



Ukrainian Marketing Association

INDUSTRIAL GENDER
COMMEETTEE
ON ADVERTISING



**FRIEDRICH
EBERT**
STIFTUNG

GENDER NON-DISCRIMINATION IN ADVERTISING: THE STRUGGLE AND VICTORY OF UKRAINE

**Ukrainian Marketing Association
and Industrial Gender Committee on Advertising**

GENDER NON-DISCRIMINATION IN ADVERTISING: THE STRUGGLE AND VICTORY OF UKRAINE, 2022. Friedrich Ebert Foundation Office in Ukraine.

The publication depicts a ten-year long journey of Ukraine to establishing a framework for compliance of the market to the principle of gender non-discrimination in advertising. As of 2022 Ukraine has both the most progressive legislation with regard to preventing discriminatory malpractices and an efficient self-regulation mechanism.

Friedrich Ebert Foundation Office in Ukraine ®

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When cited, please, indicate: GENDER NON-DISCRIMINATION IN ADVERTISING: THE STRUGGLE AND VICTORY OF UKRAINE, 2022. /O. Buchynska, O. Davlikanova, I. Lylyk, I. Perevozova/ Friedrich Ebert Foundation Office in Ukraine. – Kyiv – 138 p.

The report is available at:

Ukrainian Marketing Association

www.uam.in.ua

Friedrich Ebert Foundation Office in Ukraine

www.fes.kiev.ua

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ABBREVIATIONS

EASA – European Advertising Standards Alliance

EU – European Union

FES-Ukraine – Friedrich Ebert Foundation Office in Ukraine

IGCA – Industrial Gender Committee on Advertising

LU – the Law of Ukraine

NGO – Non-government organization

SSU – State Service for Food Safety and Consumer Protection of Ukraine

Standard – The Standard of Gender Non-Discriminatory Advertising

UMA – Ukrainian Marketing Association

UN – United Nations

UNDP – United Nations Development Programme

USA – United States of America

PREFACE¹

On January 8th, 2022 amendments to the Law of Ukraine «On Advertising» came into force. Thus, two definitions – «discriminatory advertising» and «gender-discriminatory advertising» – have been introduced bringing life to the dead legislative norm that forbids all types of discrimination. So, what is it – an infringement of freedom of speech and expression or a good practice preventing promotion of gender-based violence and discriminatory stereotypes? The question is by no means rhetorical or minor given the influence and scope of advertising messages and its impact on societies.

In Ukraine dated 1991 it had taken twenty years before the ground was set for the dialogue on sexism in advertising. Ten more years had passed between the year 2011, when advertising professional associations had smoked a peace pipe with gender experts and drafted the Standard of Gender Non-Discriminatory Advertising (ridiculing the issue and its advocates alongside) and 2021, when the Parliament at the second attempt adopted amendments to the Law «On Advertising». Thus, Ukraine got a well-tailored advertising market self-regulation tool and probably the most progressive and precise legislation norms banning promotion of disrespect to human beings, tolerance to gender-based violence and stereotypical thinking in ads.

1 The text of the preface has been written for the Syndicate Project and published with edits.

So, why a country with so many «real problems» like poverty, political instability, war etc. should bother at all? Because societies whose decisions are not based on universal human rights and corresponding values cannot contribute to wellbeing of all groups of citizens, thus increasing existing inequalities and solving issues in favor of the few at the expense of many. Companies and national economies are losing money because of underused women's talents; individuals are losing life opportunities because of gender pay gap and glass ceiling; many of us could have had different life-stories if not social stereotypes limiting our choices.

Every day a person is exposed to approximately 4,000 ads. The communication theory states that the repeated influence of media content leads to the perception of images as completely reflecting the reality. Like propaganda, the advertising effect is based on repetition, confirmation and nourishment (the cultivation) of certain ideas, values, beliefs, attitudes. Advertising agencies make millions of euros, dollars, hryvnas for ad campaigns positioning themselves as «wizards» able to make people hand their money to companies on a silver platter. However, this «magical gift» of persuasion fades away when they are confronted with demand to admit their role in dissemination and strengthening of harmful stereotypes, indulgence of gender-based violence, rape culture and the other Shadow's manifestations. All that is bubble wrapped into the freedom of speech and expression, though these concepts are as close to each other as diligent ethical journalism and fake news.

So, what is it – cynicism or ignorance? Sometimes, if a person lacks theoretical background it is hard to distinguish the difference between anti-sexism and anti-sex requirements. Elimination of a nude human body presentation or appeal to sex appeal in advertising is not an ultimate goal of gender non-discrimination initiatives. It is all about disrespect and humiliation. The fine line between art and objectification may be hard to see, when a muse does not show up, but it is so red that it takes some efforts not to notice crossing one. The key here is respect to human dignity, but if that is too vague, a simple question may be answered: «Would I be OK to substitute a model on an ad myself or pleased with similar portrayal of my dearest and nearest plastered all over the town». Being honest with oneself is the only obstacle when searching for the correct answer.

Unfortunately, there are too many scattered small regional advertising agencies with no membership in professional associations. That's why they are difficult to cover with awareness rising campaigns and trainings. Add to that special departments of large companies producing advertising by themselves and the mission to defeat sexism seems impossible, even though there are already enough research data in free access proving that sex does not sell always and everything, that ad consumers demand respect and depiction of more realistic characters, that humiliation is not perceived as creativity any more.

In order to both attract attention of the market to the issue, raise awareness and provide help to identify an ad as sexist, the new definition elaborated by the Ukrainian Marketing Association in cooperation with progressive professional associations, NGOs, judges and other stakeholders has been based on criteria set in the Standard. So, the Law now says: «Gender-discriminatory advertising is advertising containing statements and/or images about the intellectual, physical, social or other superiority of one sex over another and/or about the stereotypical role of men and women promoting a degrading treatment of either sex and human dignity; demonstrates gender-based violence; uses images of a human body (body parts) exclusively as a sexual object in order to attract consumer's attention and / or references (words, sounds, images) to sexual relations that do not relate to the advertised product or method of its consumption». Thus, the new legislation is foremost about civilizational development, protection of the rights to honor and dignity, personal integrity, as well as a «kick-off» motivating advertisers to find true inspiration, create originally new ideas and grow professionally. It does not limit freedom of speech or expression rather it forbids malpractices that by the end of the day may cause real harm to real people in real life.

Olena Davlikanova,
FES-Ukraine Gender Focal Point

Iryna Lylyk,
President of the Ukrainian Marketing Association

CHAPTER 1.

TIMELINE OF POSITIVE CHANGE

Before 2011

There were no guidelines on prevention of sexism in advertising, apart from a very general article in the Law of Ukraine «On Advertising» forbidding any form of discrimination, which was «dead» because of the lack of clear definitions. Tsunami of sexist advertising had been damaging Ukrainian information space (see examples of sexist ads in Appendix 3). A number of local initiatives devoted to the issue of sexism in advertising were organized by gender mainstreaming NGOs and aimed at raising awareness of the general public. However, no systemic dialogue with the advertising market was established.

2011

Ukrainian Marketing Association (UMA) in cooperation with the Friedrich Ebert Foundation Office in Ukraine organized a series of meetings for representatives of marketing and advertising agencies, as well as professional associations and gender experts, to discuss the development of market self-regulation framework regarding gender non-discrimination principles in advertising. Thus, stakeholders have joint forces and elaborated Ukrainian Standard of Gender Non-Discriminatory Advertising based on advertising

codes of European countries, the USA and Canada, and being guided by Millennium Goals, the European Commission's reports and recommendations, European Union directives, Council of Europe recommendations, UN conventions that tackle combating sexism in advertising and media (see Appendix 2).



Expert meeting «Development and practical implementation of advertising standards free from gender discrimination», June 21, 2011

Part of the expert group holding the Standard of Gender Non-Discriminatory Advertising (first version, signed by organizations present at the final meeting)

Left to right: **Oksana Kisseleva**, UN Women; **Iryna Lylyk**, UMA President, **Larysa Magdiuk**, gender expert

The Standard was signed by the biggest professional associations at the Forum on September 30, 2011 in presence of the representatives of EASA and World Federation of Advertisers, as well as leading gender NGOs. Later it was officially registered at the State Centre for Quality Standardization.



International Forum «Standards of Advertising Free from Gender Discrimination», September 30, 2011

Oliver Gray, Director General of the European Advertising Standards Alliance (EASA)

(The Standard was signed by major ad market players)

2012

An NGO Industrial Gender Committee on Advertising (IGCA) was founded as a watchdog to oversight compliance with the Standard, to advocate for observance of gender non-discrimination principles in advertising among companies, marketers, advertisers and other stakeholders. Since 2012 awareness-raising campaign regarding the Standard, IGCA, possibility to submit complaint and ad discrimination criteria has been conducted constantly (for more about procedures and achievements of the IGCA see Chapter 2)

2013

University teachers of marketing and advertising were invited to the dialogue on sexism in advertising and inclusion of the topic in curricula. In 30 Universities the lectures on the topic has become an established practice. Since then the work with University teachers and students became systemic. A number of students' festivals on advertising were supported², lectures conducted, materials provided.

2014

Regional branches of the IGCA have started to appear. Local representatives are better familiar with the local advertisers and authorities and thus may achieve better results in the dialogue with stakeholders. Moreover, some of its heads are advertising and marketing teachers.

IGCA launched pilot sexist ad monitorings.

2015

The IGCA conducted the first all-Ukrainian monitoring of «Sexism in outdoor advertising» on the streets of Ukrainian cities: Kyiv, Dnipropetrovsk, Kharkiv, Zaporizhia, Chernivtsi, Rivne, Kryvyi Rih, Odessa, Poltava, Sumy, Khmelnytsky. The information was collected by volunteers who received appropriate training.

² A special contest «For Anti-Sexist Advertising» was several times included in the framework of festivals. Here are some of the students' works: https://fb.watch/b6k4RTG8_7/ or <https://fb.watch/b6k7DLn837/>

2016

Cooperation with authorities was launched. The Industrial Gender Committee on Advertising strengthened its positions as an anti-discrimination actor. It cooperates with the Ombudspersons' office. It consulted the Parliamentarian Committee on Freedom of Speech and Information Policy concerning amendments to the legislation on prevention of discrimination in media. IGCA has also established closer cooperation with the National Council of Ukraine on Television and Radio and provided three expert conclusions that resulted in termination of two sexist ads broadcasted on TV. It became a member of the Expert Board on Combating Discrimination under the Ministry of Social Policy of Ukraine³.



International Forum «Strengthening Non-Discrimination Through Self-Regulation and Social Responsibility», March 23, 2016

Left to right: **Myroslava Digtar**, Gender Focal Point in the Ombud's Office of Ukraine; **Iryna Lylyk**, UMA President, Head of IGCA; **Dominic Lyle**, Director General, European Association of Communications Agencies (EACA); **Maksym Lazebnyk**, Executive Director, All-Ukrainian Advertising Coalition; **Anastasia Stanko**, journalist

³ Under the raising pressure of the anti-gender movement the Board was dissolved in 2021.

2017

Close cooperation with the State Service for Food Safety and Consumer Protection of Ukraine⁴, the only state body authorized to fine advertisers for violation of the Law «On Advertising», was established. Representatives of the Service has been since then trained annually, provided with materials and expert support etc.

IGCA started providing expert conclusions for court hearings for fines on sexist advertising.

IGCA initiated changes to the Law «On Advertising» to include more specific explanation of gender discrimination in advertising and increase responsibility of violators.

4 STATE SERVICE ON FOOD SAFETY AND CONSUMER PROTECTION OF UKRAINE.
URL: <https://dpss.gov.ua/>

2018

Cooperation with the Female-Judges Association was established.

Special seminars for judges were launched in partnership with the National School of Judges of Ukraine.

IGCA apart from FES-Ukraine cooperates with the EU Office in Ukraine, UNDP and other international organizations



Training «Prevention of Sexism in Advertising: Tools of Local Authorities and Cooperation with Civil Society»,
November 16, 2018



International Forum «Advertising of the 21st Century. Standards of Gender Non-Discriminatory Advertising»,
October 25, 2018

Left to right: **Natalia Morozova**, Chairman of the Board, International Marketing Initiatives Association; **Maksim Lasebnik**, Executive Director of the All-Ukrainian Advertising Coalition; **Ella Smillie**, Regulatory Policy Executive at the Regulatory Policy Department of the Advertising Standards Authority, United Kingdom; **Justina Raižytė**, Development and Policy Manager, European Advertising Standards Alliance; **Olena Davlikanova**, FES-Ukraine project coordinator; **Dmytro Gnap**, journalist, moderator

2019

The Parliament failed to adopt the changes.

Reload of campaign for lobbying changes to the Law «On Advertising» in a newly elected Parliament.

2020

Update of amendments to the Law of Ukraine «On Advertising» preventing distribution of gender non-discriminatory advertising.



An expert on finalization of amendments to the Law of Ukraine «On Advertising». Representatives of the Ministry of Social Policy, the All-Ukrainian Association of Women Judges, the Ukrainian Marketing Association, the Industrial Gender Committee on Advertising, lawyers and gender experts. February 10, 2020.



Strategic session «Consolidation of efforts of IGKR, SSU and judges to prevent sexist advertising», February 19-21, 2020

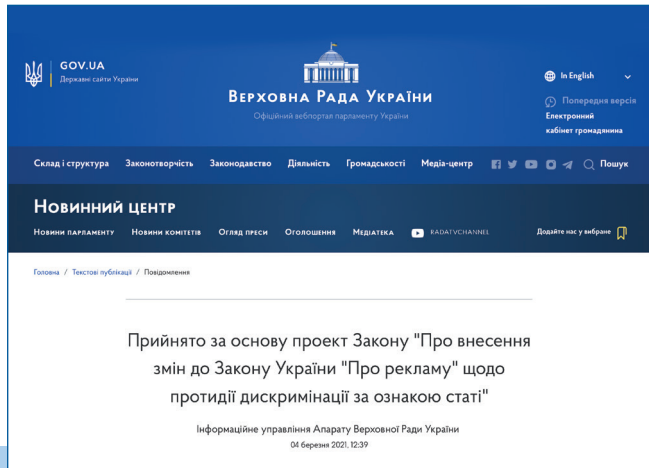
2021

Adoption of the changes to the Law «On Advertising».

A Memorandum of Understanding was signed among IGCA, FES-Ukraine and the State Service for Food Safety and Consumer Protection of Ukraine.

A study «Perception of Sexist Advertising by the Population of Ukraine» was conducted (see Chapter 3).

The IGCA work was presented for the Council of Europe «Combating sexist advertising: learning from practice».



**Amendments to the Law of Ukraine «On Advertising»,
September 10, 2021**



Presentation of the results of the «Study of the attitude of the population of Ukraine to gender-discriminatory advertising», UNIAN. September 14, 2021.



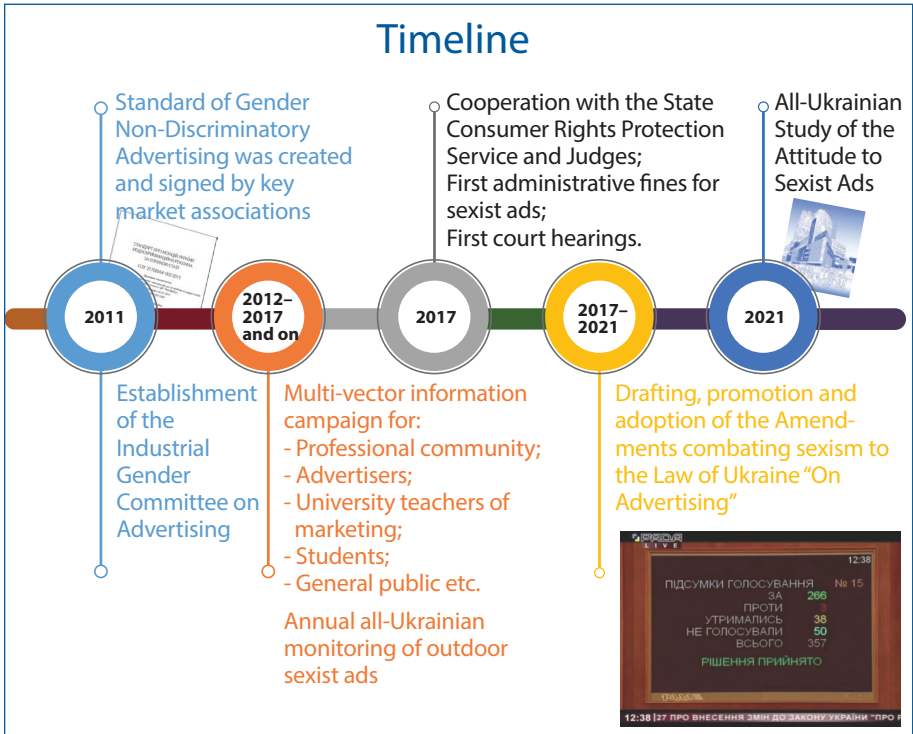
On October 4, 2021, a Memorandum of cooperation on the prevention of discriminatory advertising and principles of cooperation was signed among the State Service for Food Safety and Consumer Protection of Ukraine, the Industrial Gender Committee on Advertising, which operates under the NGO «Ukrainian Marketing Association», and the Friedrich Ebert Foundation Office in Ukraine.

2022

Amendments to the Law of Ukraine «On advertising» came into force on January 8th, 2022.

A study «Attitude of Ukrainian Marketers and Ad-Professionals to Sexist Advertising» was launched.

