Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 16422
04 June 2026

Violent pornography: a test for human rights

Report[1]
Committee on Equality and Non-Discrimination
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1. Reference to committee: Doc. 15972, Reference 4809 of 19 April 2024.

A. Draft resolution[2]

1. The Parliamentary Assembly is deeply concerned about the growing dissemination of violent and extreme pornographic content, as it normalises gender-based violence and creates an environment conducive to an increase in such violence. Such content also encourages the imitation of violent acts, including dangerous practices such as strangulation.

2. At the same time, violent pornographic content, which can be defined as sexually explicit material that depicts or simulates acts of aggressive physical or psychological violence, coercion, sexual assault, degradation, or non-consensual conduct, in a manner that eroticises, endorses, trivialises, or normalises such acts, has become more prevalent. Violence in pornography is not gender-neutral: it mainly targets women and girls, dehumanising them.

3. Pornography, understood as sexually explicit material designed to arouse the viewer, has become increasingly widespread in recent years and is now easily accessible, often free of charge, to a much broader audience, also thanks to portable devices, including smartphones.

4. These developments raise serious concerns that legislators and policy makers in Europe and beyond should address, such as the protection of children from exposure to pornography and the harmful effects that extreme and violent content may have on individuals and society as a whole.

5. Crucially, the dissemination of violent pornography undermines the principle of consent, which should underpin every sexual interaction. Referring to its Resolution 2650 (2026) “Paving the way for a culture of consent”, the Assembly recalls that the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, “Istanbul Convention”) clearly establishes in its Article 36 that sexual violence and rape are defined by the absence of consent.

6. Similarly, any sexually connotated content, created or shared in the absence of consent of the persons it depicts should be treated as violent pornography. This applies to intimate image abuse, often referred to as “revenge porn” and to deepfakes or other images sexualising individuals.

7. The Assembly recalls that it warned against these dangers in Resolution 1835 (2011) “Violent and extreme pornography” and reiterates that, while freedom of expression is a pillar of democratic societies and a right guaranteed by the European Convention on Human Rights (ETS No. 5), it is possible to set limits to this right when they are prescribed by law and are necessary in the interests of, amongst others, the prevention of crime, the protection of morals and the protection of the rights of others.

8. The Assembly welcomes that the Istanbul Convention and its monitoring mechanism have significantly strengthened the prevention of and fight against violence against women in Europe.

9. The Assembly also welcomes the Report on the balance between fundamental rights and freedoms relevant to violent pornography in the case-law of constitutional and supreme courts and international tribunals, adopted by the European Commission for Democracy through Law (Venice Commission) on 6-7 March 2026, which provides valuable guidance for legislators and policy makers in Council of Europe and beyond.

10. The Assembly urges public authorities to engage in dialogue and co-operation with online platforms that host or disseminate pornographic content in order to prevent and counter the spread of violent content. A major threat comes from platforms based in third countries outside Europe, which may be beyond the reach of European law enforcement agencies.

11. As the spread of illegal pornographic content is a cross-border issue, State authorities should foster and engage in international co-operation in criminal matters, backing this with adequate resources and political support.

12. The Assembly highlights that the use of common definitions of violent pornographic content is a prerequisite for effective international co-operation to combat this phenomenon.

13. The Assembly believes in the normative effect of legislation prohibiting the production, dissemination and possession of violent pornography, including through criminal sanctions where appropriate. Legal prohibition both allows for remedy and conveys the message that such behaviours and contents are dangerous and unacceptable.

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2. Draft resolution adopted by the committee on 28 May 2026.

14. Technological means may be effectively levered to prevent and counter the diffusion of violent pornographic content. This includes Artificial Intelligence (AI) tools to identify, block and remove illegal content from search engines and online platforms, as well as built-in filters for personal devices.

15. The Assembly reiterates that comprehensive sexuality education, accessible to all students and compulsory, is crucial to prepare young people for a healthy and safe sexual life and relations. This should also include media literacy elements to help young people to quickly identify and reject violent pornography and protect themselves from its harmful effects.

