nature which occurs with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment.⁵³

Many national legislators define sexual harassment in their general equality acts, but some have recognized a need to regulate this matter in more precise terms in educational settings. For example, **Slovakia's** Anti-Discrimination Act stipulates that sexual harassment shall mean verbal, non-verbal or physical conduct of a sexual nature whose intention or consequence is or may be a violation of person's dignity, and which creates an intimidating, degrading, disrespectful, hostile or offensive environment. This definition is in line with the definitions found in Directive 2004/113, but applies also to the field of education in the Slovakian Act. **Serbia** has adopted a Special Protocol on the Protection of Children and Students against Violence, Abuse and Neglect in Educational Institutions which prescribes preventive activities in protecting children from violence, including sexual harassment, in which the roles of all parties involved in the work and life of an educational institution have been defined.

⁵¹ Stephen Whittle, Lewis Turner and Maryam Al-Alami, *Endangered Penalties: Transgender and Transsexual People's Experiences of Inequality and Discrimination*, The Equalities Review, 2007, p. 63.

⁵² *Sexual Violence*, Chapter 6, The World Health Organization, p. 9.

⁵³ Directive 2006/54/EC of the European Parliament and of the Council, Council Directive 2004/113/EC and the Directive 2010/41/EU.

Even though research shows that sexual harassment occurs in schools around the globe, experiences of this type of violence often remain undocumented and shrouded in silence.⁵⁴ *Keeping records on cases of sexual violence in schools* is certainly the first step needed to ascertain the prevalence of this type of violence among children. The experience of Equinet members contributing to the current report suggests that there is currently no centralized data collection of sexual harassment in schools in Europe. However, certain institutions and NGOs have experience in collecting such data. The National School Health Study conducted in **Finland** in 2013 showed that 61% of girls and 46% of boys have experienced sexual harassment. In a concrete case, analysis of the prevalence of this phenomenon among youth demonstrated what difficulties Finnish schools faced in recognizing all types of sexual harassment, as well as challenges in handling these cases. For this reason, in 2014, the Ombudsman for Equality in Finland initiated an awareness raising campaign against sexual harassment in schools. Teaching material was developed within this campaign for use in promoting a culture of zero tolerance of harassment and helping all participants in education activities (teachers, pupils and other school staff) recognize sexual harassment behaviour and to act accordingly. The teaching material was incorporated in regular school activities as teaching material. Besides, the Ombudsman in partnership with the Finnish National Board of Education, the Ministry of Education and the Ministry of Social Affairs and Health, prepared a Handbook on promoting equality in schools, which covers sexual harassment and harassment based on sex or gender.⁵⁵ The **Norwegian** Equality and Anti-discrimination Ombud is planning to conduct a campaign on harassment as well.

Equality bodies can play an important role in tackling sexual harassment in their respective countries. *Cooperation between equality bodies and schools* appears to be an important component in the process of preventing sexual harassment and gender based harassment behaviour. The fields equality bodies specialize in and their role in combating gender stereotypes and sexism in society could greatly benefit schools and their staff, which have an obligation of undertaking preventive measures to combat violence in the educational sector, as is often prescribed in national legislation. The example of the equality body in Finland shows how an *awareness raising campaign* has led to the creation of permanent teaching materials on the topic of sexual harassment. Other equality bodies also have experience in raising awareness of students and education providers in this field. The **Slovak** National Center for Human Rights regularly organizes educational activities for elementary and secondary school pupils. These educational activities are conducted on the topics of gender equality and non-discrimination, which also encompass the field of sexual harassment. The **Serbian** Commissioner for the Protection of Equality was engaged in training education advisors (experts who evaluate the professional work of teachers and schools) on preventing discrimination, the position of marginalized groups and mechanisms for the protection against discrimination. One of the topics included discrimination on the grounds of sex and gender, including sexual harassment. In **Belgium**, a working group provides guidelines and informs querents about different

⁵⁴*School-related gender-based violence is preventing the achievement of quality education for all*, Policy paper 17, UNESCO, 2015, p. 5.

⁵⁵ Please see the website of the Ombudsman for Equality for details: <https://www.tasa-arvo.fi/web/EN//harassment-at-the-educational-institutions>

organizations which can intervene in harassment cases.⁵⁶ The **Polish** Commissioner for Human Rights provides lectures on the topic (within more general information about the principle of equal treatment) to students and is investing efforts in establishing cooperation with schools. The Commissioner is trying to strengthen the cooperation with non-governmental organizations that deal with the subject of discrimination in education.