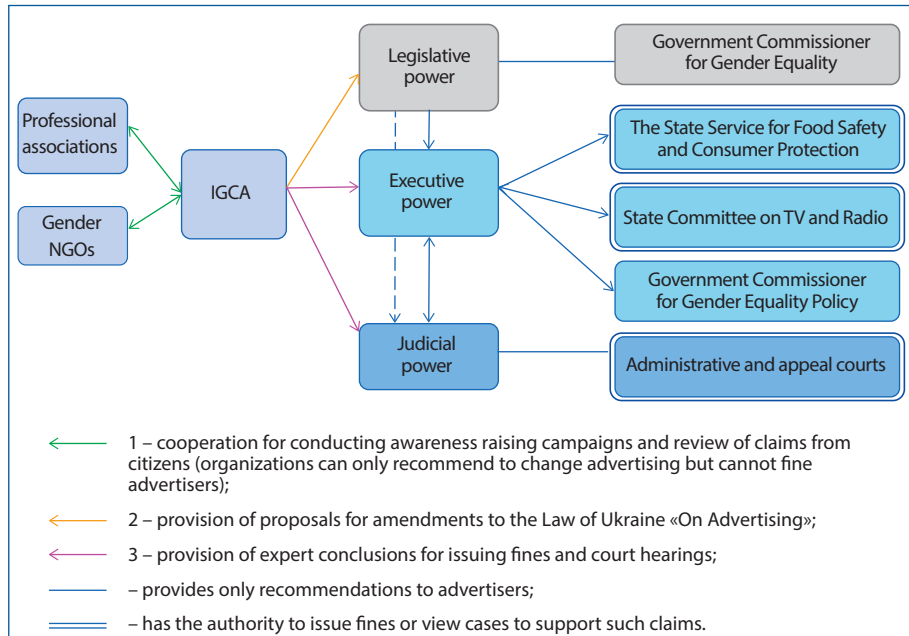
Milestones of Gender Mainstreaming in Advertising



CHAPTER 2. CURRENT STATE OF PLAY

The Overall Mechanism of Sexism in Advertising Prevention in Ukraine

As of 2022 Ukraine has both well-established advertising market self-regulation mechanism through the Standard of Gender Non-Discriminatory Advertising, on the one hand, and the national mechanism outlined in the Law «On Advertising» complemented by a number of other state institutions engaged in human rights protection and gender mainstreaming. Organizations acting in the framework of each mechanism cooperate with each other combining efforts on prevention of malpractices.



The State Mechanism of Sexist Advertising Prevention

Since its adoption in 1996 the Law of Ukraine «On Advertising» prohibits all types of discrimination. Paragraph 3 Part 2 of Article 8 states: «Advertising should not contain statements that are discriminatory on the grounds of origin, social and property status, race and nationality, sex, education, political views, religion, language, type and nature of occupation, place of residence, or discredit the goods of others.»

Among all the listed characteristics the ban on sex-based discrimination in advertising was most massively ignored and remained unpunished for more than a decade since the adoption of the Law. Partially, it was due the manipulative position of advertisers that there are no clear criteria for defining sexist ads.

Even though such criteria existed in the Standard of Gender Non-Discriminatory Advertising (see Appendices 2 and 3), which is obligatory only for the associations-signatories, the Law gave no additional explanations on the matter wide opening a window of opportunities for manipulations and malpractices.

On September 10th, 2021 the changes to the Law was adopted by 266 votes. Two following definitions were added to the text of Article 1:

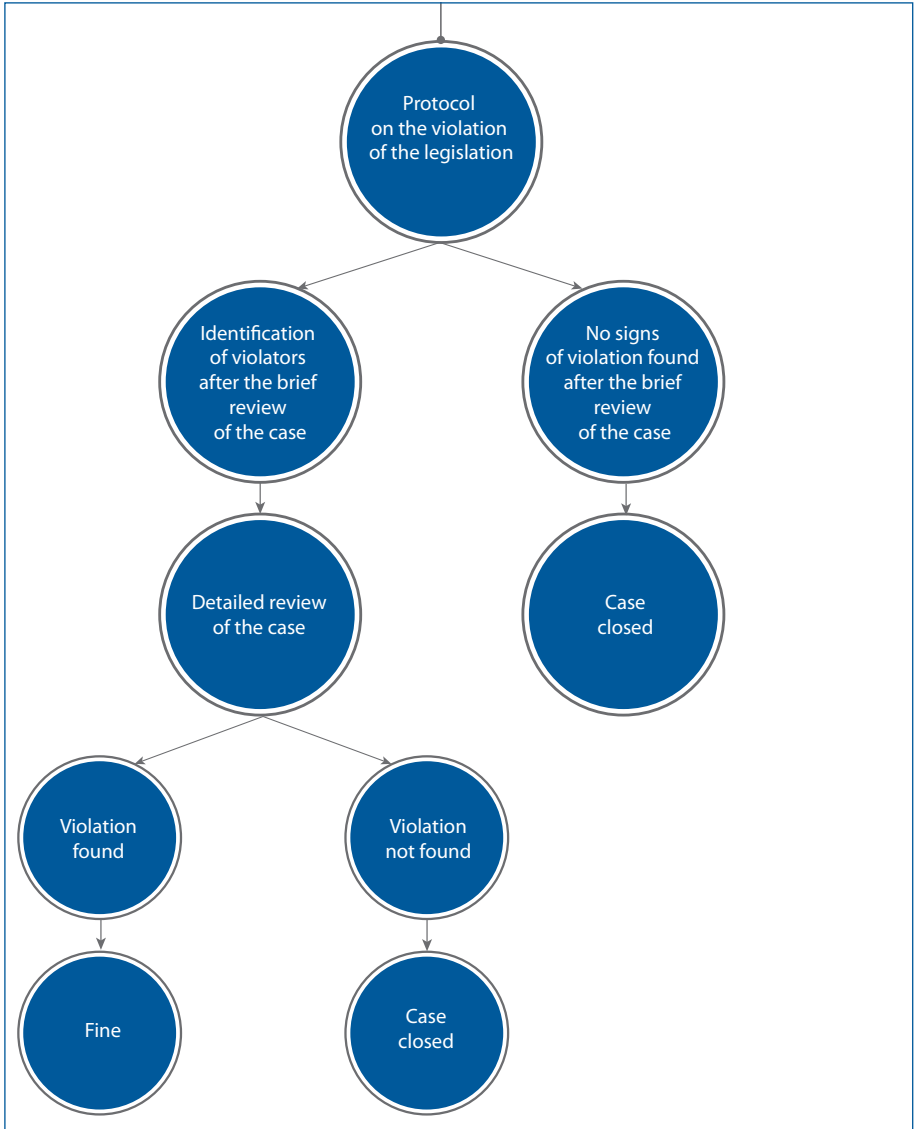
«**Discriminatory advertising** is advertising that contains or uses statements and/or images that are discriminatory on the grounds of race, color, political, religious and other beliefs, gender, age, disability, ethnic and social origin, citizenship, marital and property status, place of residence, by language or other characteristics in relation to a person and/or group of persons»;

«**Gender-discriminatory advertising**⁵ is advertising containing statements and/or images about the intellectual, physical, social or other superiority of one sex over another and/or about the stereotypical role of men and women promoting a degrading treatment of either sex and human dignity; demonstrates gender-based violence; uses images of a human body (body parts) exclusively as a sexual object in order to attract consumer's attention and / or references (words, sounds, images) to sexual relations that do not relate to the advertised product or method of its consumption».

The only state executive authority responsible for the foresight over compliance with the norm of the Law is the State Service of Ukraine for Food Safety and Consumer Protection of Ukraine.

5 The definitions are based on the Standard of Gender Non-Discriminatory Advertising.

The Operation Mechanism of the State Service of Ukraine for Food Safety and Consumer Protection of Ukraine (SSU)



Statistics by the SSU

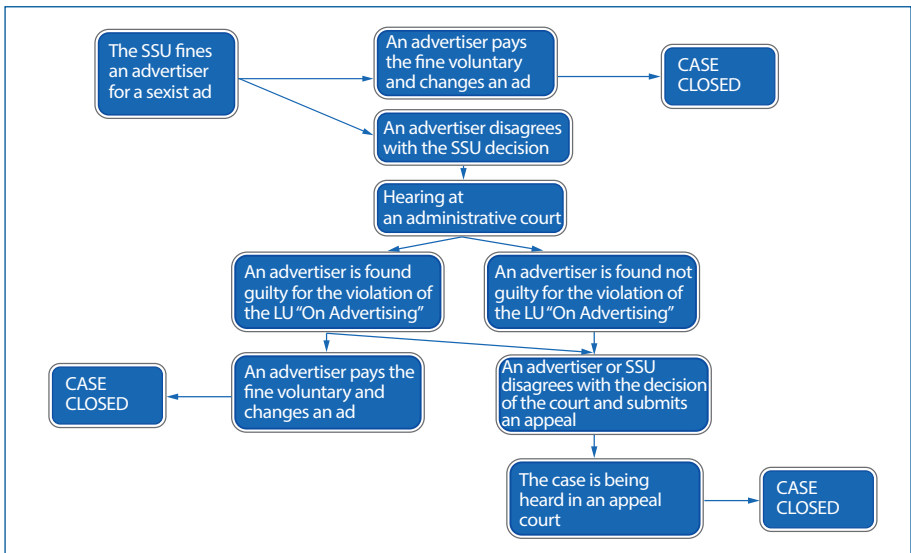
| | 2018 | 2019 | 2020 | 2021 |
|--|-------------|-------------|-------------|-------------|
| Number of fines issued | 133 | 125 | 60 | 68 |
| Amount of fines (thousands, UAH) | 553,1 | 2839,8 | 282,8 | 233,0 |
| Amount of fines paid voluntary (thousands, UAH) | 129,5 | 155,3 | 89,4 | 97,9 |

The Role of Courts

Administrative courts are responsible for hearing advertising-related cases.

The courts consider the following types of cases in this category:

1. taken to court by a natural person-entrepreneur / legal entity (company) declaring that the fine issued by the SSU is wrongful;
2. taken to court by the territorial branch of the SSU against a natural person-entrepreneur / legal entity (company) for violation of the Law of Ukraine «On Advertising» (dissemination of sexist advertising).



The first court hearing on sexist advertising took place in Vinnitsia in 2018. A company won. The fine was not paid⁶.

⁶ Later on at one of the seminars for judges, the judge who had ruled in favor of the company said that she would have decided differently, if received relevant training timely.

2021 Statistics

| | Number of cases reviewed | Number of cases still in court |
|--------------------|--------------------------|--------------------------------|
| 1. Vinnytsia | 1 | 6 |
| 2. Volyn | 0 | 0 |
| 3. Dnipro | 0 | 2 |
| 4. Donetsk | 3 | 14 |
| 5. Zhytomyr | 0 | 0 |
| 6. Zakarpattia | 0 | 3 |
| 7. Zaporizhzhia | 2 | 10 |
| 8. Ivano-Frankivsk | 5 | 8 |
| 9. Kirovograd | 32 | 19 |
| 10. Kyiv | 0 | 58 |
| 11. Luhansk | 4 | 16 |
| 12. Lviv | 22 | 40 |
| 13. Mykolaiv | 3 | 8 |
| 14. Odesa | 0 | 9 |
| 15. Poltava | 4 | 8 |
| 16. Rivne | 0 | 1 |

| | Number of cases reviewed | Number of cases still in court |
|----------------|--------------------------|--------------------------------|
| 17. Sumy | 14 | 18 |
| 18. Ternopil | 4 | 7 |
| 19. Kharkiv | 17 | 40 |
| 20. Kherson | 4 | 6 |
| 21. Khmelnytsk | 0 | 2 |
| 22. Cherkasy | 0 | 4 |
| 23. Chernivtsi | 9 | 7 |
| 24. Chernigiv | 7 | 0 |
| 25. Kyiv | 54 | 62 |
| Total | 185 | 348 |

The Self-Regulation Mechanism of Sexist Advertising Prevention

Aims, Achievements and Operation Mechanism of the Industrial Gender Committee on Advertising

Industrial Gender Committee on Advertising (IGCA) is a union of professional and civil society organizations founded in 2012 by a number of professional associations of marketers and advertisers together with gender equality advocates as a guarantor and promoter of the elaborated by them in 2011 Standard of Gender Non-Discriminatory Advertising.













It is a tool for ad market self-regulation specifically tailored for gender discrimination elimination. The Standard is signed by the Ukrainian Marketing Association, Legal and Gender Education Centre, the All-Ukrainian Advertising Coalition, the Outdoor Advertising Association, the Ukrainian Association of Direct Marketing, International Association of Marketing Initiatives, Union of Advertisers of Ukraine, NGO «School of Equal Opportunities», NGO «Ukrainian Women's Fund», NGO «Women's Consortium of Ukraine» etc.

Since 2014 IGCA has been establishing its regional branches that raise awareness of local advertisers and advertising agencies, as well as local authorities on social, physical, psychological and other forms of harm that discriminatory advertising may cause in real life.

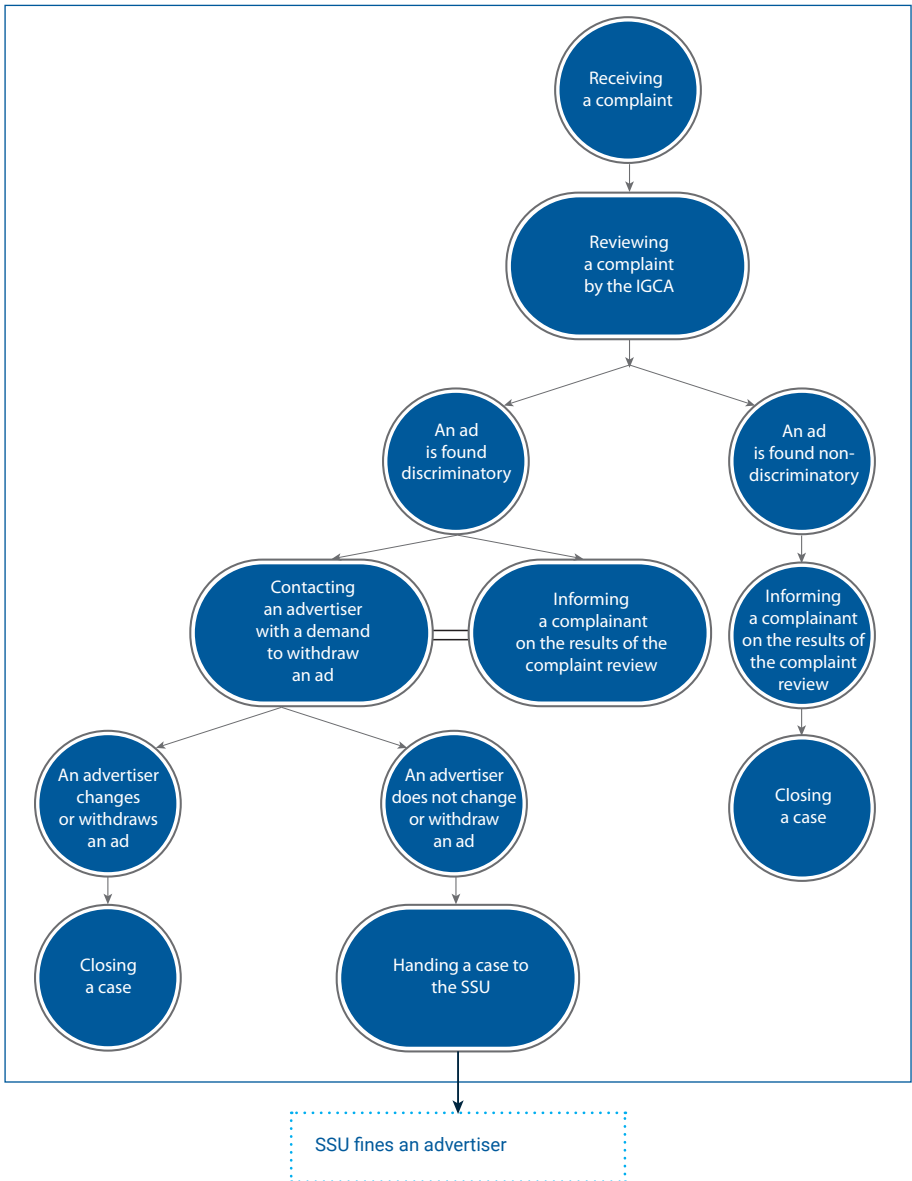
IGCA Main Tasks:

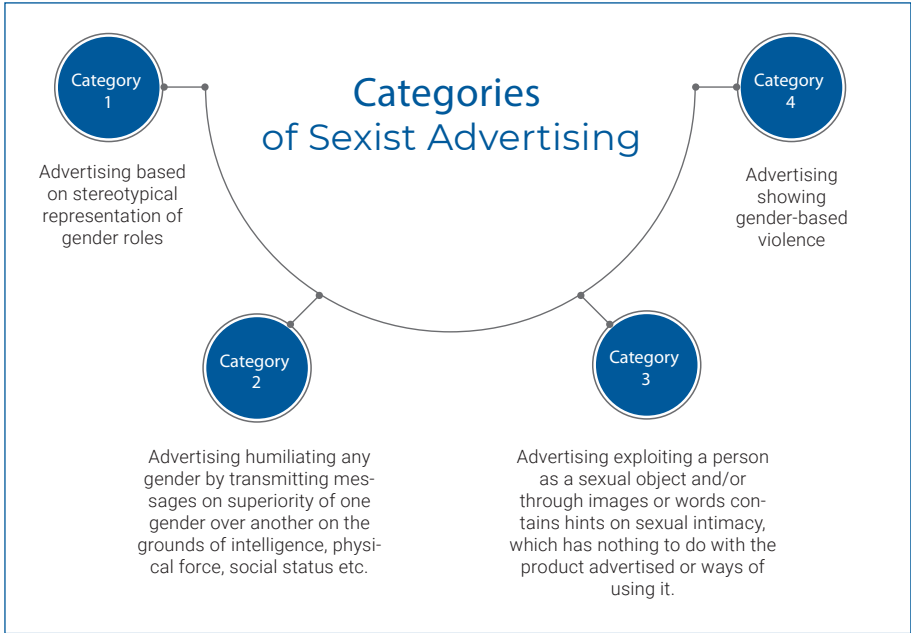
- » raising awareness of marketers and advertisers on the issues of gender discrimination and Standard of Gender Non-Discriminatory Advertising, as well as progressive global developments in the field;
- » raising awareness of general public on harm caused by sexism in advertising and tools for its prevention available for citizens by means of events, talks on radio, TV, social media, publications etc.;
- » educating marketing University teachers by informing on the recent trends in advertising and self-regulation with regard to gender discrimination assisting them in development of relevant study materials and lectures and further inclusion of the topic into curricula;
- » informing students (future marketers) about social responsibility of marketers and advertis, criteria of sexist ad identification and modern approaches to advertising creation by supporting a number of student ad festivals, lectures, education videos;
- » reviewing complaints on sexist advertising submitted by citizens and informing companies that they have violated the Standard urging them to change sexist ad;
- » on request IGCA provides expert conclusions on complaints submitted directly to the State Service for Food Safety and Consumer Protection of Ukraine (state body authorized to impose fines on advertisers for violation of the Law «On Advertising») used in court hearings;
- » on request IGCA also provides pre-testing of advertising for companies.