16. In the light of these considerations, the Assembly calls on the Council of Europe member and observer States as well as States whose parliament enjoys observer or partner for democracy status with the Assembly:

16.1. with regard to the definition and legal regulation of violent pornography, to:

16.1.1. provide in national legislation a clear definition of violent pornography, which includes content depicting rape, coercion, humiliation, degradation, life-threatening acts, physical harm, non-consensual sexual acts and all forms of sexual violence or degrading treatment;

16.1.2. prohibit, including through criminal sanctions, the production, dissemination, hosting and possession of violent pornographic material, including non-consensual sexually explicit material, sexually explicit deepfakes and intimate images produced with any technical mean without the depicted person's consent;

16.1.3. ensure rapid and effective removal procedures for violent content and non-consensual intimate content, including through binding injunction procedures requiring hosting service providers to remove or block access to such material within 24 to 48 hours following notification by competent authorities;

16.1.4. tackle the dissemination of violent sexual imagery and violent sexual assault in gaming platforms, as a form of violent pornography;

16.1.5. introduce effective, proportionate and dissuasive sanctions against online platforms and internet service providers hat knowingly facilitate the dissemination of illegal or violent pornographic material or systematically fail to comply with removal obligations;

16.1.6. sign, ratify and fully implement the Istanbul Convention, and fully support the work of its monitoring mechanism;

16.1.7. ensure that victims of violent pornographic films, online sexual abuse and non-consensual dissemination of intimate content have immediate access to legal assistance, psychological support, protection measures and accessible reporting procedures;

16.1.8. ensure that legislation concerning online pornography and AI complies with the principles established by the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law (CETS No. 225), notably regarding transparency, accountability, equality, human dignity and effective remedies.

16.2. As regards co-operation with online platforms and internet service providers, to:

16.2.1. engage in structured dialogue and co-operation with online platforms, hosting providers, search engines and internet service providers with a view to preventing and countering the dissemination of violent pornographic content;

16.2.2. require online platforms hosting pornographic or sexually explicit material to deploy effective and proportionate age-verification and age-assurance systems that protect minors while respecting privacy and data protection standards;

16.2.3. require platforms and hosting providers to use AI tools, hash databases and replica-detection technologies to identify, detect, flag and remove violent, illegal or non-consensual pornographic content, including content that reappears after deletion;

16.2.4. support the development of common classification systems and shared databases for violent and illegal pornographic content, drawing inspiration from existing international systems used to combat child sexual abuse material;

16.2.5. require platforms hosting adult content to publish regular transparency reports concerning moderation policies, algorithmic risks, takedown procedures, response times, and the use of automated detection technologies, which are subject to independent audits;

16.2.6. ensure that platforms deploy effective reporting mechanisms that are easily accessible, child-friendly and visible to users, including direct links to competent supervisory authorities and support services.

16.3. As regards education, information and awareness raising, to:

16.3.1. ensure that comprehensive sexuality education in schools is mandatory, age-appropriate, medically accurate and evidence-based, and includes education on gender equality, consent, bodily autonomy, respectful personal relationships, emotional education and the prevention of sexual and gender-based violence;

16.3.2. ensure that comprehensive sexuality education also addresses the influence of pornography, with a focus on violent pornography, and equips young people with the skills to critically analyse and reject messages that normalise violence, coercion, domination or the objectification of women and girls;

16.3.3. promote media and digital literacy programmes aimed at helping children and young people to critically interpret audiovisual and online content, including pornography, advertising, social media and AI-generated material;

16.3.4. support awareness-raising campaigns targeting children, parents, educators, health professionals and the wider public concerning the risks associated with violent pornography, online exploitation, grooming, deepfake pornography and digital violence against women and girls;

16.3.5. jointly establish an international day for awareness, in order to campaign in public spaces, media, social networks, schools, sport infrastructures including stadiums, as well as at global sport events and concerts;

16.3.6. involve men and boys in initiatives promoting gender equality, non-violence and respectful masculinity, and support educational approaches aimed at challenging harmful gender stereotypes and rape myths;

16.3.7. support research on the social, psychological and behavioural effects of violent pornography, including its impact on children and adolescents, gender relations, mental health and attitudes towards violence;

16.3.8. promote the development of educational, cultural and media content encouraging equality, dignity, consent and healthy interpersonal relationships, including documentaries, campaigns and digital content aimed at countering the normalisation of sexual violence.

