[SI] Pornography and Sexually Explicit Programming

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The amended Slovenian Media Act and the non-binding Guidelines for the content of the internal ethical and esthetical rules (codex) of the broadcasters (see IRIS 2007-1: 18) distinguish between pornography and other explicit constructions of sexuality in TV programming. This conceptual distinction was applied in the codex of the Slovenian public broadcaster RTV Slovenija in 2007.

The article no. 84 on the protection of minors of the Slovenia Media Act segments programming which includes sexuality into four categories:

- pornography which might seriously impair the development,

- pornography which is likely to impair the development of minors,

- sexual scenes in informative, educational and artistic programming, and

- the prevailing sexual scenes in other programme contents.

The guidelines, which are in themselves non-binding, serve as the expert basis for the normative documents of the broadcasters (see IRIS 2008-8: 18). They provide further explanation of the described segmentation with the recommendation to the broadcasters how respective categories should be or not be broadcast in respect of the protection of minors provisions of the Media Act. Some sub-genres of pornography (child pornography, sodomy, S/M porn, necrophilia and explicitly violent porn) are banned. Non-consensual, implicitly violent and gender discriminatory porn, which can appear also in the form of “soft porn” have to be encoded. “Porno-chic” is defined as the proliferated genre of porn, as it is connected to the commercial modes of sexuality. It is time restricted, as is other programming related to commercial sexuality. In such cases the Code for TV Programme Scheduling and the proscribed pictograms have to be respected and used. Additionally, sexual scenes of an educational, informative or artistic nature, inclusive of explicit sexuality, must be signified (see IRIS 2007-6: 19).

In the codex of the only Slovenian public broadcaster, RTV Slovenija, titled aesthetic and ethical norms and directions related to broadcasting programme, which includes violent or sexual content - the definition of porn genre and sub-genres is applied as well as the programming restrictions recommended in the guidelines. In article no. 6 inter alia the objective determinants of porn are

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enumerated (production and its aim, inherent genre characteristics). It stipulates that no gender discriminatory and non-consensual pornography should be broadcast. In article no. 7 the distinction between pornographic and sexually explicit content is explained. It is stated that sexually explicit programming is not a priori defined as potentially harmful to minors, but their age should be considered in programme scheduling. In article no. 8 the sub-genres of dehumanising and discriminatory porn are explained, porno-chic included. In article no. 9 certain prolonged forms of pornography, “special expressive modes of pornography” are defined; these include advertising, entertaining, documentary and reality contents such as ads for hot-lines, “documentaries” and representations of traditional prostituting. They have to be treated as the broadcasting of pornography if not critically commented.

Smernice za vsebinsko oblikovanje internih etičnih in estetskih pravil (kodeksov) izdajateljev televizijskih programov

http://www.srdf.si/File/projekti/smernice.pdf

Guidelines for the content of the internal ethical and esthetical rules (codex) of the broadcasters

Pravilnik o določitvi vizualnega in akustičnega opozorila za programske vsebine, ki niso primerne za otroke in mladoletnike

http://www.mk.gov.si/fileadmin/mk.gov.si/pageuploads/Ministrstvo/Zakonodaja/Predlogi_zakonov/pravilnik-84.clen.pdf

Regulation guidelines related to the stipulation of visual and acoustic warning against television programming contents, unsuitable for children and minors

Estetska in etična merila ter navodila glede predvajanja programskih vsebin, ki vključujejo prizore nasilja ali seksualnost

http://www.rtvslo.si/modload.php?&c_mod=static&c_menu=1169115534

Aesthetic and ethical norms and directions related to broadcasting programme, which includes violent or sexual content

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