IGCA Lines of Activities

| ACTIVITIES IN 2012 - 2021 | | | | | |
|---|---------------------------------------|---|--|---|---|
|  | Establishment of regional branches |  | Awareness raising campaigns for general public |  | Capacity building for state regulator, judges, etc. |
|  | Monitoring of sexist advertising |  | Events for marketers and ad agencies |  | Cooperation with state agencies |
|  | Pre-testing of Advertising |  | Events for teachers of marketing faculties in Universities |  | Membership in anti-discrimination boards |
|  | Expert conclusions for court hearings |  | Events for students, support of students ad fests |  | Lobbying for amendments to the Law "On Advertising" |

The Operation Mechanism of the Industrial Gender Committee on Advertising





Advertising is not considered gender discriminatory and does not violate good practices of advertising and marketing, if it depicts naked human body or conditionally dressed people, when such representation of persons is related to the advertised product/service and is directly associated with its consumption.



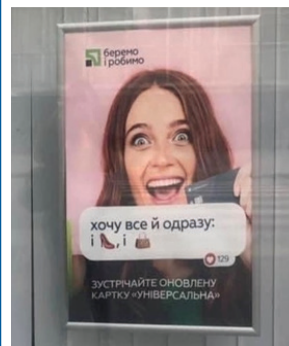
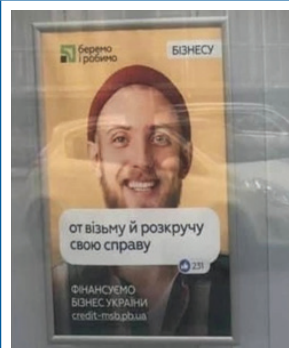
«Look at this sweet offer» (ad of a pawnshop)



«Size matters» (ad of a shoe shop)



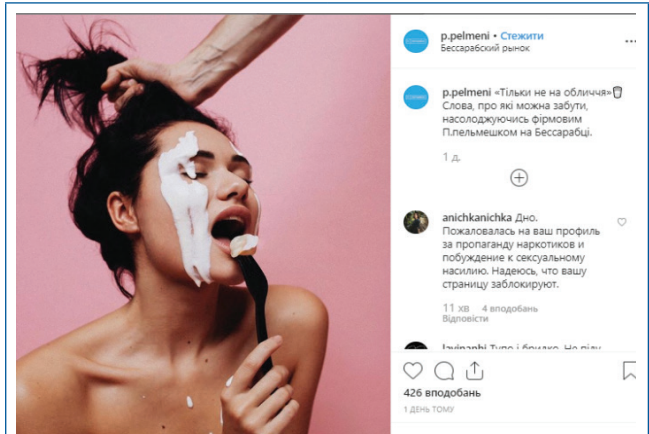
«Mother creates comfort at home» (ad of construction materials shop)



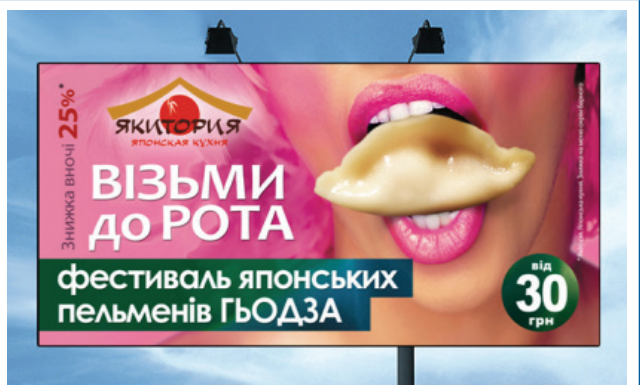
«I will open my business»,
 «I want it all right away»
 (ad of a bank, loans)



«Every third is free of charge» (ad of a travel agency)



(ad of a dumpling fast food restaurant)



«Take it in your mouth» (ad of a sushi restaurant)

Statistics

At the beginning the IGCA received no complaints at all, but information campaign raised awareness on the self-regulation mechanism. Already in 2012, two companies had changed their ads after consultations with the IGCA before they were released. Step by step, the Committee started to receive more and more complaints from citizens, including via facebook page. However, the numbers show that the dialogue with the companies was only partially effective. While big companies and members of professional associations took into account new trends, but small local businesses ignored progressive change.

| | Number of complaints | Number of ads changed |
|-------------|----------------------|-----------------------|
| 2012 | 0 | 2 |
| 2013 | 22 | 12 |
| 2014 | 31 | 15 |
| 2015 | 42 | 35 |
| 2016 | 84 | 21 |
| 2017 | 120 | 26 |
| 2018 | 403 ⁷ | 98 |
| 2019 | 125 | 48 |
| 2020 | 128 | 43 |
| 2021 | 134 | 48 |

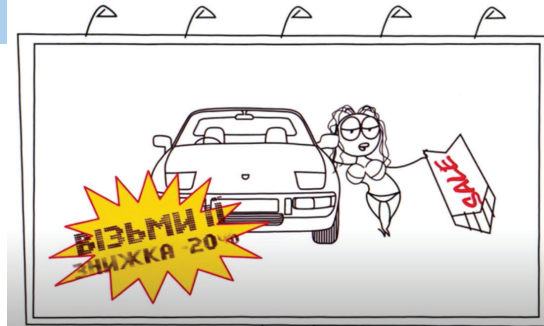
7 In 2018 a Ukrainian NGO «Women's Rights Protection League» received a grant for monitoring sexist advertising and handed over the results to the IGCA.

Examples of the IGCA Activities

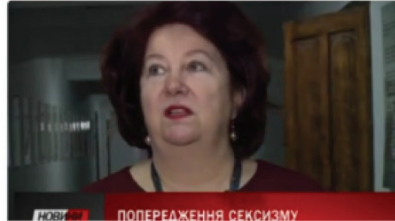
Cartoon “Harmful Advice for Advertisers”



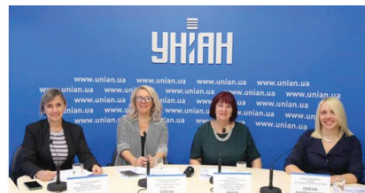
<https://youtu.be/zGvXXWghws>



TV and Radio



Попередження сексизму
28 февр. 2018 г. - 262 просмотра



Competition of Students' Videos "Non-Discrimination in Advertising"

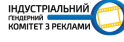


Toolkit for Judges



[http://library.fes.de/pdf-files/
bueros/ukraine/17538.pdf](http://library.fes.de/pdf-files/bueros/ukraine/17538.pdf)





<http://library.fes.de/pdf-files/bueros/ukraine/15350.pdf>

СТАНДАРТИ НЕДИСКРИМІНАЦІЙНОЇ РЕКЛАМИ: СВІТОВІ ТЕНДЕНЦІЇ ТА УКРАЇНСЬКІ ІНІЦІАТИВИ

ЛУКАС БОДЕ | ОЛЕНА БУЧИНЬСКА | ОЛЕНА ДАВЛІКАНОВА

ОЛЕГ КОБЕЛЬКОВ | ЖУСТІНА РАЙЖИТЕ

ІРИНА ЛИЛИК | ЮРІЙ САХНО | НАТАЛІЯ ФЕДОРОВИЧ

- Європейські асоціації рекламістів багато уваги приділяють вичищеному питанню негативних соціальних наслідків сексистської реклами та розробляють інструменти саморегулювання для попередження її появи, а також проводять просвітницькі кампанії серед представників ринку. Світові бренди все частіше відмовляються від сексистських сюжетів, образів та висловлювань. Завдяки новим технологіям споживачі стали рівноправними партнерами в діалозі з компаніями та рекламистами, яким тепер доводиться бути дуже чутливими до суспільних запитів. Дослідження та опитування споживачів реклами свідчать, що у XXI столітті в суспільствах все сильніший запит на повагу до людини, толерантність до різноманітності індивідуальностей, відображення та не засудження різного людського досвіду, соціальну відповідальність, свободу від нав'язування рамок та стереотипів за будь-якою ознакою.
- Індустріальний Гендерний Комітет з Реклами, виконавчий орган рекламної галузі в Україні, що розглядає скрини від споживачів та проводить просвітницькі заходи для представників українського рекламного ринку, спираючись на дотримання Стандарту недискримінаційної реклами за ознакою статі (СОУ 21708554-002:2011), який розробили та підтримали суб'єкти ринку маркетингових та рекламних послуг у 2011 році. В Стандарті визначені критерії, які допомагають споживачеві розпізнати дискримінаційну рекламу, а рекламистам – не допускати її появи.
- В цій публікації, призначеній для рекламодавців, практикуючих та майбутніх рекламістів і маркетологів, а також широкої громадськості, представлено позицію Європейського альянсу рекламних стандартів, власні дослідження щодо стигми стійть споживачами сексистської реклами українською, повільно позбавляючи її з огляду на статі та адвокати за протифемінізм, новітню рекламу без сексизму.

STUDY «ATTITUDE OF THE POPULATION OF UKRAINE TO SEXIST ADVERTISING»

-ing] DIVISION



ІНДУСТРИАЛЬНИЙ
ГОЛОВНИЙ
КОМІТЕТ З РЕКЛАМИ

FRIEDRICH
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<http://library.fes.de/pdf-files/bueros/ukraine/18251.pdf>

АНАЛІТИЧНИЙ ЗВІТ ДОСЛІДЖЕННЯ СТАВЛЕННЯ НАСЕЛЕННЯ УКРАЇНИ ДО ДИСКРИМІНАЦІЙНОЇ ЗА ОЗНАКОЮ СТАТІ РЕКЛАМИ



CARTOON «ATTITUDE OF THE POPULATION OF UKRAINE TO SEXIST ADVERTISING»



<https://www.youtube.com/watch?v=bw2hsbXGor8>



CHAPTER 3. RESULTS OF THE 2021 STUDY «ATTITUDE OF THE POPULATION OF UKRAINE TO SEXIST ADVERTISING»

The aim of the study conducted in 2021 by the Industrial Gender Committee on Advertising in cooperation with the FES-Ukraine is to assess:

- » the attitude of the population of Ukraine to sexist advertising;
- » the impact of discriminatory images and messages on the memorability of a brand, as well as the desire to buy a product/service advertised in this manner.

However, in order to avoid psychological impact on the respondents, these aims were not disclosed to respondents.

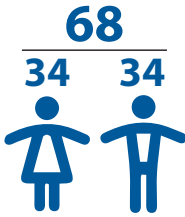
Methodology

1

Qualitative research and experiment on identification of the product/ service advertised in sexist ads



February – March



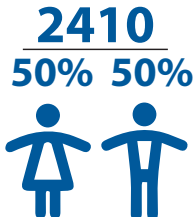
Age group: 18-72

2

Quantitative research (All-Ukrainian online study)



February – May



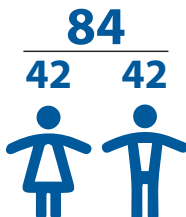
36% with higher education,
31% with vocational education,
33% with secondary education;
37% Age group: 18-25,
27% Age group: 26-40,
36% Age group: older than 41
All the regions of Ukraine apart from the occupied territories

3

Experiment on remembrance of sexist advertising



April



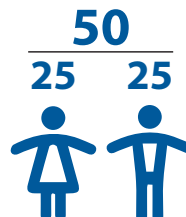
Age group: 20-67

Eye-tracker experiment

4



May



Age groups:
18-25, 26-35, 36-45 p

Key Conclusions

- 1 Sexist advertising does not enhance memorability of a brand, and even more, distracts from the object (product or service) advertised. The name of a trade mark is remembered 3 times better in non-discriminatory advertising rather than discriminatory by men and women alike. Looking at discriminatory advertising, men pay attention to sexual content more than women, but later recollect a trademark much worse than women.
- 2 Consumers often do not identify what is being advertised in discriminatory ads, or perceive them as advertising of other goods or services than those intended, depending on personal associations. Respondents (both men and women) mentioned that in most discriminatory advertising images and/or text (slogan) do not match/respond to or associate with the advertised goods / services.
- 3 Consumers of advertising are tolerant to «non-aggressive» objectification of people of the opposite sex and speak up against objectification of persons of the same sex as themselves (women do not like images of half-naked women, while men react strongly negatively to naked male bodies).
- 4 Both men and women are equally negative about excessive/aggressive objectification and scenes of gender-based violence, which are considered by the majority as unacceptable.

- 5 Although gender stereotypes are detected in opinions regarding roles and behavioral patterns of almost 50% of respondents, 70% of women and 57% of men are openly negative about stereotypes being replicated by advertising.
- 6 Respondents often described examples of discriminatory advertising as «stupid», «vulgar» and «degrading». The more aggressive was manifestation of sexism, the more negative characteristics were used to describe an ad.
- 7 To describe emotions caused by sexist ads the following four nouns were used most often: «disgust», «irritation», «shame» and «indignation». In addition, respondents noted that sexist advertising content weakens the desire to buy advertised products/services.
- 8 Respondents consider the following topics to be catchy: stories of self-improvement (mostly for sports brands); extreme; pets; family values, etc. While, «flat» or «below the belt» humor and images of naked bodies (when the nakedness is not related to the goods or services or method of their consumption) are rejected as inappropriate.
- 9 32% of consumers are willing to complain about sexist advertising. 10% of respondents (both women and men) have complained at least once already.

Some Key Findings

Qualitative research and experiment on understanding which product/service are advertised in sexist ads

In-depth interviews contained a number of questions regarding expectations from advertising and attitude to the depiction of stereotypes. Respondents expect advertising to be understandable in such a way that the content does not distract attention from a product/service. In their opinion, an ad should bring up direct associations with a product or service and inform on its benefits. As for the awareness of the meaning of the term «sexist advertising», it is pretty low. Most respondents explained its meaning as advertising depicting scenes of a sexual nature. Still, they managed to name widespread gender stereotypes. 72% of the interviewed consider gender stereotypes a negative phenomenon and a relic of the past.

Here are some quotes:



” Female, 19, student: «The main function of advertising is to sell products/services. But how can one sell anything, if a potential consumer cannot recollect or understand what was advertised. Advertising should be clear and well-remembered».

” Male, 23, student: «What is advertising for (even super bright and innovative), if tomorrow I can't recall it? Advertising is effective when I understand and remember what to buy in the future.»

” Woman, 41, economist: «If an ad does not cause immediate associations with an advertised product, it's a waste of company's money».

” Male, 63, retired: «For me it is sometimes difficult to understand what exactly is advertised. In my times advertising was easier to understand. You did not have to try hard to get the message. And now...I definitely don't keep up with all these tendencies!»

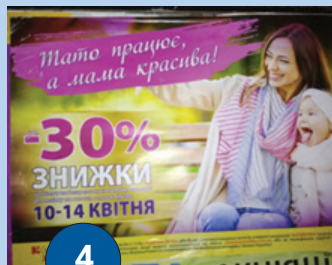
Afterwards respondents were offered to look at ad samples (sexist ads of different categories) with blurred brands, guess what is being advertised and share feelings and impressions. As a result, the average share of correct guesses reached 10%.



1

Car washing services

«Ducks are flying away to warmer countries. All but one, which is fat like me» (poem).



4

Retail shop

«Mother is beautiful and father works».



2

Restaurant

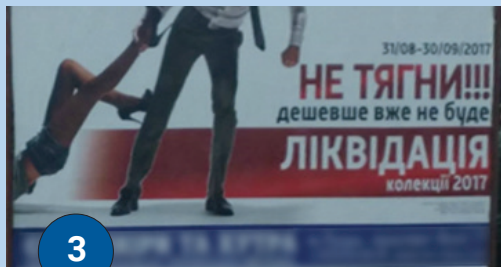
«"Frying" better than Your husband» (to «fry» has a connotation to «have sex»).



5

Internet

«I gave it to your neighbor free of charge. I can give it to you too, if you wish».



3

Fur coats. Sales.

«Do not pull!!!! It will not be cheaper. Liquidation of a 2017 collection» (this picture with the same text was later used by other companies for advertising sales of other products).

| | Ad Sample | Number of respondents who correctly guessed a product/service advertised | Number of comments | | Number of respondents ready to buy a product/service |
|---|-----------|--|--------------------|----------|--|
| | | | positive | negative | |
| 1 | | 0 | 0 | 68 | 0 |
| 2 | | 18 | 7 | 61 | 11 |
| 3 | | 3 | 0 | 68 | 2 |
| 4 | | 9 | 26 | 42 | 28 |
| 5 | | 4 | 0 | 68 | 0 |



” **Female, 39, director of a training center:** «When I see such ads I feel vicarious shame».

” **Male, 44, IT-specialist:** «I don't care about advertising at all. I have long been disappointed in Ukrainian marketers.

The only thing I know for sure is I wouldn't want my thirteen-year-old son to see something like this».

” **Female, 41, economist:** «If there are no immediate associations with the advertised product, it's an «empty» advertising. What associations with goods or service are we talking about here? The only association is a the lack of professionalism and distorted consciousness of the creators of such ads».

” **Male, 48, manager in a consulting firm:** «Advertising should evoke positive emotions and desire to buy a product. I can't say that any of these ads does the job».

” **Female, 72, retired:** «(laughs) What is it? Is this real advertising? Are you kidding? Who is it for? Unbelievable!»

