[FR] Contestation of Exploitation Licences for the Film Nymphomaniac (Volumes 1 and 2)

IRIS 2014-3:1/23

Amélie Blocman
Légipresse

In two consecutive decisions delivered on 28 January 2014 and 5 February 2014, the administrative court of Paris, deliberating under the urgent procedure, suspended the exploitation licence issued by the Minister for Culture to Volumes 1 and 2 of Lars von Triers' film Nymphomaniac, which paints a psychological portrait of a young woman addicted to sex. Volume 1 was released in France on 1 January and Volume 2 on 29 January 2014. Under Articles 3 and 3-1 of the Decree of 23 February 1990, the exploitation licence issued by the Minister for Culture may be either unrestricted or combined with a ban on showing to anyone under 12, 16 or 18 years of age. The Classification Commission may also propose an "X" classification for films that are pornographic or constitute incitement to violence.

The exploitation licence for Volume 1 of the film, issued on 24 December 2013, carried a ban on showing to anyone under 12 years of age. An association for the defence of Judeo-Christian values contested the licence under the urgent procedure because of "numerous scenes of non-simulated sex". The association held that the condition of urgency, required under the urgent procedure, was met since the film was already being shown in cinemas and the release of Volume 2 of the film, scheduled on 29 January 2014, was likely to boost exploitation of Volume 1. In her defence, the Minister for Culture held that the condition of urgency was not in fact met, since the film was in its third week of screening. The judge in the administrative court, however, felt that releasing the film with its large number of scenes of non-simulated sex and its generally very dark nature, with no more than a ban on showing to anyone under the age of 12 years constituted an urgent situation, in view of the need to ensure the protection of minors. It was therefore irrelevant that the subject matter and general atmosphere of the film were already known to parents. The court went on to examine the condition requiring "the existence of serious doubt" regarding the legality of the exploitation licence allowing the film to be shown to minors over 12 years of age. Viewing of the film by the judge under the urgent procedure and the parties confirmed the presentation of particularly harsh scenes and images relating a young woman's addiction to sex. It was found that Nymphomaniac - Volume 1 should not be viewed by any young person with no substantial knowledge of cinema culture but that, in view of the subject matter and the conditions in which it was filmed, the film did not necessarily constitute either pornography or incitement to violence.

© European Audiovisual Observatory (Council of Europe) 2026

Because of the nature of the subject matter and the director's aesthetic approach, the film could not be considered to fall into the category of films banned for showing to anyone under 18 years of age, despite numerous scenes of non-simulated sex. The judge therefore allowed the application for the suspension of performance of the licence issued, banning showing it to anyone under 16 years of age.

The exploitation licence issued on 27 January by the Minister for Culture for Volume 2 of the film, scheduled for showing two days later in more than 150 cinemas throughout the country, carried a ban on showing to anyone under 16 years of age. The applicant association contested this licence also, under the urgent procedure, recalling that Volume 2 was presented as the continuation, in an even harsher form, of Volume 1, and that because of the scenes of sadomasochism, torture and non-simulated sex it claimed to contain it ought to be banned for anyone under 18 years of age, as was the case in the USA and in Romania. In her defence, the Minister for Culture held that no error of appreciation had been committed, and considered that a film that included scenes of non-simulated sex or violence could not, on those grounds alone, be given an X rating since the originator had produced a work of aesthetic value, given the quality of the scenario. The Minister held that the film was the result of "a creative spirit and was therefore not of a pornographic nature". The judge under the urgent procedure found the required condition of urgency was met, because of the need to ensure the protection of minors. At the end of a detailed, descriptive examination of various scenes in which "sexuality was used for the purpose of manipulation", and after the film had been viewed by the judge and the parties in the case, the court concluded that, given its subject matter and the conditions under which it was filmed, the film did not constitute pornography or incitement to violence. Nevertheless, because of one scene of non-simulated sex in a particularly dark context with overtones of paedophilia and scenes of sadomasochism and extreme violence, the court found that Nymphomaniac - Volume 2 should be included in the category of films not to be shown to anyone under 18 years of age. The judge therefore allowed the suspension of the contested licence for showing the films to minors over 16 years of age, but did not recommend an X rating.

Tribunal administratif de Paris (ord. réf.), N° 1400340/9, 28 janvier 2014 - Association Promouvoir

Administrative court of Paris (urgent procedure), no. 1400340/9, 28 January 2014 - association 'Promouvoir'

Tribunal administratif de Paris (ord. réf.), N° 1400927, 1401449/9, 5 février 2014 - Association Promouvoir

© European Audiovisual Observatory (Council of Europe) 2026

Administrative court of Paris (urgent procedure), nos. 1400927, 1401449/9, 5 February 2014 - association 'Promouvoir'

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026