16.4. As regards international co-operation on criminal matters, to:

16.4.1. strengthen international judicial and police co-operation to prevent, investigate and prosecute offences linked to violent pornography, non-consensual intimate images, sexually explicit deepfakes and online sexual exploitation;

16.4.2. facilitate cross-border co-operation between law-enforcement authorities, judicial authorities, regulators and specialised agencies, including through co-operation with the International Criminal Police Organization (Interpol), Europol and relevant Council of Europe mechanisms;

16.4.3. support the establishment of a common international terminology, classification systems and databases concerning violent pornographic material and online sexual abuse, in order to improve detection, evidence-sharing and prosecution;

16.4.4. promote harmonised implementation of European and international legal instruments concerning cybercrime, violence against women and child sexual exploitation, including the Council of Europe Convention on Cybercrime (ETS No. 185, “Budapest Convention”) and Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, “Lanzarote Convention”);

16.4.5. strengthen co-operation with technology companies and online intermediaries to identify criminal networks, remove illegal content and prevent the dissemination of abusive material;

16.4.6. call for the establishment of international observatories or monitoring mechanisms on digital violence, online sexism and sexual exploitation in digital environments.

16.5. As regards safety and crime prevention in the production of pornographic content, to:

16.5.1. ensure the full implementation of legislation concerning health and safety, labour rights and protection from violence in all contexts related to the production of pornographic content;

16.5.2. prevent, investigate and prosecute all acts of violence, coercion, trafficking, exploitation, intimidation or abuse perpetrated in the context of the production of pornographic material, on the basis of existing criminal legislation;

16.5.3. ensure that consent to participate in pornographic productions is free, informed, explicit and reversible, and that performers have access to effective remedies and protection mechanisms in cases of violence, abuse or exploitation;

16.5.4. combat trafficking in human beings for the purpose of sexual exploitation linked to the pornography industry, in line with the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197);

16.5.5. encourage the establishment of rapid-response mechanisms and specialised support services for victims of digital sexual violence and violent pornography, including emergency reporting channels and co-ordinated removal procedures;

16.5.6. ensure that victims of violent pornography, online sexual abuse and non-consensual dissemination of intimate content have immediate access to legal assistance, psychological support, protection measures and accessible reporting procedures in order to assess the effectiveness of public policies.

17. The Assembly calls on legislators and policy makers in Council of Europe member States and beyond to make use of the Report on the balance between fundamental rights and freedoms relevant to violent pornography in the case-law of constitutional and supreme courts and international tribunals, adopted by the Venice Commission, to identify standards for interpretation and implementation of regulations on violent pornography, the choice of criminal and non-criminal measures, strengthened protection of minors, periodic review in light of technological and empirical developments, and guidance on international co-operation, as well as for the future evolution of such regulations.

B. Draft recommendation[3]

1. The Parliamentary Assembly refers to its Resolution... (2026) “Violent pornography: a test for human rights” and underlines that violent pornography is a threat to gender equality and the well-being of women, girls and society at large, as it normalises and even glamourises violence against women.

2. The Assembly believes that addressing violent pornography requires better knowledge of the issue, its prevalence, its effects, the legislation and policies adopted to prevent and counter it and an assessment of their impact.

3. The Assembly considers that, because violent pornography is inherently transnational as it is hosted on platforms operating across borders, often beyond the reach of European jurisdictions, enhanced international co-operation is necessary to address it effectively. The Council of Europe is best placed to take the lead in combating this scourge.

4. In this context, the Assembly recommends that the Committee of Ministers promote international action in this area and in particular:

4.1. launch, in co-operation with UN Women and the European Union, and other relevant organisations and bodies, a worldwide campaign against violent pornography;

4.2. consider co-organising with the World Health Organization (WHO) a conference or panel of independent experts in neuroscience, psychology, public health and other related fields, to exchange information on the addictive effects and neurological impact of violent pornography as well as on real-world correlation between consumption of violent pornography and violence against women.

3. Draft recommendation adopted by the committee on 28 May 2026.

C. Explanatory memorandum by Ms Laura Castel, rapporteur[4]

1. Introduction

1. Freedom of expression is a fundamental human right and a cornerstone of democratic societies. It is enshrined in Article 19 of the Universal Declaration of Human Rights and Article 10 of the European Convention of Human Rights (ETS No. 5), and it includes artistic expression and creativity. However, this right is not absolute; it comes with responsibilities and is limited by the need to respect other rights and freedoms. It cannot be invoked, for instance, to protect expressions of hatred, and it does not cover incitement to violence. In recent years, the proliferation of violent and degrading pornography has sparked significant concern regarding its impact on society. The spread of this type of pornography has concerning implications for its potentially harmful effect. The aim of this report is to investigate the direct impact of violent pornography on women and girls' dignity and safety, and the indirect one on gender equality and society at large.