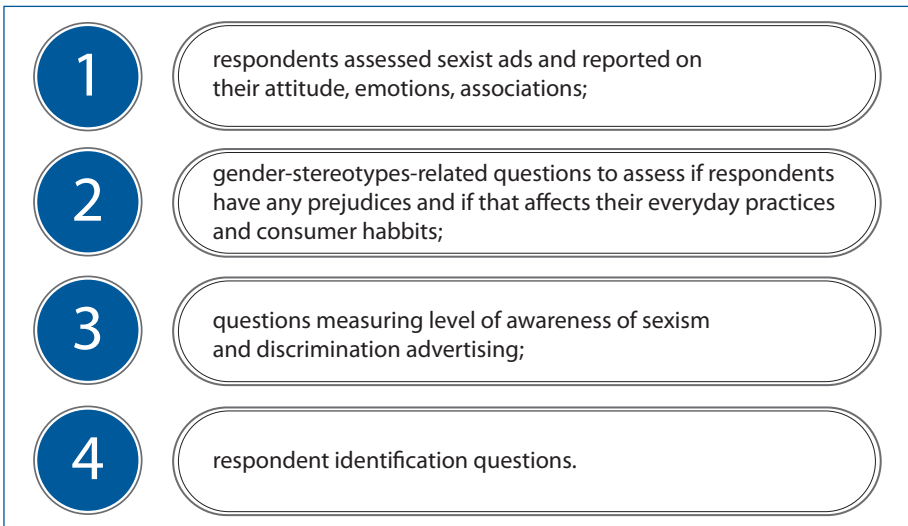
Quantitative research (All-Ukrainian online study)

The quantitative research covered answers of 2410 respondents of all age categories, from all the regions of Ukraine (except for the occupied territories), 50/50% female and male with different levels of education.

Respondents were asked to assess how much they like/dislike sexist ads; if image/text is associated with the advertised product/service; if they would buy an advertised product/service; whether advertising strengthens or weakens their desire to buy from a company that uses such advertising; which emotions are evoked by sexist advertising; and the overall attitude of to sexist advertising.

Structure of the Online Questionnaire

The questionnaire consisted of the following groups of questions:



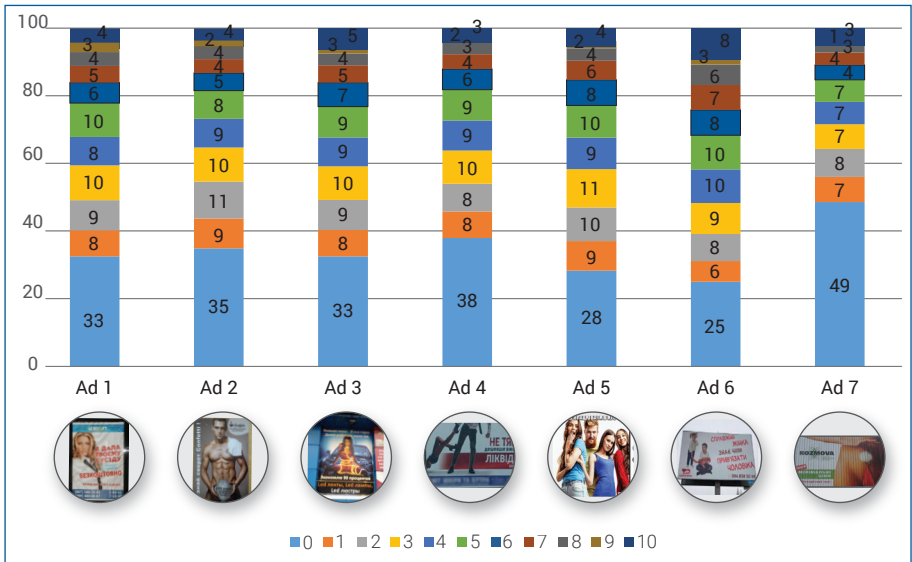
Ads used in the study



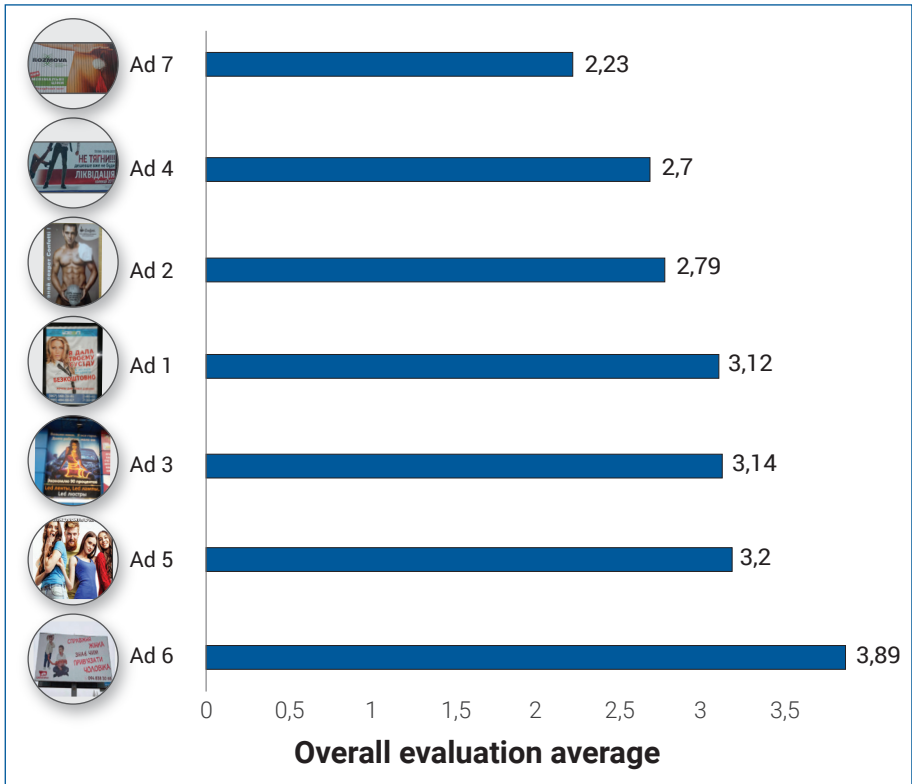
| Ad 1 | Ad 2 | Ad 3 | Ad 4 | Ad 5 | Ad 6 | Ad 7 |
|---------------------------------------|--------------------------|--|-----------------------|---|--|---|
| Objectification of a woman (via text) | Objectification of a man | Objectification of a woman (via image) | Gender-based violence | Gender stereotypes (with grown-up characters) | Gender stereotypes (with child characters) | Objectification of a woman via facism (showing intimate body parts) |

Results

Q1. On a scale from 0 to 10, where 0 – «do not like at all», 10 – «like a lot», please, mark how much You like/ dislike an ad⁸.



8 The order of questions is different to the one in the original study.

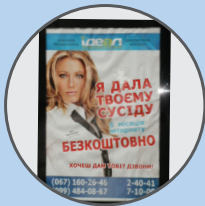


Both women and men react explicitly negative to depicting scene of gender-based violence in advertising and images of half-naked persons of the same sex (when naked people are depicted in a degrading way and nudity has no connection to a product or method of its consumption). In other words, women do not like objectification of females, while men greatly dislike images of objectified males.

As of stereotypes, the so-called generation X is more tolerant to gender stereotypes in ads such as «a woman's place is in the kitchen». Millenials and generation Z recognize sexism in all categories better and are less tolerant to all its manifestations.

Respondents with higher education better recognize and have most negative attitude to gender discriminatory advertising than persons with vocational or secondary education.

Overall, among the population of Ukraine NO segment that would be consistently tolerant to sexism in advertising was detected. Thus, it can be argued that advertising humiliating women or men have potential negative effect on consumers' attitudes and thus on sales.



- ” This is an absolute lack of creativity.
- ” Does not associate with a product at all.
- ” This sex appeal approach is a bad move as it will not interest women at least.
- ” Objectification of women is unacceptable.



- ” Very unprofessional.
- ” Absurd.
- ” A bit too much.
- ” How is football linked to a product? (coffee shop)
- ” Does not look like advertising.
- ” Does not cover men as target group.
- ” This is weird.



- ” This is sexist.
- ” Weird.
- ” I don't get it – how does a human sapience comes up with such ads?!
- ” Standard underpornography.



- ” A bad joke.
- ” Unclear what it is about.
- ” This propagates violence.



- ” This violates the values of the global brand.
- ” Outdated.
- ” Senseless.





- ” Primitive.
- ” Unclear.
- ” Inappropriate.
- ” It is OK.





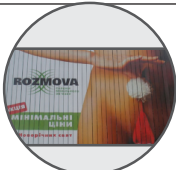


- ” Awfully pornographic.
- ” What is being advertised?
- ” Garbage.

Q2. In your opinion, is an image/text associated with the advertised product/service?

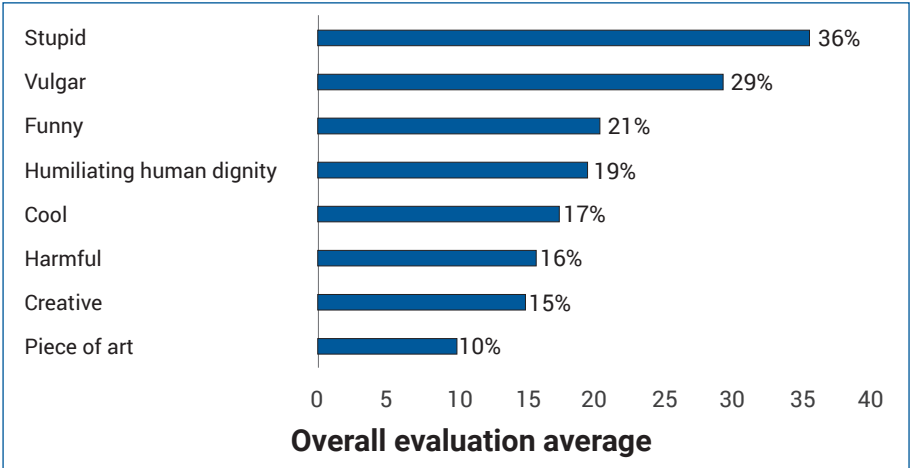
More than 70% of respondents said that the image/text is not associated or is hardly associated with goods/services advertised.

| № | Ad | % of respondents who said that an image is not associated or is hardly associated with a product/service advertised | | % of respondents who said that a text is not associated or is hardly associated with a product/service advertised | |
|---|---|---|-----|---|-----|
| | | women | men | women | men |
| 1 |  | 81% | 61% | 79% | 58% |
| 2 |  | 80% | 67% | 77% | 64% |

| № | Ad | % of respondents who said that an image is not associated or is hardly associated with a product/service advertised | | % of respondents who said that a text is not associated or is hardly associated with a product/service advertised | |
|---|---|---|-----|---|-----|
| | | women | men | women | men |
| 3 |  | 74% | 67% | 73% | 54% |
| 4 |  | 80% | 66% | 74% | 61% |
| 5 |  | 75% | 58% | 72% | 56% |
| 6 |  | 56% | 48% | 60% | 50% |
| 7 |  | 82% | 66% | 79% | 65% |

Q3. How would You characterize such advertising?

On average for all samples offered for assessment, most often the respondent chose negative characteristics like «stupid», «vulgar» and «degrading human dignity».



” Whoever created this ad has not had sex for a long time and has issues with women. Otherwise, I do not know how someone could come up with this.

” Absurd. A marketer stuck in the 90s. It is hard to call this piece an ad. It is rather a blunt combination of random text with the first best image.

” Who are they targeting? It is a cheap way to attract attention.

” The picture will attract attention, however it is absolutely unclear what product/service is promoted.

” The author’s creativity is «broken».

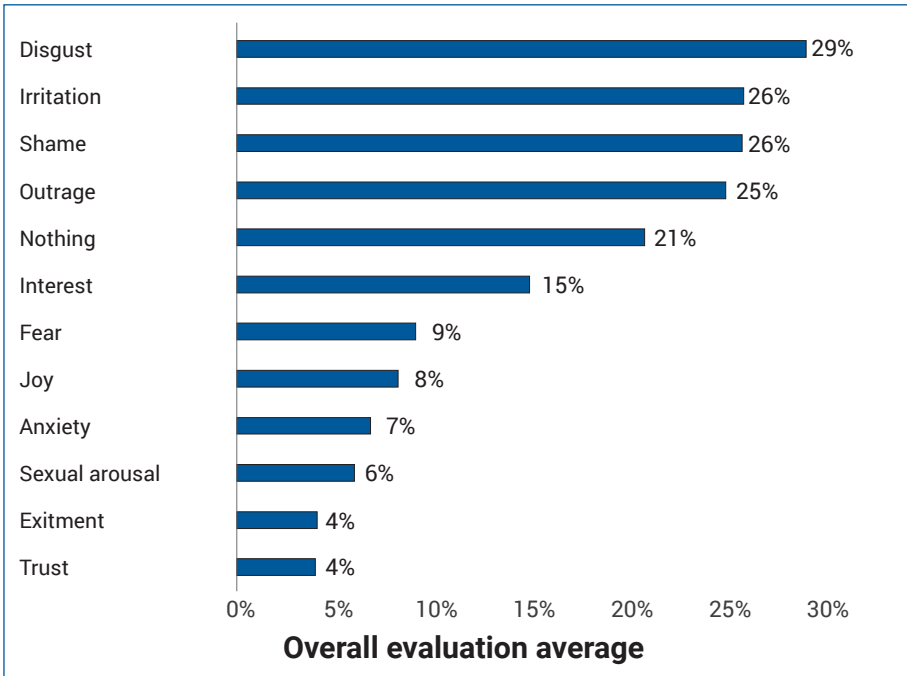
” Boooooorrying.

” Primitive.

” It’s trash.

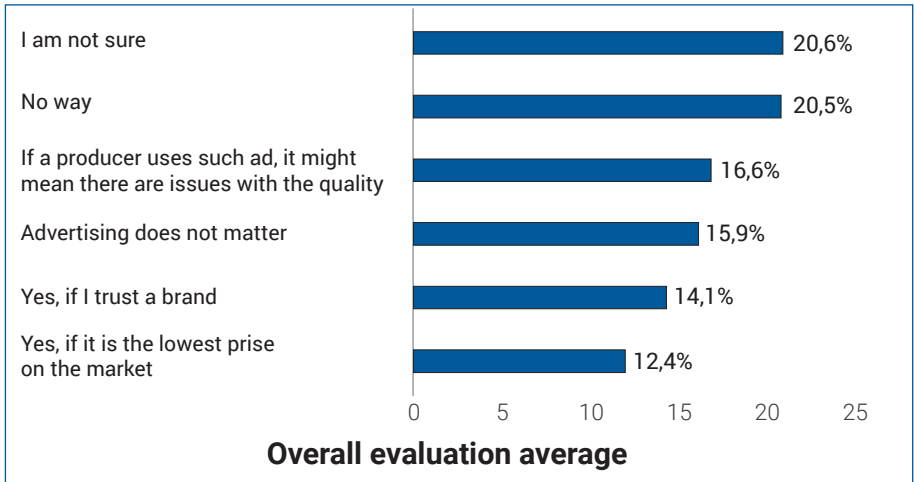
Q4. What do you feel watching these ads?

Each sample was evaluated separately. Most often respondents claimed they had negative emotions like «disgust», «irritation», «shame» and «outrage».



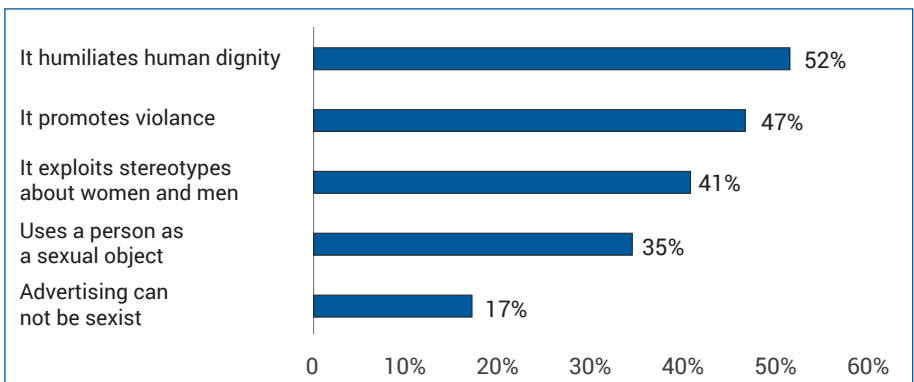
Q5. If an ad evokes negative emotions, would you buy a product/service advertised from a company-advertiser?

Over half of the respondents would either for sure refuse buying from a company or are not sure they will. For the rest advertising is either not important or they trust a brand. Also price is a decisive factor.



Q6. What is sexist advertising? (multiple choice question)

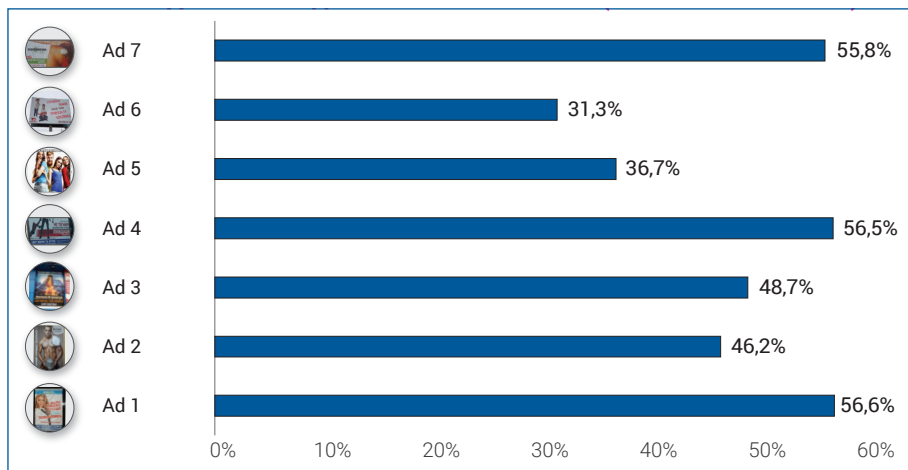
Criteria of sexist advertising have been included as answer options. Most often respondents identify sexist ad as the one that humiliates human dignity, while stereotyping and objectification are less useful as specific criteria for sexism detection by the population.