Schools' guidelines and policies addressing sexual harassment should be disclosed to all students and employees, so that they can recognize this issue as it occurs and respond adequately. Organizing training sessions and learning about the subject in textbooks will help prepare pupils to face this type of violence, should they ever encounter it, while the elaboration of equality plans will define concrete measures tailored to the gender equality situation in a particular school setting. In addition, as **Swedish legislation** provides, schools should be obliged to investigate the circumstances surrounding the alleged harassment and take measures where appropriate. These measures should correspond to the severity of the conduct, meaning that sometimes warnings and counselling may be appropriate to address less serious forms of harassment, while more severe cases should result in more stringent measures, such as suspension and expulsion.⁵⁷ However, it is recommended that liability should be ascertained also for the school management as education providers in cases where harassment was reported and no measures were in place to stop it.⁵⁸

When we discuss *reporting mechanisms*, even with all the accessibility, effectiveness, confidentiality and gender-sensitivity of these mechanisms (which are supposed to exist in every school setting), it is possible that victims do not report sexual harassment they have been subjected to, given the sensitivity of the issue. That is why, in order to have as reliable an image of the situation as possible, regular implementation of anonymous surveys among students could provide an excellent tool to gather data on the prevalence of sexual harassment. To overcome any misunderstanding of the term “sexual harassment”, i.e. to get acquainted with all forms of behaviour that constitute this type of violence, the experience of **Finland** shows that surveys should comprise concrete, easily understood questions, such as “Have you received sexually loaded messages?” or “Have you been touched in some parts of your body?”⁵⁹ All of this is stated for the purposes of adequate data collection which, if conducted on a regular basis, could be useful in terms of monitoring the effectiveness of the implemented measures for combatting sexual harassment in schools.

It is clear that schools have a unique and significant role in the prevention of sexual harassment. However, full cooperation with all social actors in this matter is of crucial importance – from legislators, various organizations, to schools; from teaching staff to parents and pupils; all with the objective to eradicate this kind of violence in schools, which would serve as a good foundation to eradicate sexual harassment in other walks of life. In this process, the role of equality bodies should not be neglected, as they can greatly

⁵⁶ www.enseignement.be/index.php?page=0&navi=3613

⁵⁷ *How to Protect Students from Sexual Harassment: A Primer for Schools*, National Women’s Law Center, 2007, p. 4.

⁵⁸ *Harassment on the basis of Gender and Sexual Harassment: Supporting the Work of Equality Bodies*, Equinet, 2014, p. 41.

⁵⁹ Summary of Equinet Seminar – Gender Equality in Education, 2016, p. 46.

contribute to fighting sexual harassment through their activities on combating gender stereotypes and sexism, awareness-raising, trainings and other forms of cooperation with education providers and other stakeholders. As recognized forms of discrimination, harassment based on gender and sexual harassment are in the focus of equality bodies and cooperation with them in this area is not only desirable, but also mandatory for signatories of the Istanbul Convention.⁶⁰

⁶⁰ Article 13 on Awareness-raising „of the different manifestations of all forms of violence covered by the scope of this Convention, their consequences on children and the need to prevent such violence.“

CHAPTER 4: Equality bodies promoting gender equality in schools

As statutory bodies committed to ensuring equality in practice, many equality bodies have placed an emphasis in promoting gender equality in schools in addition to efforts aimed at preventing discrimination. In some countries, the legal system even spells out respect for diversity, tolerance and appreciation of difference as one of the aims of education⁶¹, and many equality bodies recognize the crucial role of education in promoting fundamental values of living together. However, the extent to which this aim is achieved varies greatly not just between and within countries, but sometimes also between primary and secondary levels of education.⁶² Equality bodies therefore identify a continued need to engage with schools to ensure equality is actively promoted, in addition to raising awareness of when school curricula are discriminatory or contain damaging gender stereotypes.⁶³

The wealth of good practices shared by equality bodies in promoting equality in this report cover a range of activities. This chapter will cover these in turn, from supporting schools in making equality plans, to ensuring school curricula in general and school books specifically are gender sensitive, and finally ways equality bodies have found of working with and training teachers.

Such an active engagement on the part of equality bodies is due to the recognition that promoting equality and preventing discrimination are tightly intertwined. As previously discussed, ensuring that the learning environment cultivates mutual respect and understanding⁶⁴ will help to avoid violence, have significant implications for children's learning experience and can have consequences later in life, including on the labour market (please see the Introduction and Chapter 3 for details). At later stages of education it also becomes important to ensure that young people have an understanding of appropriate and inappropriate behaviours toward others, as well as what they do not have to accept toward themselves. This type of awareness is often promoted in specific classes. One such example is **Slovakia**, where primary school pupils cover the topics of gender equality and the development of relationships between girls and boys in a class named Education for Marriage and Parenting.

⁶¹ The **Serbian** Law on the Fundamentals of the Education System, a system law in the area of education in Serbia, defines developing and respecting racial, national, cultural, language, religious, gender, sexual and age diversity, tolerance and appreciation of differences as one of the aims of education. This means that the whole education system must be geared towards children and students, acquiring views and values which are inspired by equality.