2. In its Resolution 1835 (2011) "Violent and extreme pornography", the Parliamentary Assembly raised the issue of the detrimental impact that violent pornography has on children and adolescents, warning against its potential to shape harmful attitudes towards women.

3. Resolution 2412 (2021) "Gender aspects and human rights implications of pornography" highlighted once again that pornography is far from gender neutral in its impact on society. The text called on member States to protect, among other things, the rights of all those involved in the production of pornographic content, and to promote comprehensive sexuality education as the main source of information on sex and sexuality for young people and children.

4. In recent years, pornography has evolved considerably. It has become increasingly accessible by everyone, including children, even on smartphones, often free of charge. In addition to private companies operating based on traditional production models, platforms where self-produced pornography is uploaded and shared have emerged. The most worrying aspect is that content has become increasingly extreme and violent. This development was at the origin of this report.

5. Growing concerns about the harm potentially caused by violent pornography have led to research and investigations at academic and political level, with a substantial body of scientific studies published, as well as reports prepared by parliamentary and antidiscrimination bodies.

6. This report intends to investigate this matter further and to update our knowledge, in the light of the evolution of contents and their spread. Its ultimate aim is to provide public authorities in Council of Europe member States with indications on how to prevent and counter the harmful effects of violent pornography on women and girls' dignity.

7. The impact of violent pornography on younger people, especially minors, is particularly concerning. The experts who were consulted in the preparation of this report often mentioned the situation of younger viewers and the impact of pornography on them. While I have referred to this aspect in this report, it will be further developed by an opinion to be prepared by Mr Joseph O'Reilly for the Committee on Social Affairs, Health and Sustainable Development. I have discussed this matter with the rapporteur for opinion and I was happy to note that we share the same concerns, along with the view that countering the harmful effects of violent pornography is the uppermost priority. I trust that the opinion will complement this report effectively and I look forward to joining forces with fellow Assembly members to promote the protection of minors and adults alike from this form of violence.

8. There is a need for clear legal standards and effective regulatory frameworks to address this issue and clarify if this harmful material and its effects, that presents real acts of sexual, physical or verbal violence against women and girls, are protected by freedom of expression as it is enshrined in European Convention of Human Rights, or not. The aim is to elucidate the limits of this violence and degrading treatment against women and girls in this kind of brutal porn, fake porn and real porn, and if there is a level of violence against women and girls that should be tolerable and covered by the European Convention of Human Rights because of the freedom of expression.

4. The explanatory memorandum is drawn up under the responsibility of the rapporteur.

2. Current situation: Increasing levels of violence in pornography

9. Pornography is usually defined as a representation of sexual acts intended to cause sexual excitement. Historically propagated through books, pictures, sculpture, films and other media, nowadays it predominantly exists in digital formats, accessible via computers and portable devices. A distinction is often made between pornography and erotica. Both may feature nudity or sexual acts, but the latter is more explicit and has the main purpose to cause sexual arousal. The object of this report is extreme and degrading pornography as characterised by the violent nature of its content, which makes it potentially harmful for performers and viewers.

10. Based on observations carried out by experts, as summarised by Dr José Luis García, a Spanish psychologist with whom I exchanged views both before and after he was heard by the Committee on Equality and Non-Discrimination, the intensity of violence in pornography varies considerably. Lighter forms of violence include verbal abuse, spitting, whipping and psychological violence, such as the absence of consent or the use of deceitful means or blackmail to obtain it. Medium-level violence encompasses forceful penetration, harsh and aggressive practices involving a person's mouth, breasts, genitals, anus, or other body parts, with or without the victim's consent, as well as the administration of chemicals to induce submission. Extreme violence involves torture, whether practised with or without the use of tools. Sexual assault and rape are frequently perpetrated by a group against a single victim. The most extreme forms of violence are found in so-called "snuff movies", which depict–or purport to depict–violence and actual murders for entertainment and financial gain.

11. Ruth Breslin,[5] Director of the Sexual Exploitation Research and Policy Institute, in Ireland, stressed, during our hearing in April 2025, that pornography depicted real violence, and ethical or feminist porn existed but was hard to find. She underlined that strangulation had increased fivefold in sexual relationships, and an updated legislation was necessary, similar to the law on non-fatal strangulation in Ireland. The findings and conclusions of Ms Breslin coincide with those of the other experts mentioned in this report. Regarding strangulation, it is the second most common causes of stroke in women under 40, since experts[6] have highlighted it results in restriction of oxygen intake and blood flow to the brain with neurological consequences which include loss of consciousness, mild acquired brain injury, stroke, seizures, motor and speech disorders and paralysis. The physical effects of strangulation remove one's capacity to withdraw consent.