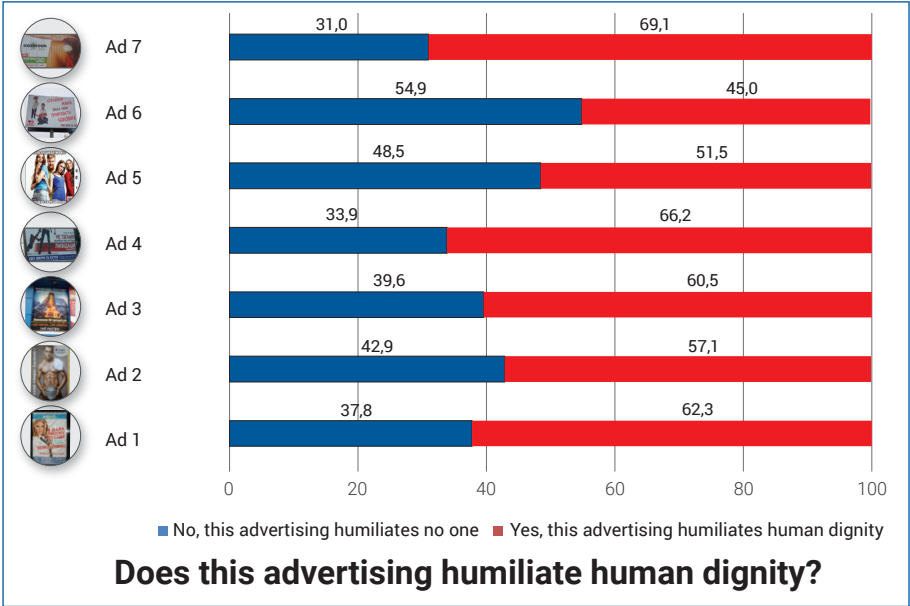


- ” Sexist ad depicts scenes of sexual nature
- ” It is when an ad is based on «sex sells» principle.

Q7. Do you consider these advertising samples to be sexist?

All the ads offered for assessment were identified as sexist by the Industrial Gender Committee on Advertising. However, only about half of the respondents viewed the samples as gender discriminatory, except for





two samples that were assessed even more tolerant: the first one is using images of children and the second one is based on gender stereotypes.

Q8. Would a sexist ad enhance or alleviate your desire to buy a product/service FROM THIS COMPANY (in case when you really need a product/service advertised)?

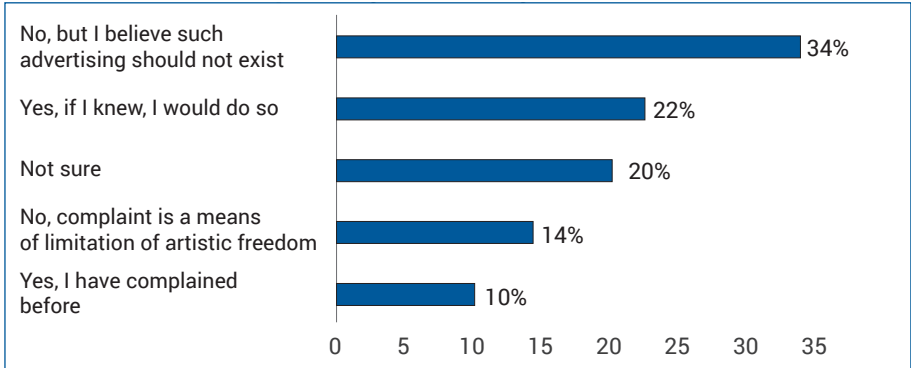
When it comes to consumers' behavior, majority would refuse purchasing a product/service advertised in a sexist manner; especially consumers aged 18-40.

| | Ad 1 | Ad 2 | Ad 3 | Ad 4 | Ad 5 | Ad 6 | Ad 7 |
|---|------|------|------|------|------|------|------|
| I have no idea | 13,2 | 16,2 | 15,3 | 15,4 | 17,6 | 16,5 | 14,9 |
| Advertising has no influence on me | 12,9 | 15,4 | 12,5 | 13,8 | 14,5 | 13,4 | 14,1 |
| Such advertising would make me refuse to make a purchase | 27,2 | 26,6 | 24,9 | 30,2 | 22,3 | 20,7 | 35,1 |
| Such advertising would alleviate my desire to make a purchase | 19,6 | 18,4 | 18 | 17,1 | 18,1 | 13,7 | 13,4 |
| Such advertising would motivate me to make a purchase | 10,7 | 10,7 | 12,3 | 10,8 | 11 | 13,6 | 10,3 |
| Such advertising would attract my attention | 16,3 | 12,7 | 17 | 12,7 | 16,5 | 22,2 | 12,2 |

” Sexist advertising weakens the desire to buy advertised product/service and distracts potential buyers from the brand. The more aggressive or outspoken an ad is, the less the desire to buy a product / service from the company.

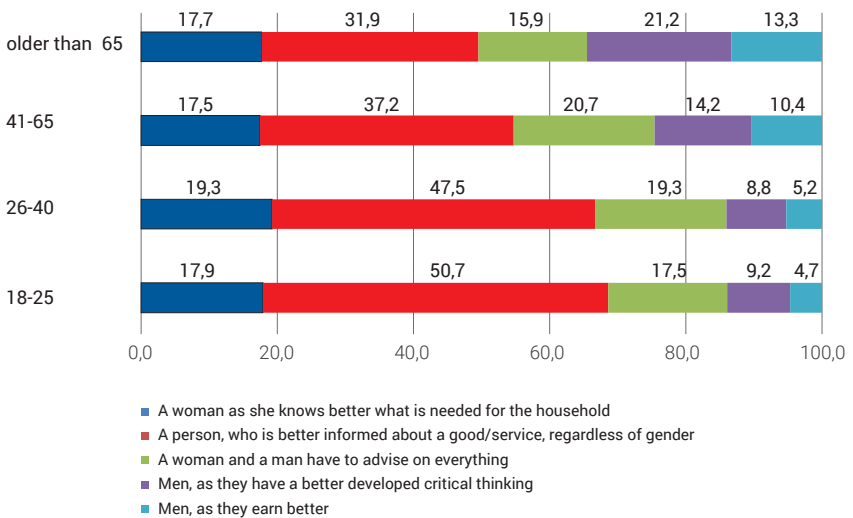
Q9. If you knew who or which organizations/institutions to submit complaints to, would you do so?

Only 1/3 of the respondents are ready to complain over sexist advertising and 10% has already submitted such complaints at least once.

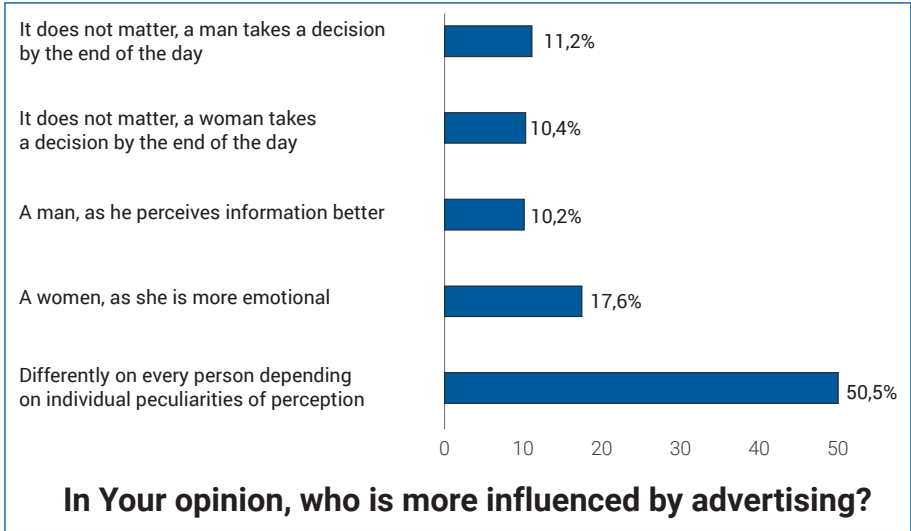


Questions regarding respondents' stereotypes and behavioral patterns

The study contained several questions to reveal if respondents themselves had gender stereotypes or follow stereotypical patterns of behavior as consumers. It turned out that people over 41 y.o. and those with no higher education demonstrated more distinctive stereotypical thinking, when it came to the roles of women and men, and were more tolerant to portraying gender stereotypes in advertising. Their assessment of sexist ads was less negative than the average.



In your opinion, who most often takes decisions regarding purchase of goods/services?



It is interesting to note that mostly those free from gender stereotypes demonstrate consistent behavior in their own lives, while those with gender stereotypes do not follow their own expectations from men and women.

| Варіанти відповіді | A woman as she knows better what is needed for the household | A person, who is better informed about a good/service, regardless of gender | A woman and a man have to advise on everything | Men, as they have a better developed critical thinking | Men, as they earn better |
|--|--|---|--|--|--------------------------|
| My partner/husband | 3,4 | 2,9 | 1,8 | 1,1 | 1,0 |
| My parent(s) | 2,0 | 3,7 | 1,7 | 1,3 | 0,5 |
| My partner/wife | 3,0 | 3,4 | 2,4 | 1,1 | 0,7 |
| It is a joint decision of all family members | 3,7 | 21,0 | 8,2 | 1,1 | 1,8 |
| Me, as I live alone | 2,7 | 9,4 | 2,7 | 4,5 | 1,0 |
| Me, as I am a head of the family | 3,5 | 4,4 | 2,1 | 2,1 | 2,0 |

Who takes decisions about expensive purchases in your household? / In your opinion, who most often takes decisions regarding purchase of goods/services?

Experiment on remembrance of sexist advertising

The experiment was conducted to measure the level of memorability of sexist advertising.

In order to maintain the purity of the experiment, the respondents were not informed in advance on its real purpose.

In the framework of the experiment, participants were shown 13 ads (outdoor ads distributed in Ukraine in recent years) – 7 of which were discriminatory on the basis of sex (according to expertise of the Industrial Gender Committee on Advertising).

Discriminatory and non-discriminatory ads were chosen in such a way that they were comparable with regard to goods/services advertised and the level of brand recognition. Discriminatory ads correspond with the abovementioned criteria:

- » image of a woman as a sexual object (Sample No. 12);
- » facism (image of a fragment of a woman's body) (Sample No. 7);
- » image of a man as a sexual object (Samples No. 8 and No. 13);
- » image of gender-based violence (Sample No. 11);
- » gender stereotypes (Samples No. 9 and No. 10).

Respondents were asked to look closely at the ads for 7 seconds each without giving any additional information.



1



2



3



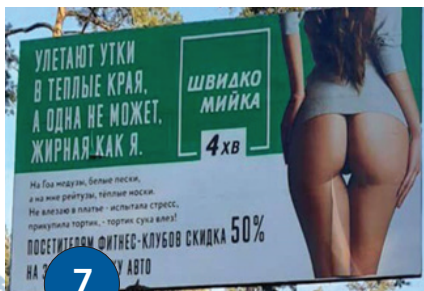
4



5



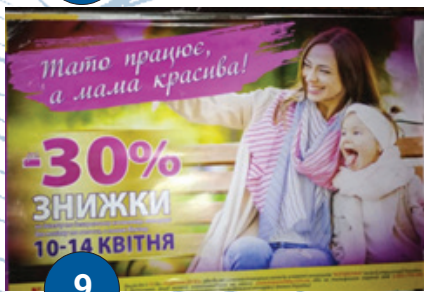
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7



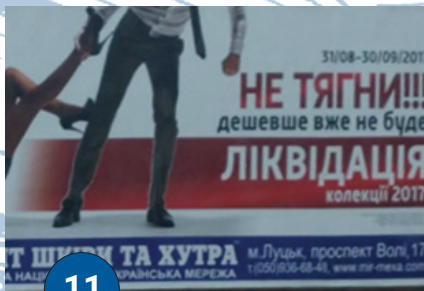
8



9



10



11



12



13

Then, the following questions were asked:

- » Which of the displayed commercials did you like the most? Why? Describe it giving as much detail as possible (respondents were asked to choose only one ad).
- » Which of the displayed commercials do you consider the worst? Why? What exactly was advertised? (respondents were asked to choose only one ad).
- » Name brands you remembered.
- » Describe stories told by commercials you remembered.

Most of participants liked the ad of chocolate: «Concise, simple and tasteful».

The least likable was an ad of a leather and fur salon picturing gender-based violence: «Advertising with domestic violence is a terrible phenomenon that should be banned» (male, 59).

79 participants in the experiment (94%) named non-discriminatory ads as the best. Only 5 of 84 participants in the experiment (6%) liked sexist ads more and only two of them were able to describe the plots/stories or name a good/service advertised.

” «I did not like ads, which humiliate honor and dignity of women or men, especially those where they demonstrate naked bodies and acts of violence» (woman, 29).

Brand recall



Overall, the participants were able to remember the names of 5 out of 6 brands from gender non-discriminatory ads. On average, each of the non-discriminatory ads was mentioned 44 times.

As for sexist ads, 3 out of 7 brands were not recalled by anyone.

Participants were able to recall brands from gender non-discriminatory advertising 6 times more often than from the discriminatory ones.

Plots in sexist commercials are better remembered by the audience because they cause strong negative emotions. However, they are not effective from a marketing point of view, as they do not lead to remembering a brand or recognizing what is being advertised.

Eye-tracker experiment

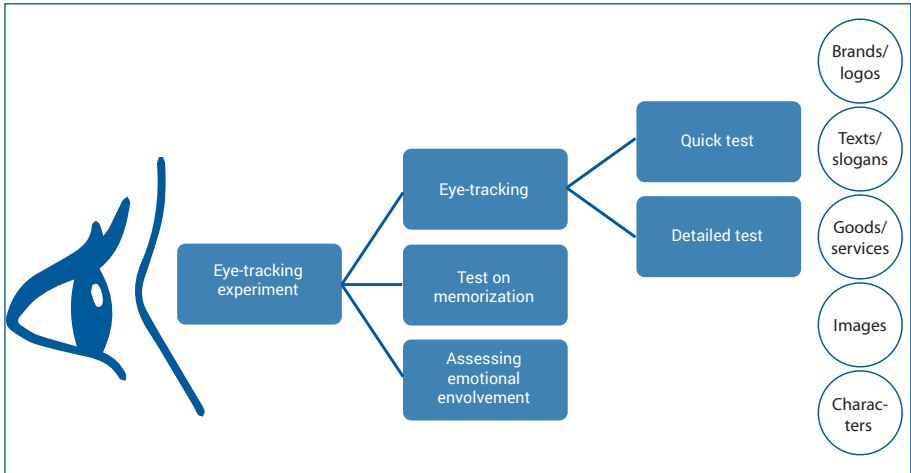
Eye-tracker is a very accurate and easy-to-use technology to study what a person is looking at and for how long. The collected data are visualized and analyzed, which allows evaluating consumers' perception of advertising.

Three pairs of ads were tested:

1. sexist and non-sexist ads of car-wash services;
2. sexist and non-sexist ads of gadget shops;
3. sexist and non-sexist ads of restaurants.

| Sexist ads | Non-sexist ads |
|---|--|
|  <p>УЛЕТАЮТ УТКИ В ТЕПЛЕ КРАЯ, А ОДНА НЕ МОЖЕТ, ЖИРНАЯ КАК Я.</p> <p>ШВИДКО МИЙКА</p> <p>4 хв</p> <p>На Гош моуаз, белые лески, а на мне релуаз, теплые носки. На вилеаз в полетте - испелитая стресс, прелутила тортиче, - тортиче суза влез! ПОСЕТИТЕЛЯМ ФИТНЕС-КЛУБОВ СКИДКА 50% НА ЭКО-ХИМИЧЕСТКУ АВТО</p> |  <p>АВТОМІЙКА САМООБСЛУГОВУВАННЯ</p> <p>ВУЛ. ВІТРУКА 9В (ТЕРИТОРІЯ ТЦ «ФУРШЕТ»)</p> <p>WWW.ZHITOMIR.INFO</p> |
|  <p>ROZMOVA</p> <p>АКЦІЯ</p> <p>АКЦІЯ НА ПІДКАЗІТЬ ЗОВ ВІДНОВА</p> <p>до Мінеральних ванн</p> <p>WWW.ROZMOVA.COM.UA</p> |  <p>vivo Y31 ЯКЩО СМАРТФОН - то vivo!</p> <p>vivo</p> <p>Фокус на фотографію</p> <p>5999</p> |
|  <p>ОВК КАФЕ</p> <p>СПРОБУЙ НАШ ФІРМОВИЙ Hot Dog</p> |  <p>КАФЕ БІЛЯ ЯРУ</p> <p>80 м</p> <ul style="list-style-type: none">◆ Смачна кухня◆ Тандр, мангал◆ Жива музика◆ Гостинна атмосфера <p>Смачний відпочинок під солон'яною стріхою</p> <p>(044) 36 05 777</p> |

Eye-tracking experiment methodology



MAJOR RESULTS

Pair 1

Rapid Eye Tracker Test shows what a person sees when looking at an ad in passing, which is the closest to the real-world environment (looking at ads while driving or walking on the streets).

HEATMAP

Heat map displays colored spots in the image, where «cold» colors indicate minimum visual interest and «warm» colors indicate maximum visual interest.