⁶² See for example the discrepancy between efforts at eradicating gender stereotypes in primary education in Serbia, compared to secondary education in "Education for Gender Equality – Analysis of teaching materials for elementary and secondary school", Stjepanović-Zaharijevski, Gavrilović, Petrušić, UNDP.

⁶³ The **Serbian** Commission for Protection from Discrimination analysed textbooks in cooperation with an NGO and issued recommendations to the Ministry of Education to remove discriminatory content where such appeared. This call was later picked up by the competent Institute overseeing quality of education, agreeing with the Commission's assessment and stating that the books in question could no longer be used.

⁶⁴ Neil Tippett, Catherine Houlston, Peter K. Smith, Prevention and response to identity-based bullying among local authorities in England, Scotland and Wales, Equality and Human Rights Commission, Research report 64, 2010, p. 42.

Teaching pupils about equality and what it means requires a broad effort, including targeted classes on promoting respectful relations, all the way through gender mainstreaming. This chapter provides an overview of approaches, going from the broadest form of promotion through equality plans and mainstreaming, to the specifics of looking at school curricula and teacher training.

Equality plans and gender mainstreaming in schools

The long-term impact of the education system on equality outcomes and structural processes has led some European countries to include education providers as duty bearers under national gender equality legislation.⁶⁵ Supporting schools in formulating such equality plans may be part of the national equality body's mandate.⁶⁶ However, such a structural approach is not always in place and certain equality bodies are concerned that the field of education is neglected as a field for action.⁶⁷ Roughly three different categories of structural approaches were identified in the present report.

The first category includes countries⁶⁸ where there is a horizontal gender equality policy but no specific provision addressing the sphere of education. In the experience of equality bodies, schools are rarely able to set up and implement gender equality plans or policies to give life to the horizontal policy on their own initiative. As such, gender equality initiatives that are undertaken are frequently done so by external actors working with the schools rather than being initiated by the schools themselves. Such external actors may include equality bodies, and often civil society organizations.

The second category covers countries⁶⁹ where the national legislation has provisions applicable to the sphere of education, even if these provisions do not necessarily stem from the equality legislation. Examples include **Serbia** and **Slovakia**, where national legislation requires schools to regulate the conditions for health and safety of students and pupils, including protecting them from inter alia discrimination and violence. While some of these plans provide strong frameworks for addressing violence and discrimination⁷⁰, they are not always doing so with a gender focus. In the experience of equality bodies, initiatives to promote gender equality



MONITORING EQUALITY PLANS

The Ombudsman for Equality in **Finland** supports schools in their legal duty to undertake purposeful and planned work to promote gender equality in line with their institutional equality plans. If the school does not produce or follow up its equality plan, the Ombudsman for Equality has the mandate to follow up with recommendations and deadlines, and, if needed in the final instance, take the matter before the national Non-discrimination and Equality Tribunal which has the power to enforce decisions and fines.

Source: <https://www.tasa-arvo.fi/web/en/duty-of-authorities-to-promote-equality-in-education>

⁶⁵ For example **Finland** and **Sweden**.

⁶⁶ Such as the Ombudsman for Equality in **Finland**.

⁶⁷ Such as the Commission for the Protection from Discrimination in **Bulgaria**.

⁶⁸ Such as **Albania**, **Poland** or **Portugal**.

⁶⁹ Such as **Bulgaria**, **Slovakia**, or **Serbia**.

⁷⁰ Such as the **Serbian** rulebook for detecting discrimination in schools to be used by school staff

in schools in such contexts are often assured on an ad-hoc basis and the gender focus may be sustained only through time-limited projects.⁷¹

The third category covers countries⁷² where national legislation foresees requirements for schools to produce equality plans or to work with equality strategies on an on-going basis. As mentioned in the above box, the Ombudsman for Equality in **Finland** supports schools in producing such plans. In federal states or unions, different policies may exist in different regions of the country. Examples include **Germany** or **Great Britain**, where different regions have varying requirements for schools to establish objectives, strategies or plans to address gender equality. However, in some cases these plans only relate to the school as an employer rather than as an education provider.

Equinet's previous research on equality duties (2016)⁷³ suggests that when it comes to structural approaches to inequality, implementation is most effective where legislation is both detailed and clear about roles and responsibilities. Similarly, the experience of equality bodies in the current report suggests that successful implementation in each of the three categories of duties depends on competent entities taking up their respective roles.

Gender equality in school curricula

Gender equality is addressed and considered to different extents in school curricula across Europe today. Two complementary approaches were identified by equality bodies working in the field. On the one hand, schools may address gender equality directly through specific classes dedicated to general health education. On the other hand, schools may take a mainstreaming approach with gender equality as a horizontal consideration to be included in most, if not all, classes.