12. The titles of violent pornographic films often indicate the nature of the images: they contain words such as rape, torture, abuse, brutal, pain. Submissions and humiliation are presented as exciting elements for both the performers and the spectators, thus acting like a behavioural model. Specific genres of pornography, such as "punishment sex", depict scenes involving urination, vomiting, or defecation, where the victim is then forced to consume bodily waste. Experts such as Dr García understand violent pornography as content including behaviour that would likely amount to pathological paraphilias and criminal acts, such as bestiality, sexual assault and abuse and sexual torture. Victims are tied up, screaming and expressing pain, facing the threat of being abused with objects and weapons. They are often described in presentation material as "young", "adolescent", "schoolgirl" and "Lolita". Milder forms of violence include photos taken under the skirt, or images obtained in bathrooms, toilets and changing rooms.

13. It is crucial to note that, whatever the type of violence depicted, the victims are in almost all cases women and girls.

14. United Nations (UN) Women shared with me relevant reports, in particular "Profits Before People: How the pornography industry is normalizing and monetizing sexual violence (2024)"[7] which shines a light on the abuse and exploitation that women and girls are subjected to within the pornography industry and details the damaging effects of pornography to individuals and society, exploring how pornography shapes the sexual scripts of both adults and children, normalises violence against women and girls, grooms men and boys to perpetrate sexual violence, and has contributed to child-on-child sexual abuse. It also highlights the impact of consuming pornography on the human brain and how users can escalate to consuming more violent and

5. Ruth Beslin and Dr. Monica O'Connor, "Facing reality: Addressing the role of pornography in the pandemic of violence against women and girls", October 2024.
6. Bichard, H., Byrne, C., Saville, CWN., and Coetzer, R., 2022. "The Neuropsychological Outcomes of Non-fatal Strangulation in Domestic and Sexual Violence: A Systematic Review", *Neuropsychological Rehabilitation, 32(6):1164 – 1192.*
7. Centre to End All Sexual Exploitation (CEASE), "Profits before people: How the pornography industry is normalising and monetising sexual violence", 2024.

deviant content. The report considers pornography to be a form of commercial sexual exploitation and a form of violence against women and girls. It lays bare the role of the companies who profit from this exploitation and violence, and their wilful avoidance of regulation and accountability.

15. This type of content normalises aggressive sexual behaviour and presents women as objects existing solely for the gratification of others. It contributes to a culture that dehumanises women and perpetuates gender inequality. The portrayal of violence or emotional suffering–such as fear or distress–is embedded in these narratives, implying that such reactions are part of a desirable sexual script. Research on gender roles in pornography shows a consistent pattern: men are typically depicted as dominant and in control, while women are shown as passive, compliant and accessible.

16. The impact of this content is made more concerning by the "4 As" that characterise pornography nowadays: Accessibility, Affordability, Anonymity and Acceptability. These characteristics are also highlighted by the UN Secretary General Report A/77/302, "Intensification of efforts to eliminate all forms of violence against women and girls". I believe that we need to act on these axes to effectively counter the spread and the harmful impact of violent pornography. Content should no longer be as easily accessible, nor affordable. Ideally, it should never be free of charge as the need to use a credit card would prevent very young people from having access to it. Comprehensive sexuality education curricula, and information, including awareness-raising campaigns aimed at the general public, should make it clear that violence in pornography is not acceptable as it's not acceptable in real life.

17. Recurrent points of discussion regarding these violent pornographic films concern the distinction between real and simulated violence, as well as the issue of performers' consent. These aspects are particularly pertinent in relation to performers, the individuals involved in the production of such material and portrayed in it. Where actual violence is inflicted or sexual acts occur without the participants' consent, such conduct constitutes a criminal offence. When whippings occur the bruises on the thighs are not simulated; when gagging or even vomiting takes place during forceful fellatios, it is real, not simulated. Nor are suffocation or hair-pulling staged.