Men



Men



Women



Women



Ad №3



Ad №4



RAPID EYE TRACKER TEST

| | Alltogether | Men | Women |
|------------------------------|-------------|-----------|-----------|
| | | a* | b* |
| Text | 42% | 44% | 41% |
| Information about a discount | 20% | 22% | 19% |
| Name of the service | 20% | 14% | 24% |
| Image of a woman | 18% | 19% | 16% |

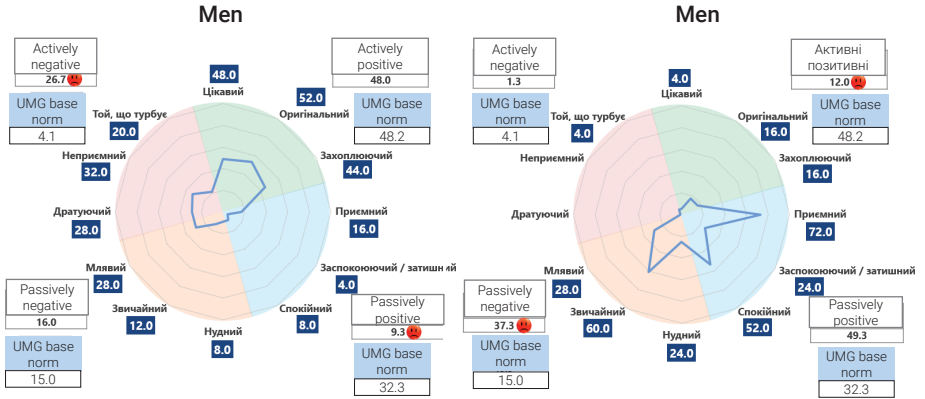
| | Alltogether | Men | Women |
|----------------------|-------------|----------|----------|
| | | a | b |
| Image of a car | 37% | 39% | 35% |
| Image of a sprinkler | 23% | 25% | 22% |
| Name of the service | 21% | 19% | 23% |
| Address | 14% | 14% | 14% |
| Web-site | 5% | 3% | 7% |

WHAT WAS REMEMBERED

| | Alltogether | Men | Women |
|---------------------------|-------------|----------|----------|
| | | a | b |
| Image of a woman | 50% | 56% | 44% |
| Rapid car wash | 18% | 16% | 20% |
| Poem | 20% | 12% | 28% |
| Phrase «Fat like me» | 10% | 8% | 12% |
| Discount for fitness club | 8% | 4% | 12% |
| Discount 50% | 4% | - | 8% |

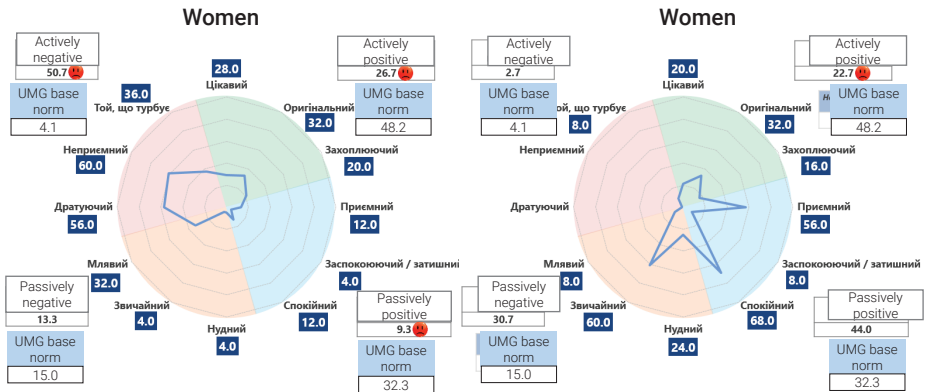
| | Alltogether | Men | Women |
|-----------------------|-------------|----------|----------|
| | | a | b |
| Self-service car wash | 92% | 96% | 88% |
| Image of a car | 44% | 44% | 44% |
| Image of a Sprinkler | 6% | 8% | 4% |

EMOTIONAL INVOLVEMENT



● - Evaluated notably higher than average according to UMG norms

● - Evaluated notably lower than average according to UMG norms



● - Evaluated notably higher than average according to UMG norms

● - Evaluated notably lower than average according to UMG norms

In this case the level of attention to the service advertised and brand is same for discriminatory and non-discriminatory advertising. However, discriminatory advertising decreased the level of rememberance, especially among men.

In terms of emotional engagement, the two promotional materials work differently. A non-discriminatory advertising caused neutral emotions among both men and women, while a discriminatory advertising caused very different emotional response among women and men. Women had strong negative emotions about the sexualized image of a woman, while men liked the picture.

Pair 2

HEATMAP

Men



Men



Women



Women



Ad №3



Ad №4



RAPID EYE TRACKER TEST

| | Alltogether | Men | Women |
|------------------|-------------|-----------|-----------|
| | | a* | b* |
| Image of a woman | 52% | 55% | 48% |
| Discount | 25% | 26% | 23% |
| Brand | 15% | 14% | 17% |
| Web-site | 8% | 5% | 11% |

| | Alltogether | Men | Women |
|-----------------|-------------|----------|----------|
| | | a | b |
| Smartphone | 36% | 36% | 37% |
| Characters | 29% | 29% | 28% |
| Slogan | 14% | 16% | 12% |
| Brand | 8% | 7% | 9% |
| Price | 7% | 6% | 8% |
| Smartphone name | 6% | 5% | 7% |

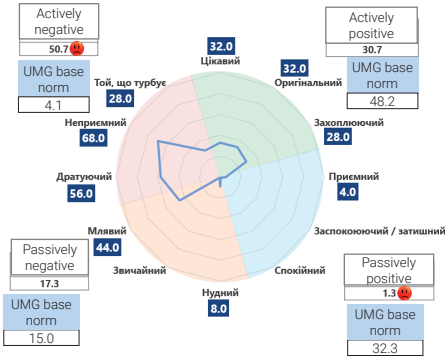
WHAT WAS REMEMBERED

| | Alltogether | Men | Women |
|------------------|-------------|----------|----------|
| | | a | b |
| Image of a woman | 32% | 32% | 32% |
| Brand | 16% | 12% | 20% |
| A hat | 18% | 16% | 20% |
| Discount | 6% | 4% | 8% |

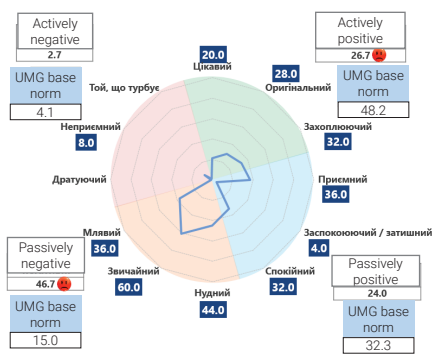
| | Alltogether | Men | Women |
|------------|-------------|----------|----------|
| | | a | b |
| Brand | 48% | 48% | 48% |
| Slogan | 8% | 8% | 8% |
| Price | 8% | 8% | 8% |
| Smartphone | 24% | 12% | 36% |
| Characters | 10% | 16% | 4% |
| Camera | 2% | 4% | - |

EMOTIONAL INVOLVEMENT

Men



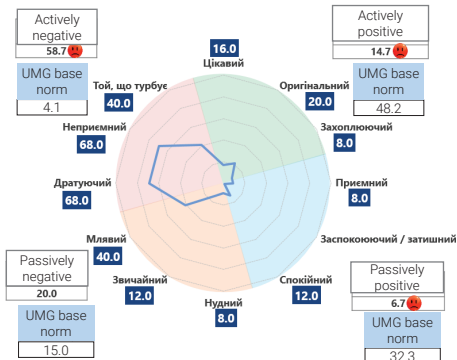
Men



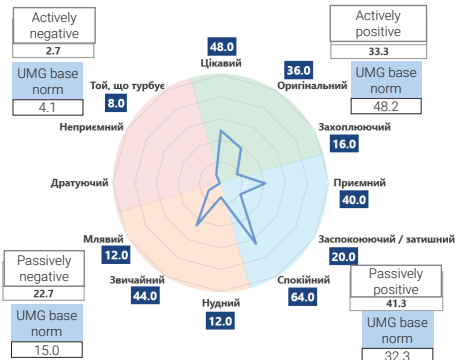
🟢 - Evaluated notably **higher** than average according to UMG norms

🔴 - Evaluated notably **lower** than average according to UMG norms

Women



Women



🟢 - Evaluated notably **higher** than average according to UMG norms

🔴 - Evaluated notably **lower** than average according to UMG norms

The results of testing the second pair of advertising materials show similar results like in the first case. Non-discriminatory advertising leads to higher attention to both a brand and a slogan, which was mentioned by 48% of respondents (equally women and men). When

watching a discriminatory ad respondents' attention was being mostly attracted to sexualized image and less to the brand – only 15% of respondents managed to remember the logo. In addition, some believed that hair removal service was being advertised (mistakenly).

Men demonstrated mostly passive-negative emotions («ordinary», «boring», «sluggish») to non-discriminatory advertising; women focused on passive-positive emotions («calm», «pleasant»). In turn, discriminatory advertising caused some active-negative emotions among both women and men. Almost a third of women indicated that sexist advertising is «unpleasant» and «vulgar».

Pair 3

HEATMAP

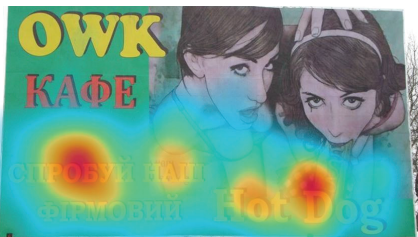
Men



Men



Women



Women



Ad №5



Ad №6



RAPID EYE TRACKER TEST

| | Alltogether | Men | Women |
|--------------|-------------|-----------|-----------|
| | | a* | b* |
| Text | 33% | 26% | 38% |
| Women | 30% | 38% | 24% |
| Product name | 26% | 24% | 28% |
| Brand | 7% | 8% | 6% |
| Hot-dog | 4% | 4% | 5% |

| | Alltogether | Men | Women |
|------------------------|-------------|----------|----------|
| | | a | b |
| Food | 31% | 32% | 29% |
| Description of service | 29% | 25% | 32% |
| Slogan | 21% | 22% | 19% |
| Telephone number | 11% | 5% | 16% |
| Brand | 6% | 10% | 3% |
| Address | 3% | 5% | 1% |

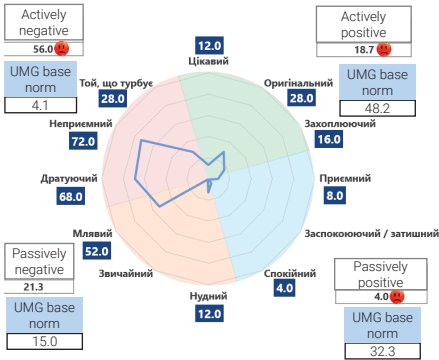
WHAT WAS REMEMBERED

| | Alltogether | Men | Women |
|--------------------|-------------|----------|----------|
| | | a | b |
| OWK | 10% | 5% | 15% |
| Hot-dog | 58% | 64% | 52% |
| Women | 42% | 52% | 32% |
| Slogan | 20% | 16% | 24% |
| Hot-dog advertised | 10% | 8% | 12% |

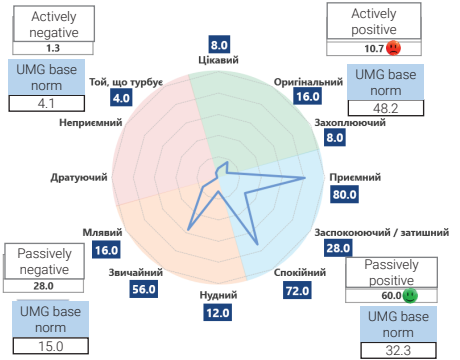
| | Alltogether | Men | Women |
|------------------------|-------------|----------|----------|
| | | a | b |
| Name of the restaurant | 34% | 36% | 32% |
| Food | 20% | 16% | 24% |
| Text | 10% | 4% | 16% |
| Slogan | 4% | 8% | - |
| Café advertised | 2% | - | 4% |
| 80 meters away | 2% | - | 4% |

EMOTIONAL INVOLVEMENT

Men



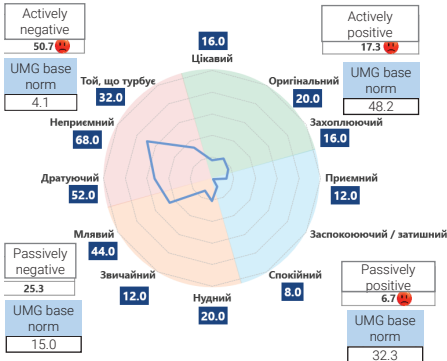
Men



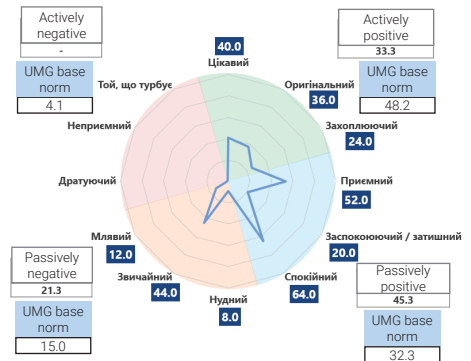
● - Evaluated notably **higher** than average according to UMG norms

● - Evaluated notably **lower** than average according to UMG norms

Women



Women



● - Evaluated notably **higher** than average according to UMG norms

● - Evaluated notably **lower** than average according to UMG norms

The testing of the third pair of advertising proved previous conclusions. The brand was remembered by only 5% of respondents after watching discriminatory advertising. In turn, when looking at a non-discriminatory advertising, the main focus was drawn to the description of the service, image of food, slogan.

Regarding the emotional involvement of respondents, both women and men reacted negatively to a discriminatory advertising.

Conclusions based on the experiment results:

- 1 Non-discriminatory approach to creating advertising increases memorability of a brand/ product/ service 3 times on average.
- 2 When looking at advertising briefly, respondents pay attention to big elements. In gender discriminatory materials, these are women's bodies and other elements with sexual connotation. This leaves almost no time for looking at a logo and brand name.
- 3 Men pay more attention to the elements with sexual connotation (which they mention in the first place). This significantly reduces the memorability of brands. In addition, men may feel annoyed and repulsive, if they consider erotic element being of a low-quality.
- 4 Women also pay attention to such elements, but they have time to look at other information, including logo / brand name. In general, women better / faster memorize additional information (information about a product/service, its benefits etc.).

- 5 Non-discriminatory advertising evokes more active and positive emotions in women (which favors memorization) than in men who mostly have neutral emotions.
- 6 Discriminatory advertising mostly evokes negative emotions (both active and passive). At the same time, men (unlike women) also may have active and positive emotions (which does not affect the memorization of the brand / product).

CONCLUSION

Given massive impact of advertising messages, the issue of sexism is on the agenda of supranational organizations and national governments, as well NGOs and professional associations. Thus, every country that stands for gender equality and non-discrimination is looking for its own mechanisms of advertising market self-regulation and state regulation to prevent potential social, economic and physical harm to people in real life.

Ukraine recognized the importance of the issue back in 2011, when professional associations and gender equality NGOs were brought together by the Ukrainian Marketing Association and the Friedrich Ebert Foundation Office in Ukraine to discuss the ways of turning extremely sexist advertising environment into civilized one. That was the first successful initiative of establishing a dialogue with advertising professionals on gender equality related issue, which were and sometimes are still considered minor and ridiculed at.

Thus, the Standard of Gender Non-Discriminatory Advertising was developed and adopted by most prominent professional associations, which resulted into the establishment of market self-regulation mechanism. However, as the concept of sexist advertising was considered vague, on the one hand, and many small regional advertising agencies were not association members, on the other hand, a special watchdog organization (the Industrial Gender Committee on Advertising) had to be created to monitor the implementation of the Standard and rising awareness of stakeholders on positive change.

The next ten years were devoted to awareness rising campaign among a very wide range of stakeholders – from advertisers, advertising agencies and professional associations to teachers of marketing, students, lawyers, judges, state institutions and decision-makers of all levels. However, it became clear that more precise state regulation was necessary to achieve sustainable results of progressive efforts.

It took two attempts to convince Ukrainian MPs to vote for changes to the Law of Ukraine «On Advertising», which came into force in the beginning of January 2022. It should be specifically underlined that all forms of discrimination were forbidden by the law since its adoption in 1996, but the ban on gender discrimination was the only one massively ignored by advertising market agents. That is why precise terminology based on gender discrimination criteria was considered a tool to turn the tide. Only time will tell, if that is enough to make a real change.

As for now, the state regulation mechanism has also been reloaded. For things to run smooth, you got to grease the tracks. Systemic training and consultations provided by the IGCA and the FES-Ukraine to the State Service for Food Safety and Consumer Protection of Ukraine brought life to the dead norm of fining advertising for distributing sexist ads. The Service is the only executive body responsible for monitoring compliance of advertising and marketing practices to the norms of the law.

The dialogue of the SSU with judges is an essential part of its proper functioning. The first court case against an advertiser distributing sexist content took place in 2017. This type of administrative case is quite new for

the Ukrainian judiciary, therefore, it requires professional reflection. Yet, already in 2019, administrative courts of different regions of Ukraine reviewed 125 cases of a kind. The total amount of fines that year reached UAH 2,839,810.

Advertising is evolving under the influence of global trends – from acceptance of erotization and gender stereotyping to respect to human dignity and inclusion. The most profitable and effective advertising campaigns of the last decade appeal to relevant socially important topics, empowerment and diversity. Thus advertising is evolving under the influence of social change, at the same time contributing to such change.

This phenomenon has been studied for decades and found that sex rarely sells as expected and gender stereotypes are not considered to be funny. Even a regional or cultural card does not play, as different nations react more or less the same to distribution of sexist ads. In general, non-discriminatory advertising does not evoke positive emotions, prevents clear understanding of what is being advertised and decreases memorability of a brand. Experiments and studies show that ultimately non-discriminatory advertising pays off much better.

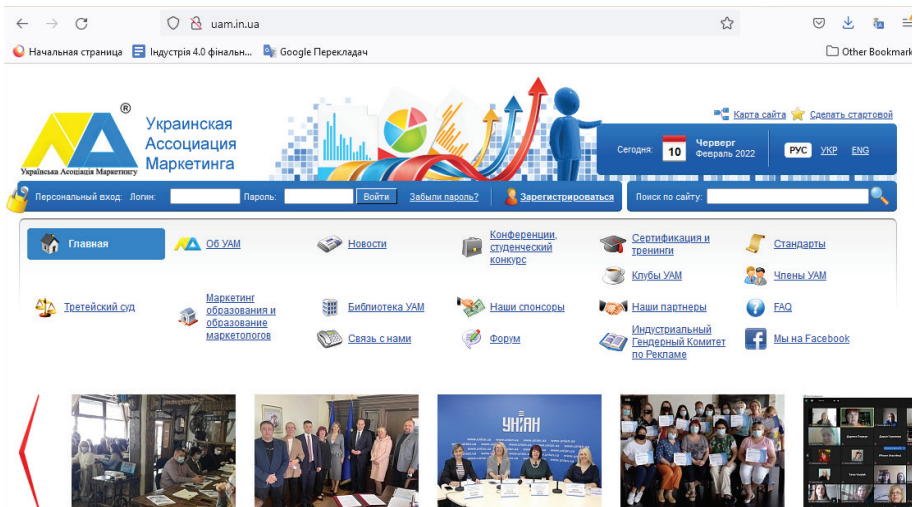
APPENDICES

Appendix 1. About the Ukrainian Marketing Association (UMA)

Ukrainian Marketing Association is a national professional membership organization established as an NGO and representing more than 1000 marketers and 120 marketing organizations from all around Ukraine.

