[DE] ISP Fined

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On 5 December 2005, the Landeszentrale für Medien und Kommunikation (Regional Media and Communications Office - LMK) of Rheinland-Pfalz imposed a fine of EUR 12,000 against an Internet Service Provider.

In the LMK's opinion, the ISP had offered users paedophile content, thus breaching the provisions of the Jugendmedienschutzstaatsvertrag (Inter-State Agreement on Youth Protection in the Media - JMStV). Under Art. 4.9 JMStV, content is unlawful if it portrays children and young people in an unnatural sexual way.

The ISP had linked its sub-domains via a portal. In these domains, it had set up preview galleries and areas for fee-paying members, in which photographs of minors could be seen. In these pictures, accessories such as lollies and pigtails were used to emphasise the youthfulness of the individuals concerned. At the same time, however, the young models were pictured in scanty clothing and with emphasis on their private parts.

At the same time as publishing this decision, the LMK announced it would be stepping up its co-operation with German host providers in order to rid the Internet of these kinds of sites, which were actually or allegedly based outside Germany and therefore exempt from German law.

Pressemitteilung der LMK

http://www.lmk-online.de

LMK press release

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