An example of the first approach where gender equality is addressed in a specific class is **Croatia**, where gender equality is addressed in health education. A second example is **Poland**, where the Commissioner for Human Rights commissioned an expert assessment on school textbooks for the subject entitled "Education for family life", where issues of gender are addressed in the context of family life. The assessment concluded that the course content was highly subjective, contained information that was unfounded (for instance information relating to sexual orientation or transgender persons) and that the course textbook treated gender roles in a stereotypical manner. Classes involving sexual education are compulsory in countries such as **Albania, Denmark, Germany, Portugal, and Sweden**. In the **Czech Republic** and **Slovakia** it is left to the school's discretion how the topic is addressed. The Council of Europe's Commissioner for Human Rights has emphasized that providing comprehensive sexuality education (CSE) in line with the evolving capacities of children is an important component of women's

⁷¹ Such as the **Bulgarian** Ministry of Education and Science which supported a project to "Free schools from violence and stereotypes defined by gender".

⁷² Such as **Finland, Sweden, or the United Kingdom**.

⁷³ http://www.equineteurope.org/IMG/pdf/positiveequality_duties-finalweb.pdf

human rights.⁷⁴ A recent study⁷⁵ covering twenty five countries in the World Health Organization (WHO) Europe region found that most countries have a legal basis for sexuality education, which is crucial to ensuring that young people have the information they need. However, only five of the countries reported “little” opposition to sexuality education; eight countries reported “some” opposition and the remaining twelve reported “serious” opposition.

To ensure accurate information to the public of the topic, the Federal Antidiscrimination Agency (FADA) in **Germany** produced a video clip highlighting the importance of sex education which was distributed on social media and on the FADA website⁷⁶. Some equality bodies have taken supportive positions regarding health and sexual education in schools,⁷⁷ including by conducting research on the curricula and countering disinformation being spread about the contents of such curricula.⁷⁸ Equality bodies publicly expressing support for sexuality and health education in schools do so in the framework of their gender equality mandate, with the aim of promoting an understanding of equality in the learning environment and laying the foundation for mutual respect later in life.

There are several examples of the second, mainstreaming approach. In **Sweden**, the National Agency for Education is responsible to promote gender equality in school curricula and gender equality features as core content in several classes, such as home and consumer, social studies, biology,

GUIDES ON GENDER EQUALITY FOR SCHOOL CURRICULA

In **Portugal**, all work on gender equality in the field of education has been carried out by the Commission for Citizenship and Gender Equality (CIG), the national equality body. In 2004-2005, the equality body saw a need to go further in promoting equality in school and in ensuring that the knowledge on gender generated at universities was reaching the school environment. The equality body decided to produce guidance material to ensure that gender equality appeared as a horizontal priority in all school subjects without generating additional work for teachers or pupils.

The Guides were developed with a broad range of stakeholders and aimed to mainstream gender in all subjects, for instance by ensuring that examples used in French class or math class were gender balanced and non-stereotypical. Dissemination of the guides also happened through teacher training facilities and libraries, after they were approved by the competent Ministry. Some of the Guides are available in English online: <https://www.cig.gov.pt/documentacao-de-referencia/doc/cidadania-e-igualdade-de-genero/guioes-de-educacao-genero-e-cidadania/>

⁷⁴ <https://rm.coe.int/women-s-sexual-and-reproductive-health-and-rights-in-europe-issue-pape/168076dead>

⁷⁵ BZgA (Federal Centre for Health Education) and IPPF EN (International Planned Parenthood Federation - European Network) (2017). Sexuality Education in Europe and Central Asia: State of the Art and Recent Developments. An Overview of 25 Countries. Cologne: BZgA.

⁷⁶ The video clip can be found here: <https://www.facebook.com/antidiskriminierungsstelle/videos/1723843124323849/> or <https://www.youtube.com/watch?v=m3t2K3LCnjo>

⁷⁷ Such as the **German** Federal Anti-Discrimination Agency.

⁷⁸ See the work of the **Croatian** Ombudswoman for Equality.

history and religion.⁷⁹ The **German** federal states of Berlin and Brandenburg both address gender equality as an interdisciplinary topic in every school subject and specific teaching approaches are developed to this end.⁸⁰ **Denmark** has a mixed approach, blending mainstreaming with voluntary measures in the school curriculum. The topic of women's suffrage is mainstreamed, while other issues related to women's rights are addressed by teachers on a voluntary basis.