UMA Aim:

- » to advance Ukrainian marketing industry and promote its role in domestic economy;
- » to promote best practices of self-regulation at Ukrainian ad market;



- » to provide platform for the dialogue of ad market actors and authorities;
- » to offer educational and capacity building programs;
- » to conduct research and monitoring;
- » to introduce professional certification programs.

Appendix 2.
STANDARD OF GENDER NON-
DISCRIMINATORY ADVERTISING

JU 21708654 -002-2011

State Enterprise«Ukrainian Research and Training

Center for Standardization, Certification and Quality»

Registered on 30.07.2012

No. 3259575212249

Edition is official

KIEV

2011

PREFACE

COMPILED by: All-Ukrainian NGO “Ukrainian Marketing Association” (UMA), UMA Center for Gender and Legal Education in cooperation and with advisory support of the All-Ukrainian Advertising Coalition, Association of Outdoor Advertising, Ukrainian Association of Direct Marketing, International Association of Marketing Initiatives, Association of Advertisers of Ukraine, NGO “Institute of Liberal Society”, NGO “School of Equal Opportunities”, NGO “Ukrainian Women’s Fund”, NGO “Women’s Consortium of Ukraine”.

AUTHORS: I. Lylyk, L. Magdyuk, M. Lazebnik, O. Pogorelov, E. Romat, A. Kyselyova, L. Kolos, A. Zaitseva, N. Tochilenkova, S. Garaschenko, Ursula Koch-Laugvits, O. Davlikanova, M. Koryukalov, M. Lylyk, R. Palamarchuk, V. Kalashnik, V. Yashchenko, O. Suslov, O. Kovtun.

ADOPTED AND ENACTED: 09.09.09 All-Ukrainian NGO “Ukrainian Marketing Association”, Order # 1 as of September 30, 2011

REISSUED: August 2014, amended in accordance with the Order # 2 as of April 28, 2014, and August 2018, in accordance with the Order # 3 as of May 15, 2018

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2. References to laws
3. Terms and definitions
4. Abbreviations
5. Gender non-discriminatory advertising
6. Responsibilities of marketing and advertising professional community

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APPENDIX B Group of experts, consultants and partners involved in the development of the Standard of Gender Non-Discriminatory Advertising (Ukraine)

Appendix C Self-regulation Mechanism and the Industrial Gender Committee on Advertising

Appendix D Bibliography

INTRODUCTION

STANDARD OF GENDER NON-DISCRIMINATORY ADVERTISING

Adopted at the Forum of Professional
Associations on September 30th, 2011,
Kyiv

The Standard of Gender Non-Discriminatory Advertising establishes a mechanism for self-regulation of the advertising market in order to promote social responsibility of the private sector, culture of marketing relations and prevention of discriminatory practices in advertising. The general aim of the Standard is to adhere to the principle of non-discrimination in advertising.

The Standard has been developed by experts of the All-Ukrainian NGO “Ukrainian Marketing Association” and UMA Center for Gender and Legal Education in cooperation and with advisory support of the All-Ukrainian Advertising Coalition, Association of Outdoor Advertising, Ukrainian Association of Direct Marketing, International Association of Marketing Initiatives, Association of Advertisers of Ukraine, NGO “Institute of Liberal Society”, NGO “School of Equal Opportunities”, NGO “Ukrainian Women’s Fund” and NGO “Women’s Consortium of Ukraine”; in partnership with Friedrich Ebert Foundation Office in Ukraine, which facilitated expert meetings, which resulted in the development of the Standard, and organized international forum in order to discuss and adopt the Standard of Gender Non-Discriminatory Advertising. In addition, EU-UNDP

Program “Equal Rights and Opportunities for Women” provided a training for advertisers on the Standard.

The Standard has been amended and re-registered in 2014 and 2018 to take into account best practices of its implementation.

The Standard is based on national and international requirements to professional activities of marketers and advertisers. Samples of relevant standards, codes, memorandums, etc. were used, as well as regulatory and practical experience in implementing equal policy rights and opportunities for women and men in Ukraine (a list of materials is provided in the Appendix 5).

This Standard applies to all advertising media. The Standard does not contradict current national legislation. It details, specifies and in some cases complements provisions of the Law of Ukraine “On Advertising” and other regulatory acts related to the sphere of advertising.

STANDARD FOR ORGANIZATIONS IN UKRAINE

Недискримінаційна реклама за
ознакою статі.

Недискриминационная реклама по
признаку пола.

Standard of Gender Non-Discriminatory
Advertising.

1. AREAS OF APPLICATION

1.1. This Standard applies to various types, forms and means of advertising and communication activities, as well as to mass media and PR-practices.

1.2. This Standard is intended for legal entities and individuals, state authorities and other organizations that order, develop, produce, place, test, monitor or evaluate ads.

2. REFERENCES TO LEGISLATION

2.1. Constitution of Ukraine

2.2. Law of Ukraine "On Ensuring Equal Rights and Opportunities for Women and Men" as of September 8, 2005 No. 2866-IV

2.3. Vienna Declaration and Program of Action, adopted at the Vienna World Conference on Human Rights

2.4. Law of Ukraine "On Advertising"

3. TERMS AND DEFINITIONS

This Standard uses terms in consistence with terms and definitions set forth by the National Standard Agency 1.1: requirement, international standard, object of standardization, service standard, process standard and standardization.

Terms and definitions used in this Standard are listed below:

3.1. **Gender Equality** is equal legal status of women and men and equal opportunities for its implementation, which allows persons of both sexes to take an equal part in all spheres of public life.

3.2. **Gender Stereotypes** are stable ideas about gender-related features, qualities, capabilities or behavior. Stereotypes are embodied in gender roles fixed in the system of cultural norms in relation to the set of functions attributed to men and women in society.

3.3. **Gender Discrimination** means action or inaction, which is based or leads to any distinction, exclusion or benefits for persons based on their sex and is intended to limit or prevent equal recognition, enjoyment or exercise of women and men's human rights and freedoms.

3.4. **Marketing Communications** is a term covering advertising and a variety of marketing practices: PR, personalized sales, sales promotion, direct marketing, distribution of information about a product via Internet or other electronic (digital) devices.

3.5. **Signatories** are organizations and associations that signed the Standard of Gender Non-Discriminatory Advertising

3.6. **Advertising** is information about a person or a product distributed in any form and by any means aiming at shaping or maintaining awareness or informing consumers about a person or a product.

3.7. **Equal rights of women and men** mean no gender-based restrictions or privileges.

3.8. **Equal opportunities for women and men** are equal conditions for exercising equal rights of women and men.

3.9. **Sexism** (from Latin *sexus* – sex/gender, formed by analogy with the word “racism”) means gender-based discrimination, in other words, practices that violate human rights and degrade human dignity; stereotypes regarding superiority of one sex over the other based on a number of characteristics that may lead to social, economic, psychological or physical harm, as well as shaping attitudes towards an individual on the basis of his\her sex.

3.10. **Sexist advertising** is an ad that humiliates dignity of the people portrayed or consumers of advertising based on their gender; translates stereotypes about intellectual, physical, social or other kinds of advantages of one gender over the other; reproduces stereotypic roles, thus limiting freedom of life choices; uses a person as a sexual object in order to attract attention of consumers; or demonstrates physical abuse of representatives of one sex over the other.

3.11. **Sexual abuse and violence** are derogatory, offensive, open or hidden aggressive acts of sexual nature exercised by one person or a group against another person or group and expressed verbally (comments, threats, intimidation, jokes) or physically (gestures, touching or other type of physical contact, as well as its imitation, etc.) that are deliberate, single or repetitive, and performed against the will of the targeted person\group.

3.12. **Social stereotype** is a belief determined by culture in a certain period of time, often simplified, that pre-defines attitude to a social group or individuals as representatives of such groups.

4. SYMBOLS AND ABBREVIATIONS

IGCA - Industrial Gender Committee on Advertising

AU NGO - All-Ukrainian NGO

UMA - Ukrainian Marketing Association

IGCA RB - IGCA Regional Branch

5. GENDER NON-DISCRIMINATORY ADVERTISING

5.1 Concept of gender non-discriminatory advertising

The concept of gender non-discriminatory advertising is a response to today's demand for reflection on social change, as well as best practices and recent trends in marketing and advertising based on high professionalism, freedom of creativity, social responsibility, non-discrimination, equal rights and equal opportunities for women and men.

Professionalism implies continuous awareness raising with regard to latest trends in marketing and advertising practices, recent studies of international professional associations, developments in self-regulation and legislative changes in this area.

Freedom of creativity and self-expression is a fundamental principle that, however, should not contradict the concepts of social responsibility and legislative norms, including prevention of violation of the rights and freedoms of others when exercising one's own rights and freedoms.

Social responsibility of advertising and marketing experts is determined by the influence of advertising on its consumers and potential economic, social, psychological, physical or emotional harm that may be caused by socially-irresponsible advertising and marketing practices.

The principle of non-discrimination ensures equal treatment of people regardless of their nationality, gender, race or ethnicity, religion or beliefs, physical characteristics, age or sexual orientation.

The principle of equal rights and opportunities for women and men (gender equality) stands for the achievement of parity between women and men in all spheres of life by means of legislation guaranteeing equal rights and opportunities, as well as the elimination of gender discrimination, including everyday discriminatory practices or hidden discrimination etc.

Thus, the **concept of gender non-discriminatory advertising** is aimed at preventing the possibility of gender discrimination within the planning, implementation and control of the results of professional advertising and marketing activities.

5.2 Key criteria for defining advertising as gender-discriminatory or non-discriminatory.

5.2.1. Advertising should not violate rights or degrade human dignity.

5.2.2. Advertising is considered gender-discriminatory and violates good marketing practices, if it diminishes the importance or mental capacity of any gender (women or men), promotes stereotyped images or roles, or emphasizes the dominance or benefits of one gender over the other.

5.2.3. Advertising is considered gender-discriminatory and violates good marketing practices, if it depicts human body (its parts) or depicts a woman or a man as a decoration or a sexual object, includes hints of sexual intercourse, although there is no direct connection between people's sexuality and the way of consumption of the advertised product or service, etc. The violation is aggravated, if human sexuality is depicted or described humiliatingly and disdainfully through language, posture, verbal or non-verbal hints, etc.

5.2.4. Advertising is considered gender-discriminatory and violates good marketing practices, if it directly or indirectly equates a woman or a man with goods or things that can also be used to satisfy consumers' needs, thereby objectifying a person.

5.2.5. Advertising is considered gender-discriminatory and violates good marketing practices, if it depicts aggression or violence by one gender against the other.

5.2.6. Advertising should carefully use patterns and images that affect the formation of an unhealthy lifestyle or may endanger the lives of women and men, especially young people and children (showing models with

anorexia, bulimia); advertising should try to reflect more realistic images, appearance and patterns of behavior of women and men and thereby prevent humiliation.

5.2.7. Advertising should not include statements and visual presentations that may adversely affect or violate norms of social culture and morals generally accepted by the majority of advertising consumers (readers, viewers, buyers, etc.) in respective society.

5.3. Advertising is not considered gender-discriminatory and does not violate good advertising and marketing practices, if it depicts a nude human body or conditionally dressed persons, while nudity is directly associated with the consumption of the advertised product, services, etc.; conforms to the current legislation, does not degrade human dignity, and does not violate the norms of social culture and morals generally accepted by the majority of consumers (readers, viewers, buyers, etc.) in respective society.

5.4. Advertising targeting children and the use of children images in advertising

5.4.1. It is prohibited to violate children's freedoms and rights, including the one to personal integrity and dignity.

5.4.2. It is prohibited to promote violence and cruelty, pornography or information that degrades human dignity and may negatively affect children's well-being by means of advertising.

5.4.3. It is worth paying attention to the placement of materials targeting children in mass media, as well as editorials that are not suitable for child consumption.

In such cases, it is necessary to label materials with a clear warning that they are not suitable for children.

5.4.4. Involvement of well-known personalities into advertising of products or services should be performed with necessary caution, as children may get false impressions about social or gender stereotypes based on transmitted personal stereotypes, approvals, ideas, experiences or beliefs, which may, however, fail to meet general positive practices.

5.4.5. Advertising should not impose or promote gender stereotypes or use children as sexual objects; moreover, it should consider the level of children's critical thinking skills, their psycho-emotional and social vulnerability, as well as potential emotional, psychological or social harm that may be caused by advertising.

6. RESPONSIBILITIES OF MARKETING AND ADVERTISING PROFESSIONAL COMMUNITY:

6.1. Marketers and advertisers ensure self-regulation of their professional activities, social responsibility, minimization of risks for sectorial and social development; they thereby protect the honor and dignity of advertising and marketing professional associations, businesses, consumers, and strengthen trust of society in the advertising industry. The Standard promotes a dialogue on changes in advertising and marketing practices that should respond to the requirements and aspirations of society.

6.2. Human dignity should be respected in marketing communications by not provoking or promoting

discrimination on any of the grounds, including race, nationality, religion, gender, age, disability or sexual orientation.

6.3. Marketers and advertisers have the right to conduct independent pre-testing of advertising and consult independent experts as of gender or any other type of discrimination, in order to prevent misinterpretations of messages and accusations from consumers.

6.4. This Standard applies to various types, forms and means of advertising, including mass media, which affect patterns of human behavior and socio-economic relations; therefore, they must act socially responsible and gender-sensitive.

6.5. Marketers and advertisers are aware that competitiveness, risk minimization, and the efficiency of companies engaged in production or service sector, including advertising, are ensured and strengthened by:

- » well-established market self-regulation mechanisms and promotion of democratic practices in advertising and marketing activities based on professional ethics, mutual respect and dialogue among stakeholders;
- » consideration and promotion of universal values and non-discriminatory practices in creative activities;
- » introduction of modern norms in domestic information space;
- » social responsibility of advertising and marketing businesses.

6.6. Guided by the Standard, members of marketing and advertising community adhere to the following key principles:

- » rule of law (compliance with the current legislation);
- » correctness in statements and creative artistic forms;
- » reliability of information;
- » the use of forms and means that do not degrade or discriminate a person in the context of socio-economic or cultural values;
- » respect and observance of ethical, humanistic, social and cultural norms and universal human values;
- » tolerance towards diversity and differences;
- » inadmissibility of violence or discrimination promotion.

6.7. Marketers and advertisers should be aware of their responsibility for the consequences of exploiting social and gender stereotypes in advertising, including potential economic, social, psychological, physical or emotional harm that people may face in real life.

6.8. With the development of new media, advertisers and marketers should avoid supporting groups in social networks that promote or encourage gender-based or other forms of discrimination.

APPENDIX A (REFERENCE)

Guidelines on Testing Advertising and Marketing Activities

In order to prevent both development and promotion of discriminatory advertising or marketing activities, it is recommended to check advertisements with regard to the following indicators:

- 1) Advertising should not diminish the dignity of people depicted.
- 2) Advertising should not diminish the dignity of its consumers.
- 3) Advertising should not promote stereotypical ideas about intellectual advantages of one gender over the other.
- 4) Advertising should not promote stereotypes about physical advantages of one gender over the other.
- 5) Advertising should not promote stereotypical ideas about status-related advantages of one gender over the other in social fabric.
- 6) Advertising should not reproduce stereotypical roles or “characteristic features” of women and men limiting freedom of personal life choices.
- 7) Advertising should not use a person as a sexual object in order to attract attention.

- 8) Advertising should not depict naked body (or parts of body) as an eye-stopper.
- 9) Advertising should not contain discriminatory pictures or graphic images.
- 10) Advertising should not contain sexually suggestive discriminatory wordplays, hints or references.
- 11) Advertising content should not objectify a person.
- 12) Advertising should not suggest a person being a bonus to an advertised product.
- 13) Advertising should not show violence of one gender over the other.

Additional criteria of gender discriminatory advertising proposed by the Association of Advertising Standards (United Kingdom) in 2018:

- 14) Advertising should not show a woman solely performing all domestic work, while her husband is resting or other family members are creating a mess in the house.
- 15) Advertising should not show a person being unable to cope with a task because of gender, for example men's inability to change diapers; or women's inability to park a car.

16) Advertising should not contain the following message: if a person does not meet stereotypical ideals of beauty, he\she cannot succeed in private or social life.

17) Advertising should not emphasize or impose stereotypical characteristics (e.g. boys are courageous while girls are caring); gender-related stereotypical expectations should only be used with extreme caution.

18) Mom-oriented advertising prioritizing an “obligation” to look good and take good care of home over women’s psychological and emotional well-being should be avoided.

19) Advertising should not degrade men’s dignity for performing stereotypically “female” roles or tasks (like caring about a child or parent, housework, demonstrate emotions, etc.).

