[DE] Bundestag Adopts Act Abolishing Access Obstruction Act

IRIS 2012-2:1/15

Peter Matzneller
Institute of European Media Law (EMR), Saarbrücken/Brussels

On 1 December 2011, the Bundestag (lower house of parliament) adopted the Aufhebungsgesetz zum Gesetz zur Erschwerung des Zugangs zu kinderpornographischen Inhalten in Kommunikationsnetzen (Act abolishing the Act on the obstruction of access to child pornography via communication networks - Zugangserschwerungsgesetz).

The Zugangserschwerungsgesetz, which entered into force on 17 February 2010, was designed, inter alia, to make it possible to block Internet sites containing child pornography (see IRIS 2010-4/19). However, after heavy public criticism, in accordance with the coalition agreement of the then newly-formed Federal Government and on the basis of a decree of the Federal Ministry of the Interior, it was never implemented (see IRIS 2011-5/19).

On 17 December 2011, the Bundesrat (upper house of parliament) decided not to file an objection against the Act abolishing the Zugangserschwerungsgesetz, with the result that the latter ceased to be in force when the Act was executed by the Federal President and announced in the Federal Gazette.

Entwurf eines Gesetzes zur Aufhebung von Sperrregelungen bei der Bekämpfung von Kinderpornographie in Kommunikationsnetzen

http://dipbt.bundestag.de/dip21/btd/17/066/1706644.pdf

Draft Act abolishing obstruction rules in the fight against child pornography via communication networks

Entscheidung des Bundesrats

http://www.bundesrat.de/cln_110/SharedDocs/TO/891/erl/13,templateId=raw,property=publicationFile.pdf/13.pdf

Decision of the Bundesrat

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026