The mainstreaming approach is crucial also because of the gender stereotypes that often still pervade school curricula and reinforce inequalities. In **Northern Ireland**, the Equality Commission has commissioned research (2015) on educational inequalities in Northern Ireland, which has highlighted that gender stereotyping of subject choice at A Level may be a contributory factor in the gender imbalance in higher education where females have a lower share of enrollees in the STEM subject areas⁸¹. This was also highlighted in the Commission's *Statement on Key Inequalities in Education* (2017)⁸². The Equality Commission is currently finalising its policy recommendations in relation to tackling inequalities in education, including tackling gender stereotypes in schools and bullying with a sexual context. The need to tackle gender stereotypes in schools was also highlighted in the Equality Commission's *Gender Equality Policy Priorities and Recommendations* (2016)⁸³. The **Polish** Commissioner for Human Rights undertook an analysis of the new school curriculum which showed that the educational content addressing human rights or the principle of equal treatment was significantly limited or completely omitted at certain stages of education. The Polish Commissioner therefore recommended the Minister of Education to include human rights content, multiculturalism, counteracting discrimination and stereotypes in the content of most of the school subjects, which would allow these values to be passed on to students at all stages education, in accordance with international standards in the field of education about human rights. Currently, after the introduction of the new curriculum, the Polish Commissioner finds it difficult to see any content relating to the principle of equal treatment of women and men, education about human rights, anti-discrimination education or multicultural in the curricula of pre-schools, primary schools or post-secondary schools, including vocational training⁸⁴.

⁷⁹ The **Swedish** school curriculum for 2011 can be accessed here: https://www.skolverket.se/om-skolverket/publikationer/visa-enskildpublikation?_xurl=http%3A%2F%2Fwww5.skolverket.se%2Fwtpub%2Fws%2Fskolbok%2Fwpubext%2Ftrycksak%2Fblob%2Fpdf2687.pdf%3Fk%3D2687

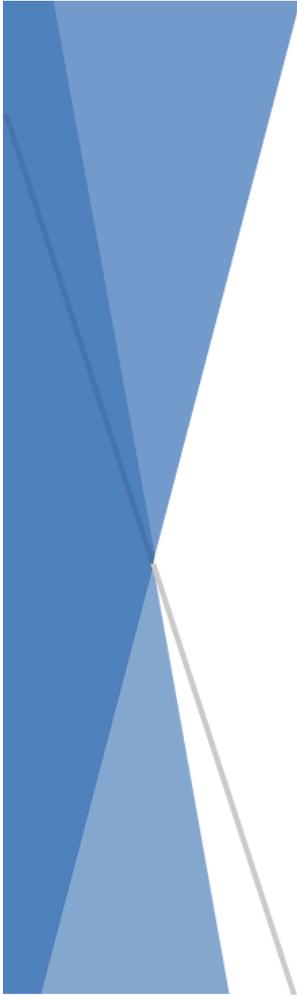
⁸⁰ Examples include discussing what role models and language is used in media, conducting linguistic analyses, using role playing, or undertaking social, cultural, historical or biological analyses of gender. Source: <http://bildungserver.berlin-brandenburg.de/rlp-online/b-fachuebergreifende-kompetenzentwicklung/gleichstellung-und-gleichberechtigung-der-geschlechter-gender-mainstreaming/>

⁸¹ School of Law QUB, commissioned by ECNI. *Education Inequalities in Northern Ireland* (2015).

⁸² ECNI (2017), *ECNI Statement on Key Inequalities in Education*.

⁸³ ECNI (2016) *ECNI Gender Equality Priorities and Recommendations*.

⁸⁴ Letter of 20.03.2017 (XI.800.3.2017.AM).



TRAINING & GUIDANCE TO PUBLISHERS, EDITORS AND TEXTBOOK AUTHORS

The Federal Anti-Discrimination Agency (FADA) in **Germany** targets managers of publishing houses, editors and authors of textbooks to ensure school materials promote equality. Generally, this involves training workshops for editors; the development of internal rules and standards for publishing houses concerning discrimination and stereotypes; the improvement of information sharing and network building with external experts; and providing them with relevant informational materials.

The methodology rests on explaining what discrimination is, the forms of discrimination that may occur, and the prevalence levels of discrimination based on gender. FADA also explains the reality of discrimination in schools and the dynamics that can be created in the classroom, where homogeneity can be seen as an ideal, set against heterogeneity. The crucial role textbooks play in promoting equal treatment and the reduction of stereotypes is demonstrated.

During the workshop the analysis of textbooks is done from several different perspectives. Firstly, the production of knowledge is scrutinized. Is a gendered perspective reflected? Are new debates and ideas on gender reflected? The linguistic and visual level is likewise examined, taking into consideration gender sensitive language; avoiding words that reproduce stereotypes; visual equal representation of all gender groups. Finally, the content level is investigated in terms of whether traditional gender roles are challenged or are there approaches to discuss gender roles and gender identities? At the end of the workshop participants discuss in small groups the content and perspectives of school books and teaching material they bring with them. By this they learn to critically review their own material.