APPENDIX B (REFERENCE)

Group of experts, consultants and partners involved in developing the Standard of Gender Non-Discriminatory Advertising (Ukraine)

| | | |
|---|--|--|
| 1 | AUNGO „Ukrainian Marketing Association” | Irina Lylyk, UMA General Director, national representative of ESOMAR in Ukraine, author and coordinator of Standard development |
| 2 | Gender and Legal Education Centre, NGO „Ukrainian Marketing Association” | Larysa Magduk, Head of the UMA GLE Centre, national expert on gender policy in Ukraine, author and coordinator of Standard development |
| 3 | All-Ukrainian Advertising Coalition | Maxim Lazebnik, expert on Standard development |
| 4 | Ukrainian Association of Periodical Press Publishers | Oleksey Pogorelov, expert on Standard development |

| | | |
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| 5 | Ukrainian Association of Advertisers | Yevgen Romat, expert on Standard development |
| 6 | NGO „Liberal Society Institute” | Oksana Kysiliova, LSI President, expert on Standard development |
| 7 | NGO „School of Equal Opportunities” | Larysa Kolos, The Chairwoman of the Board, expert on Standard development |
| 8 | NGO „Ukrainian Women’s Fund” | Olena Zaytseva, consultant on the issues of sexism in advertising |
| 9 | AUNGO „Women’s Consortium of Ukraine” | Natalia Tochilenkova, consultant on the issue of sexism in advertising |
| 10 | Friedrich Ebert Foundation in Ukraine | Ursula Koch-Laugwitz, Director of the Friedrich Ebert Foundation Office in Ukraine Olena Davlikanova, Program Coordinator, expert on Standard development Svitlana Garashenko, Program Coordinator |

| | | |
|----|--|---|
| 11 | Program of Equal Rights and Opportunities for Women implemented with EU-UNDP support | Mykhailo Korukalov, Program Coordinator |
| 12 | Association of Outdoor Advertising | Roman Palamarchuk, consultant on the issues of sexism in advertising |
| 13 | Ukrainian Association of Direct Marketing | Valentyn Kalashnyk, consultant on the issues of sexism in advertising |
| 14 | International Association of Marketing Initiatives | Vitalina Yashenko, consultant on the issues of sexism in advertising |
| 15 | Women Centre for Information and Consultancy | Olena Suslova, the Chairwoman of the Board |
| 16 | AUNGO „Ukrainian Marketing Association” | Maria Lylyk, marketing expert |
| 17 | AtlanticGroup | Olena Kovtun, Head of Legal Department |

APPENDIX C

Self-regulation Mechanism and the Industrial Gender Committee on Advertising

Professional advertising and marketing associations as well as Ukrainian NGOs promoting human rights and gender equality do likewise believe that recognizing and adhering to the non-discrimination principles in advertising by marketing and advertising professionals should be an important part of self-regulation of the advertising sector. This self-regulation is aiming to increase the effectiveness of advertising and promote non-discriminatory practices in advertising and marketing on the basis of professional ethics, mutual respect and dialogue among stakeholders (producers, consumers, partners, etc.).

Adhering to requirements to gender non-discriminatory advertising is an obligation of those professional organizations that have signed the Standard.

The Secretariat of the Industrial Gender Committee on Advertising is responsible for coordinating activities to ensure compliance with criteria of gender non-discriminatory advertising.

The IGCA includes experts from associations and organizations that have signed the Standard. The IGCA may establish Regional Branches that have the right to provide expertise and conclusions as of discrimination in advertising, as well as initiate monitoring of sexist

advertising. Regional Branches should inform the IGCA Secretariat about their activities and decisions.

The IGCA should inform professional associations and organizations, as well as the public, about its activities by means of posting information online and annual reports. Regional Branches should provide information about their activities to the ICCR Secretariat at least once a quarter. In order not to promote the distribution of discriminatory advertising and to strengthen dialog with stakeholders, the full content of appeals may remain undisclosed for public, if necessary. However, information about the matter of complaint, as well as IGCA procedures and decisions should at any time be provided to professional associations and organizations, companies, consumers, NGOs etc.

Compliance of advertising with the Standard will be assessed by its content, context, environment, consumers' perceptions and current anti-discriminatory legislation norms.

Advertising may be presented for pre-testing or examination as of discrimination messages, including gender-based discrimination.

If pre-testing or expertise proves advertising to be discriminatory, it should be changed, or its distribution should be terminated.

The leading professional associations (unions, coalitions) that have signed this Standard are committed to provide necessary support like information, consulting, analytics, educational activities, trainings, and practical assistance to advertisers and marketers in order to clarify the requirements of the Standard of

Gender Non-Discriminatory Advertising, the concepts of gender equality, social responsibility, self-regulation mechanisms and putting f gender non-discrimination concept into marketing and advertising practice.

IGCA reviews complaints on gender discriminatory advertising and provides expert assessments of advertising; it may also provide expertise on demand to state authorities, judicial bodies, national associations and national self-regulatory organizations, as well as to other interested parties, regarding the content and form of advertising interpreting this Standard. IGCA may also conduct pre-testing of ads on demand.

Procedure for reviewing appeals to IGCA:

- » A complaint may be filed by any individual residing on the territory of Ukraine, a legal entity registered in Ukraine or a government agency.
- » The complaint may be filed online on the IGCA website, sent to the official IGCA e-mail address or sent to the actual address of the IGCA Secretariat indicated on the website.
- » The complaint must specify: full name of the complainant; name of the company distributing advertising the complainant considers to be discriminatory (if known); the product or service being advertised; media, time and place of advertising distribution; a brief explanatory note stating why the complainant considers the advertisement discriminatory; as well as photos, videos, texts or other possible evidence or materials.
- » The complaint must be filed in the state language. However, filing a complaint in another language is no reason for refusing its consideration.

- » The IGCA Secretariat collects and registers filed complaints on advertising distributed on the territory of Ukraine.
- » IGCA offers or initiates testing, expertise and examination of the facts and circumstances with regard to filed complaints by those means that IGCA deems appropriate for each particular case; if necessary, IGCA may turn to additional or in-depth expertise;
- » The complaint must be reviewed within 10 working days from the date of receipt. If an advertisement is found to be discriminatory, the complainant receives a notice about the decision of the IGCA experts to take further steps to prevent the dissemination of such advertising. The first step is a letter to the advertiser with explanations concerning violation of the Standard and recommendations regarding withdrawal or modification of the ad.
- » Afterwards, if the ad is not withdrawn or modified, IGCA shall pass its expert opinion to relevant state authorities that have relevant mandate to bring an advertiser to justice. Also, if an advertiser refuses to change the discriminating advertisement, IGCA may publish its decision in the media in order to attract public attention to a particular case of discriminatory advertising and advertiser's social irresponsibility. Bringing a case to trial is no IGCA competence; however, expert conclusions of the Committee can be used in litigation cases of discriminatory advertising;
- » If any of the IGCA member(s) has personal interest with regard to any complaint, he/she must inform the Committee and refuse to participate in reviewing of a complaint in order to maintain transparency and impartiality in procedures and prevent conflict of interest.

APPENDIX D

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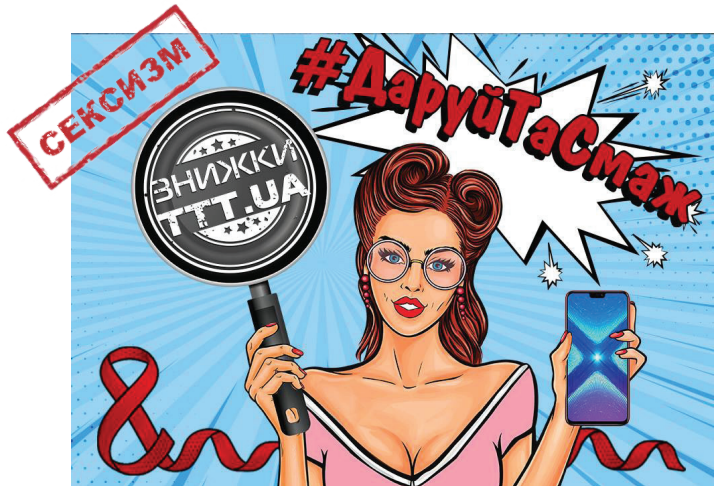
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Key words: advertising, marketing, discrimination, gender equality, standard of gender non-discriminatory advertising

Appendix 3. EXAMPLES OF SEXIST ADVERTISING DISSEMINATED IN UKRAINE BY CATEGORIES

Category 1


Advertising based on stereotypical representation of gender roles



Kyiv, 2020 («Give gifts and fry⁹», online shop)

9 «Frying» meaning having sex.

ЦИТРУС



ПРОСТО
НЕ ТВІЙ ДЕНЬ, БРО!

Подарунки на 8 Березня
від **199** грн

СЕКСИЗМ

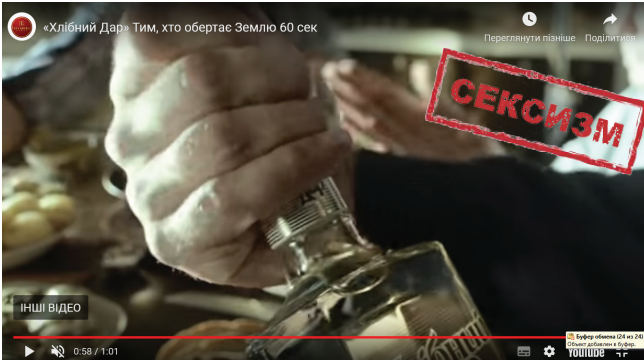
Залишилися лічені дні

Вази вже готові до квітів, отже свято дууже близько. Всі готові приємно дивувати, вражати та радувати? Якщо ще ні, то ось зручне керівництво з вибору подарунка. Клік і ти на крок ближче до ідеального 8 Березня!

Kyiv, 2019 («8th of March is not Your day», gadget shop)

«Хлібний Дар» Тим, хто обертає Землю 60 сек

Переглянути повніше Поділитися



СЕКСИЗМ

ІНШІ ВІДЕО

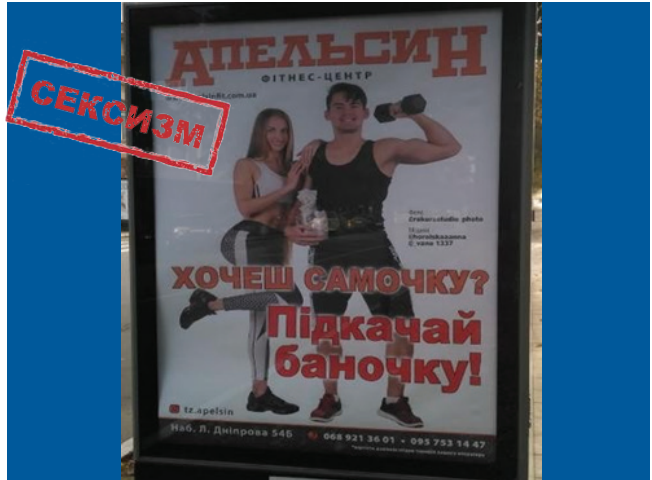
0:58 / 1:01

Телефон відеона 024 444 2910
Створено рекламною агенцією
ГОШПІЩО

(«Men make the world go round», TV ad, vodka)

Category 2

Advertising humiliating any gender by transmitting messages on superiority of one gender over another on the grounds of intelligence, physical force, social status etc.



Mykolaiv, 2021 («You want a doe, work out». Fitness club)



(«Blond patrol. Even a blond can figure it out», bank poster)

Category 3

Advertising exploiting a person as a sexual object and/or through images or words contains hints on sexual intimacy, which has nothing to do with the product advertised or ways of using it.



Dnipro, 2018 (Internet).



Kyiv, 2019 (Lexus)



(Calendar, 2018)



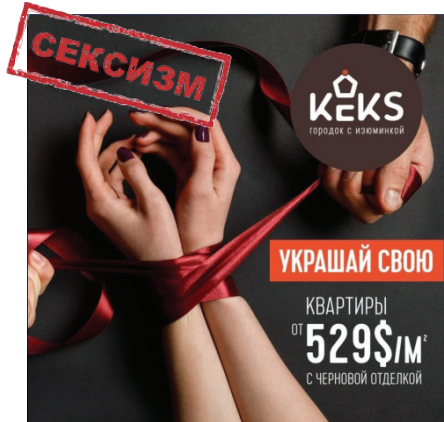
(Online ad, 2021, pizzeria)

Category 4

Advertising showing gender-based violence



Kyiv, 2020 (Dumpling fast food restaurant)



Odesa, 2022 (Real estate)

Appendix 4.

Ads changed by advertisers after the dialogue with the IGCA or/and SSU



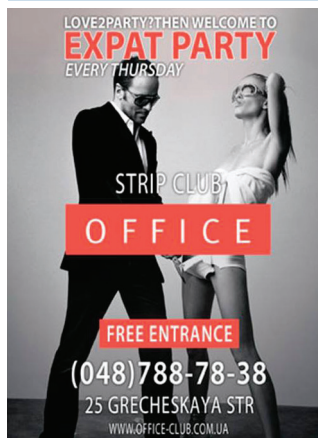
Advertising of IDEAL internet provider.

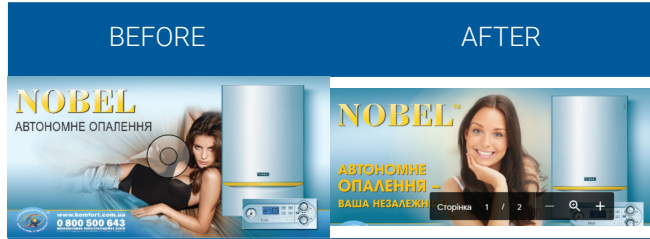
Slogan: «I gave your neighbor. Free of charge. If you want, I will give you too. Call me!»



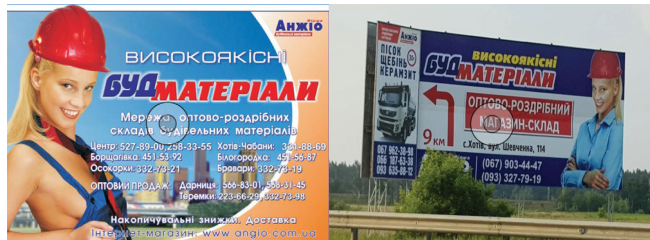
Advertising of IDEAL internet provider.

Slogan: «Open the Internet Universe»

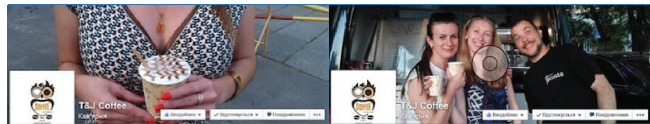




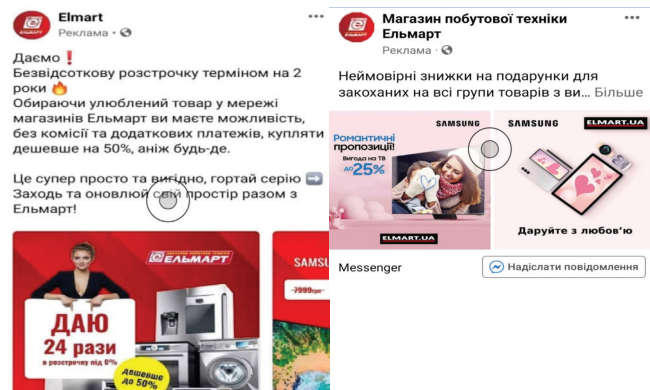
2011, heatinf equipment



Kyiv, 2019. Fine paid 1050 UAH



Online ad, coffee shop



Teropil, 2021 p. («I give 24 times»)

BEFORE

AFTER



Ivano-Frankivsk, 2021.
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ACKNOWLEDGEMENTS

We express our sincere gratitude to all the state institutions, NGOs and experts in the fields of marketing and advertising, as well as gender equality mainstreaming, that have made it possible to establish state and self-regulation mechanisms preventing sexism in advertising in Ukraine.

First of all, we would like to thank all the professional associations and gender equality NGOs, which participated in the development and acknowledgment of the Standard of Gender Non-Discriminatory Advertising: Association of Outdoor Advertising, AtlanticGroup, Friedrich Ebert Foundation Office in Ukraine, International Association of Marketing Initiatives, NGO «Liberal Society Institute», NGO «School of Equal Opportunities», NGO «Ukrainian Women's Fund», NGO «Women's Consortium of Ukraine, Ukrainian Association of Advertisers, Ukrainian Association of Direct Marketing, Women Centre for Information and Consultancy.

We are also grateful to the State Service of Ukraine for Food Safety and Consumer Protection for very close cooperation with the Industrial Gender Committee on Advertising and holding advertisers accountable for violating good marketing practices when it comes to distribution of sexist advertising.

The achievements would not have been possible without the All-Ukrainian Association of Women Judges of Ukraine that not only helped to formulate the final amendments to the Law of Ukraine «On Advertising»

but also in cooperation with the IGCA and FES-Ukraine conduct awareness rising campaign among judges in cooperation with the National School for Judges of Ukraine. All the MPs who voted for changes of the legislation, as well as lawyers and NGOs who lobbied for such amendments, should be mentioned separately.

Special thanks to the teachers of marketing and advertising in Ukrainian Universities who read lectures about sexism and organize special competitions for students to raise awareness on the issue. And also to students who contribute to conducting monitoring of sexist outdoor advertising in Ukrainian cities.

Journalists and gender NGOs that attract attention to the harm caused by sexism are our important partners in combating discriminatory practices.

It is important to mention advertisers and advertising agencies who express their interest in deeper understanding of the topic and pre-testing of ads.

We would also like to thank Ukrainian citizens who not only shared their attitude to sexist advertising, but also submit complaints to prevent gender discrimination.

This is only due to such a wide and indepth cooperation of stakeholders an establishment of both state and self-regulation mechanism has become possible.

AUTHORS



Dr. Olena Buchynska, researcher, Head of the Kiev branch of the Industrial Gender Committee on Advertising, teacher of marketing in Kiev National Economic University



Dr. Olena Davlikanova, researcher, FES-Ukraine Program Officer coordinating the project since 2011, co-founder of the Industrial Gender Committee on Advertising, co-author of the Standard of Gender Non-Discriminatory Advertising



Dr. Iryna Lylyk, President of the Ukrainian Marketing Association, co-founder and Head of the Industrial Gender Committee on Advertising, teacher of marketing in Kiev National Economic University, co-author of the Standard of Gender Non-Discriminatory Advertising



Dr. Iryna Perevozova, researcher, Head of the Ivano-Frankivsk branch of the Industrial Gender Committee on Advertising, teacher of marketing in Ivano-Frankivsk Oil and Gas University

