Parliamentary Assembly: Recommendation 1981 on Violent and Extreme Pornography

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On 5 October 2011, the Parliamentary Assembly of the Council of Europe adopted Recommendation 1981 on violent and extreme pornography.

In the Recommendation the Assembly recalls its Resolution 1835 on violent and extreme pornography. The Assembly expresses its concern at the increased accessibility (especially via the internet) to violent and extreme pornographic material. The number of consumers of that type of pornography has risen in recent years.

The Assembly is apprehensive about the negative impact of violent and extreme pornography on the dignity of women and on the breach of their right to live free from sexual violence, as well as the protection of minors against exposure to violent and extreme pornographic material.

The Assembly recognises in Resolution 1835 that freedom of expression is a pillar of democratic societies and a right guaranteed by the European Convention on Human Rights. However, if prescribed by law and necessary in the interest of (amongst others) the prevention of crime, the protection of morals and the protection of the rights of others, it is possible to set limits to freedom of expression.

The Assembly notes that there are differences in the degree of regulation of (violent and extreme) pornography between the member states of the Council of Europe, as well as a lack of enforcement of existing laws and regulations.

The Assembly calls on the member states to ensure effective implementation of existing laws, to revise laws to ensure these provide adequate sanctions and to establish an obligation for companies to submit all audiovisual works for classification prior to commercial distribution (9.1.2./9.1.3 Resolution 1835). Where applicable, sanctions for non-compliance with the obligation to submit all audiovisual works for classification with the relevant body and sanctions for distributing such material without classification have to be strengthened (9.1.4. Resolution 1835)

In order to reach these goals, the Assembly suggests in Recommendation 1981 to the Committee of Ministers asking the appropriate bodies of the European Council to conduct two studies: a comparative study on the law and regulations applying

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to forms of violent and extreme pornography in member states and a study examining whether there is any scope for a harmonised approach to distribution of violent and extreme pornographic material on the internet. The second study should be conducted by the European Audiovisual Observatory on the feasibility of a common system of classification and content descriptors, in order to label the content of audiovisual works.

Recommendation 1981 (2011) on violent and extreme pornography, 5 October 2011

http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta11/EREC1981.htm

Resolution 1835 (2011) on violent and extreme pornography, 5 October 2011

http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta11/ERES1835.htm

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