Equality bodies have supported gender mainstreaming in school curricula in various ways. The **Danish** Institute for Human Rights has published gender sensitive school materials for teachers on gender issues. In **Great Britain**, the Equality and Human Rights Commission has developed educational resources for children and teachers alike, covering equality and human rights with a gender perspective.⁸⁵

Gender equality as reflected in textbooks for schools

Gender sensitive school books and teaching materials are an integral part of making sure the overall school curriculum promotes equality. In its most recent publication on gender equality in schools, the European Institute for Gender Equality (EIGE) recommends that national level actors “increase teachers’

⁸⁵ The EHRC resources can be found here: <https://www.equalityhumanrights.com/en/secondary-education-resources>.

and students' awareness of gender stereotypes, and remove such stereotypes from teaching materials."⁸⁶ Only one equality body⁸⁷ responding to the survey stated that as an institution, they have no concrete examples of gender stereotypes in school books. Otherwise, the equality bodies responding to the survey forming the basis of this report all confirmed that school books and teaching materials in their countries include gender stereotypes to varying extents.⁸⁸ One equality body also expressed concern that a recent revision of the school curriculum involved omitting or seriously reducing content related to human rights and equality.⁸⁹

School materials are generally observed to be largely indifferent to questions of diversity, struggling to handle the needs of diverse users,⁹⁰ encouraging gendered division

MONITORING GENDER EQUALITY IN SCHOOL BOOKS

The Croatian Ombudsperson for Gender Equality monitors gender equality specifically in educational curricula. The mandate derives from the Croatian Act on Gender Equality, which specifies under its Article 14. that:

“(2) Subject matters related to issues of gender equality shall be an integral part of pre-school, primary and secondary school education, as well as higher education and lifelong learning and additional training, and they shall include measures aimed at preparing both sexes for active and equal participation in all spheres of life.

(3) Subject matters referred to in paragraph 2 of this Article shall be used to promote non-discriminatory knowledge with regard to women and men, to eliminate inequality of sexes and gender-related stereotypes in the education process at all levels as well as to respect gender-related aspects in all areas of education.”

The Ombudsperson has therefore conducted analyses of school textbooks, investigating the topics children are encouraged to discuss and develop. Examples include children being asked to draw posters of a “typical man” and a “typical woman”, textbooks describing women as introducing their daughters to housework while fathers introduce sons to “everyday work” without assigning them tasks “immediately”, and perpetuating gender stereotypes by suggesting that men “achieve their objectives in love” by using “success, power and wealth”, while women “try to be attractive”. The analyses also showed that women are underrepresented in school textbook illustrations and text examples. It was noted that LGBTI persons remain stigmatized due to AIDS, and are largely absent from school curricula.

⁸⁶ “Study and Work in the EU: set apart by gender” (2018) EIGE report.

⁸⁷ Danish Institute for Human Rights.

⁸⁸ An example of a more elaborate analysis can be found in “Gender sensitive analysis of eighth grade literature textbooks for the Serbian language, for the Serbian language as a non-native language and for the Hungarian language”, Margareta V. Bašaragin, Svenka L. Savić, 2016.

⁸⁹ The Polish Commissioner for Human Rights issued a recommendation (Letter of 20.03.2017 (XI.800.3.2017.AM)) to the Ministry of Education, stressing the need for human rights content in school curricula, including multiculturalism, counteracting discrimination and stereotypes in the content of most school subjects. The recommendation maintained that such an approach would allow these values to be passed on to students at all stages of education in accordance with international standards in the field of education about human rights.

⁹⁰ The complaints received by the Polish Commissioner for Human Rights often address the lack of appropriate teaching materials for those whose native language is not the same as the majority language (such as Roma children); appropriate materials for minorities, including teaching materials of minorities' language, history and geography; as well as appropriate teaching materials for inclusive education.

of activities,⁹¹ and sometimes seen to include elements of violence. This gendered division extends to the professional sphere, with women mainly portrayed in the domestic sphere and men in the public sphere.⁹² Equality bodies also receive complaints on the discriminatory content of teaching materials, and one equality body⁹³ reported that most of the complaints received in the school context relate to precisely this issue.

Equality bodies therefore seek to engage with education providers and other stakeholders to ensure teaching materials support all pupils equally in developing their full potential. Some equality bodies produce guidance material on equal treatment targeting education providers,⁹⁴ while others provide workshops for publishers of school books aiming to raise awareness on the need for a gender sensitive approach in school books. All engagement by equality bodies in addressing gender equality in school curricula is derived from their gender equality mandate and aims to give life to the horizontal principle of gender equality in the everyday life and experience of pupils.

Working with teachers on gender equality

The same way schools as institutions are important partners, individual teachers are also crucial allies in promoting equality, dignity and mutual respect in the school setting. Both the formal and informal lessons learned in school have implications for how persons relate to one another in the school setting and beyond, as well as having long term implications for the future and for relations on the labour market, in public spaces, the public sphere, or at home.⁹⁵

Teachers are therefore important partners for national equality bodies where there is capacity to engage with education providers. This type of engagement ranges from providing guidance material on gender sensitive education⁹⁶ to engaging with teachers in person, providing information or training.⁹⁷ In some

⁹¹ Melanie Bittner, Die Ordnung der Geschlechter in Schulbüchern, Heteronormativität und Genderkonstruktionen in Englisch- und Biologiebüchern, S. 254, in: Schmidt/Schondelmayer/Schröder and (Hrsg.), Selbstbestimmung und Anerkennung sexueller und geschlechtlicher Vielfalt, Springer VS, 2015, S. 247-260.

