



Provisional version

## Committee on Equal Opportunities for Women and Men

### Violent and extreme pornography

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#### Draft resolution

1. In recent years, pornography has become a highly lucrative business, also thanks to the increasing importance of the internet as a means of distribution. At the same time, new types of equipment and their wide availability have made it possible for private individuals to become producers of pornography, which is distributed and exchanged mainly through internet social media and networks.

2. The Assembly expresses deep concern at the public's increased accessibility to violent and extreme pornographic material, graphically portraying scenes of degradation, sexual violence, torture, murder, necrophilia or bestiality for the purposes of sexual arousal.

3. While recalling that freedom of expression is a pillar of democratic societies and a right guaranteed by the European Convention on Human Rights and Fundamental Freedoms, the Assembly recalls that it is possible to set limits to this right when they are prescribed by the law and are necessary in the interests of, amongst others, the prevention of crime, the protection of morals and the protection of the rights of others.

4. The Assembly notices the great disparity between different Council of Europe member states in the degree of regulation of pornography with, at the one end of the spectrum, countries where the production, distribution and possession of pornographic material is forbidden altogether, and others where there is hardly any prohibition, even with regard to forms of violent and extreme pornography.

5. It also regrets that a common feature in Council of Europe member states is the poor enforcement of existing law and regulations on the production and distribution of pornography.

6. Acknowledging that the number of consumers of pornography in Europe has increased, the Assembly warns against the desensitisation resulting from continued exposure or addiction to pornography, and against a process of normalisation in which moral coercion and physical violence may be considered as acceptable.

7. In addition, noticing that the portrayed victims are in the great majority women, the Assembly expresses its preoccupation at the negative impact of violent and extreme pornography on women's dignity and right to live free from sexual violence. In this regard, the Assembly considers that this type of pornography further erodes the conditions for achieving effective gender equality, alongside other forms of hard and soft-pornography, the widespread use of sexualised images of women for commercial purposes and the portrayal of gender stereotypes by the media and the entertainment industry..

8. Furthermore, the Assembly reiterates the need to ensure that children are protected against exposure to violent and extreme pornographic material which might affect their balanced development.

9. In the light of these considerations, the Parliamentary Assembly calls upon Council of Europe member states to:

9.1. as concerns law and policy:

9.1.1. ensure the effective implementation of existing law regulating the production, distribution and sale of pornography;

9.1.2. when appropriate, revise existing laws so as to ensure that adequate sanctions are foreseen for breaches, and monitor compliance and implementation;

9.1.3. establish an obligation for companies to submit all audiovisual work for classification prior to commercial distribution;

9.1.4. strengthen sanctions for non-compliance with the obligation to submit audiovisual work for classification with the relevant body and sanctions for distributing such material without classification;

9.1.5. assess the impact of existing law and regulations applying to violent and extreme pornography and revise it if appropriate, taking into account the possibility of:

a. introducing specific legislation to criminalise the production and distribution of violent and extreme pornography;

b. criminalising possession of violent and extreme pornography, including for personal consumption;

9.1.6. ensure that existing law is implemented in a non-discriminatory way, including with regard to sexual orientation;

9.1.7. set up or support the setting up of hotlines or other facilities to provide advice to the public and receive complaints about illegal content;

9.2. as regards the protection of minors:

9.2.1. step up their efforts to combat child pornography ;

9.2.2. introduce and enforce adequate sanctions for the sale of pornographic material to minors;

enforce adequate sanctions for breaches of the prohibition for adults to be portrayed as minors;

9.2.3. introduce the compulsory classification of all videogames, including pornographic and violent games, and make sale and distribution conditional upon receiving clearance from the relevant classification body;

9.3. as concerns research:

9.3.1. encourage and support scientific research to assess the impact of violent and extreme pornographic images on the user, also with a view to investigating the possible links between habitual consumption of violent and extreme pornography and an increased inclination to violent sexual behaviour;

9.3.2. conduct or encourage regular surveys amongst the public and consultations with civil society on the standards of obscenity;

9.3.3. encourage or support research on the links between pornography, prostitution and trafficking as well as between violent and extreme pornography and child-abuse images;

9.4. as regards training and awareness-raising:

9.4.1. develop sex education material and programmes addressed to children and young people;

9.4.2. support training for social workers and health professionals dealing with addiction to pornography;

9.4.3. support training for social workers and law enforcement officials dealing with people who have been coerced into pornography;

10. Finally, the Assembly reiterates its call upon Council of Europe member and observer states to sign and ratify:
  - 10.1. the Council of Europe Convention on preventing and combating violence against women and domestic violence;
  - 10.2. the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse;
  - 10.3. the Convention on Cybercrime.

## **Draft recommendation**

1. Recalling its Resolution .... (2011) on violent and extreme pornography, the Assembly reiterates its concern at the public's increased accessibility, especially via the internet, to violent and extreme pornographic material.
2. Taking into account Recommendation No. R (2001) 8 of the Committee of Ministers to Member States on self-regulation concerning cyber content (self-regulation and user protection against illegal or harmful content on new communications and information services), the Assembly recommends the Committee of Ministers to charge its appropriate bodies to carry out a comparative study on the law and regulations applying to forms of violent and extreme pornography in Council of Europe member states and, on this basis, consider whether there is scope for a more harmonised approach, in particular as regards responses to the distribution of violent and extreme pornographic material on the internet
3. Furthermore, the Assembly recommends the Committee of Ministers to charge the European Audiovisual Observatory to conduct a study on the feasibility of a common system of classification and content descriptors, to label the content of audiovisual work.