⁹² Jana Kišoňová's (2005) review of **Slovak** school books found that in 94% of the cases, male characters were depicted in employment as compared to only 6% of female characters (that had professions such as flight attendants or teachers) in books for 6th grade. In school books for 7th grade 100% of male characters were in employment, as compared to none of the female characters. In the textbooks for civic education Kišoňová also found overrepresentation of male characters as fathers, brothers or boyfriends (61% and 84% in 6th and 7th grade books, respectively) as compared to female characters such as mothers, sisters or girlfriends (39% and 16% in 6th and 7th grade books, respectively).

⁹³ **Croatian** Gender Equality Ombudswoman.

⁹⁴ Such as the guidance report "Ittakesallkinds" developed by the **Danish** Institute for Human Rights which has been translated into nine European languages, or the awareness raising activities in schools by the **Northern Ireland** Equality Commission.

⁹⁵ McMahon, W.W. & Oketch, M. (2013). "Education's effects on individual's life chances and development: an overview." *British Journal of Educational Studies*.

⁹⁶ See the Czech Public Defender of Rights.

⁹⁷ Such as the **Danish** Institute for Human Rights, the Croatian Ombudswoman for Equality, the **German** Federal Anti-Discrimination Agency. Training of teachers is also undertaken in **Finland** and **Estonia**.

jurisdictions, the role of civil society organizations is highlighted, as they are important partners providing training to educators in the school setting. In providing training to teachers, some equality bodies⁹⁸ emphasize the need to outline the basic principles of gender based discrimination and inequality, as levels of awareness among teachers may be low despite requirements to post the anti-discrimination law on the wall in school buildings in certain jurisdictions.⁹⁹

⁹⁸ **Croatian** Ombudswoman for Equality.

⁹⁹ **Albanian** Commissioner on Protection from Discrimination.

CONCLUSIONS

Remaining challenges and recommendations

To conclude, the recommendations below are offered based on the experience of the equality bodies' contributing to the present report. The aim remains to ensure gender equality is effectively promoted and gender-based discrimination addressed in the school context, while taking into consideration the practical experience of those equality bodies who have sought to make a difference in how schools address the topic.

- ✚ The experience of equality bodies highlights the gap between the legal and promotional approaches to gender equality in education. Many equality bodies do not have a mandate to tackle gender-based discrimination in schools within their equality legislation, though the principle of gender equality at school may be enshrined in other pieces of legislation at the national level. As a consequence, issues such as discriminatory content in school textbooks may need to be tackled using alternative approaches to legal work. In some cases, equality bodies can engage in **active monitoring of the content of school curricula or equality plans, providing recommendations to cease discriminatory practices**. However, where there are no legal grounds for that, some equality bodies can engage using their **promotional functions** instead.
- ✚ Equality bodies are able to promote gender equality in schools by **providing training, guidance materials** and conducting **awareness raising** campaigns. The most important partners are teachers and institutions of higher education where teachers receive their training; publishing houses and textbook authors; as well as competent ministries and civil society organizations. Awareness raising often provides information about what constitutes discrimination, what types of discrimination exist and the prevalence of gender-based discrimination. There is a conspicuous lack of data regarding the prevalence of gender-based discrimination and harassment in schools. There is a need to rectify this by **strengthening data collection and research** in the field.
- ✚ The experience of equality bodies suggests that the **gender dimension of bullying** is also often neglected, with a need to recognize the continuum between gender-based bullying and gender-based harassment. **Complaints mechanisms** both within schools and outside of schools are also crucial, given that equal treatment legislation often does not cover the school setting. Internal complaints mechanisms function well when harassment or bullying takes place between students, but becomes more problematic if it takes place between pupils and teachers. **Special training** is also required to handle complaints from minors.

- ✚ An **intersectional approach** to gender equality is needed, with all promotion aiming to instill appreciation and respect for diversity, instead of promoting compliance with heteronormativity. The power dimension of **gender-based discrimination** is underappreciated, with teachers sometimes failing to consider gender equality relevant given that girls often perform well in school.
- ✚ Efforts at **gender mainstreaming** in teachers' and pupils' curricula must respond to the needs of the existing educational system in order to be effectively embedded. Equality bodies' experience suggests that when educational material on gender equality is introduced without considering how it is to be integrated with the existing school curriculum, the materials often end up not being used. Careful consideration of how gender equality as a school subject ought to be **integrated with the existing educational structures** is advised, even if the given educational system might not always have the structure most conducive for delivering equality.
- ✚ Promoting gender equality in education requires at least a **medium term approach**. The fact that the field of education remains highly politicized presents challenges. Awareness of rights among young people and children remains low, suggesting the need for promotional activities and **effective outreach**. Equality bodies also recommend close **cooperation with Children's Ombuds** to ensure that the equality dimension and child protection goes hand in hand.

EQUINET MEMBER EQUALITY BODIES

ALBANIA

Commissioner for the Protection from Discrimination
www.kmd.al

AUSTRIA

Austrian Disability Ombudsman
www.behindertenanwalt.gv.at

AUSTRIA

Ombud for Equal Treatment
www.gleichbehandlungsanwaltschaft.at

BELGIUM

Institute for the Equality of Women and Men
www.igvm-iefh.belgium.be

BELGIUM

Unia (Interfederal Centre for Equal Opportunities)
www.unia.be

BOSNIA AND HERZEGOVINA

Institution of Human Rights Ombudsman of Bosnia and Herzegovina
www.ombudsmen.gov.ba

BULGARIA

Commission for Protection against Discrimination
www.kzd-nondiscrimination.com

CROATIA

Office of the Ombudsman
www.ombudsman.hr

CROATIA

Ombudsperson for Gender Equality
www.prs.hr

CROATIA

Ombudswoman for Persons with Disabilities
www.posi.hr

CYPRUS

Commissioner for Administration and Human Rights (Ombudsman)
www.ombudsman.gov.cy

CZECH REPUBLIC

Public Defender of Rights
www.ochrance.cz

DENMARK

Board of Equal Treatment
www.ast.dk

DENMARK

Danish Institute for Human Rights
www.humanrights.dk

ESTONIA

Gender Equality and Equal Treatment Commissioner
www.vollinik.ee

FINLAND

Non-Discrimination Ombudsman
www.syrjinta.fi

FINLAND

Ombudsman for Equality
www.tasa-arvo.fi

FRANCE

Defender of Rights
www.defenseurdesdroits.fr

GEORGIA

Public Defender of Georgia (Ombudsman)
www.ombudsman.ge

GERMANY

Federal Anti-Discrimination Agency
www.antidiskriminierungsstelle.de

GREECE

Greek Ombudsman
www.synigoros.gr

HUNGARY

Equal Treatment Authority
www.egyenlobanasmod.hu

HUNGARY

Office of the Commissioner for Fundamental Rights
www.ajbh.hu

IRELAND

Irish Human Rights and Equality Commission
www.ihrec.ie

ITALY

National Equality Councillor
www.lavoro.gov.it/ConsiglieraNazionale

ITALY

National Office against Racial Discrimination - UNAR
www.unar.it

LATVIA

Office of the Ombudsman
www.tiesibsargs.lv

LITHUANIA

Office of the Equal Opportunities Ombudsman
www.lygybe.lt

LUXEMBURG

Centre for Equal Treatment
www.cet.lu

(FYRO) MACEDONIA

Commission for the Protection against Discrimination
www.kzd.mk

MALTA

Commission for the Rights of Persons with Disability
www.crpdp.org.mt

MALTA

National Commission for the Promotion of Equality
www.equality.gov.mt

MOLDOVA

Council on Preventing and Eliminating Discrimination and Ensuring Equality
www.egalitate.md

MONTENEGRO

Protector of Human Rights and Freedoms (Ombudsman)
www.ombudsman.co.me

NETHERLANDS

Netherlands Institute for Human Rights
www.mensenrechten.nl

NORWAY

Equality and Anti-Discrimination Ombud
www.ldo.no

POLAND

Commissioner for Human Rights
www.rpo.gov.pl

PORTUGAL

Commission for Citizenship and Gender Equality
www.cig.gov.pt

PORTUGAL

Commission for Equality in Labour and Employment
www.cite.gov.pt

PORTUGAL

High Commission for Migration
www.acm.gov.pt

ROMANIA

National Council for Combating Discrimination
www.cncd.org.ro

SERBIA

Commissioner for Protection of Equality
www.ravnopravnost.gov.rs

SLOVAKIA

National Centre for Human Rights
www.snslp.sk

SLOVENIA

Advocate of the Principle of Equality
www.zagovornik.gov.si

SPAIN

Council for the Elimination of Ethnic or Racial Discrimination
www.igualdadynodiscriminacion.msssi.es

SPAIN

Institute of Women and for Equal Opportunities
www.inmujer.es

SWEDEN

Equality Ombudsman
www.do.se

UNITED KINGDOM - GREAT BRITAIN

Equality and Human Rights Commission
www.equalityhumanrights.com

UNITED KINGDOM - NORTHERN IRELAND

Equality Commission for Northern Ireland
www.equalityni.org

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