18. Former pornography performers such as Alexa Cruz and Raffaela Anderson shared personal testimonies of violence they faced on set, with severe injuries caused by violent penetrations.[8] Former porn actress Shelley Lubben testified that she had been mass-raped in one film, despite having asked her colleagues to stop. In her own words, "We have hours and hours of countless uncut videos of women being forced and coerced by their male filming partners, verbally and physically assaulted into acts they don't want to do, induced to alcoholism and drugs, raped and forced by their agents, directors, producers, fellow artists and pimps, to perform sexual acts that they did not want."[9]

19. From the perspective of the audience the harmful effects of violent pornography remain, irrespective of whether the violence portrayed is authentic or staged. Viewers are typically unable to discern between fiction and reality. This applies in particular to younger people. As Dr García notes, teenagers tend to consider what they view on their screen as real. Consequently, violence risks become normalised as part of their conceptualisations of life, interpersonal relations, and sexuality. Based on this reasoning, while actual violence happening in the production of pornography must lead to the prosecution of perpetrators, filmed violence is equally harmful on viewers and society at large. The violence in this pornography is "real" in any case, in that it influences the beliefs, attitudes, and behaviours of real people who consume it, and it cannot be regarded as mere fiction. Consequently, simulation should not be invoked to justify the presence of violence in these films to elude the application of legal restrictions in its production, diffusion and consumption.

20. Ms. Maree Crabbe, Director of Australian charity "It's Time We Talked", stressed during our hearing in April 2025 that there is a trend toward more violent material, consistent with academic research and studies: 97% of violent scenes target female performers, and victims often show a positive or neutral response,

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8. Raffaela Anderson describes the beginning of an actress: "Take a young woman with no experience, who does not speak the language, who is far from home, sleeping in a hotel or on a set. Subject her to a double penetration, a fist in the vagina, plus a fist in the anus, sometimes at the same time a hand on the ass, sometimes two. Then you will receive a crying girl, who urinates blood because of the injuries." The website Jacquie and Michel, of pornographic videos, was investigated for rape. Several actresses reported having been sexually abused when they had not given their consent, denouncing that they were forced to perform "out of the ordinary and painful" sexual practices without being consensual, nor is the dissemination controlled. Laura Crossin: "My double anal penetration opened my rectum and I lost consciousness. I ended up in a coma. They filmed me for 7 minutes and continued after I was knocked unconscious. The scene won an award for best anal." Alexa Cruz also mentions the genital and anal injuries that they often have from violent penetrations.

9. Lubben, Shelley, "Truth Behind the Fantasy of Porn: The Greatest Illusion on Earth", *CreateSpace*, 2010.

sending a misleading message that women may enjoy non-consensual behaviour. She underlined that pornography repeatedly pushed the boundaries by depicting social taboos in an effort to keep viewers' attention and the distinction between mainstream porn and child abuse material became difficult to make. Moreover, the free online availability makes it difficult for children to avoid exposure. She described a disturbing model of sexuality and gender relations promoted by pornography, where aggressive sexual behaviours and practices are perceived as normal. That creates social pressure for young women, who might feel compelled to conform to those expectations even if they do not want such practices. Ms Breslin also stressed that the platforms have no real commercial interest in preventing children from accessing their sites. On the contrary, evidence shows that the pornography industry actively tries to attract children to its platforms. This includes a disturbing use of children's interests: characters including Dora the Explorer, Paw Patrol, Minecraft and Pokémon, are used by the porn industry as tools to recruit minors.

21. The same findings were stressed by Alyssa Ahrabare, a representative of Osez Le Féminisme, with whom I had a bilateral meeting on 3rd July 2025. Her organisation supports victims of the pornography industry, offering legal, psychological and social assistance, and they are a civil party in the legal proceedings of the "French Bukkake" case and the "Jaquie et Michel" case, two scandals of violence in the pornography industry that have shaken the public opinion in France. Their analysis of the situation is similar to that of the other experts we heard. The specific recommendations they propose include: applying existing criminal and digital laws to porn platforms; training and funding regulators to enforce these laws effectively; adopting clear definitions (e.g. "manifestly illegal" content under the Digital Service Act); simplifying content removal: victims' declarations should suffice to remove videos; set strict time limits for takedowns (e.g. 1 hour, like for terrorist content); establish proactive detection systems using AI and "hashing" of known illegal content; recognise pornography platforms as systemic risk entities (pedocriminality, exploitation, trafficking); centre victims' privacy and dignity rather than platform or user privacy; linking the regulation of pornography to the fields of public health, the fight against online hate speech, and the fight against gender-based and sexual violence; enforcing reliable and auditable identity checks on pornographic platforms to prevent children from accessing harmful content; promoting public prevention policies, including emotional and sexual education, awareness campaigns and training for professionals; holding platforms legally responsible for violent, pedocriminal or non-consensual content that they host; establishing a rapid (48h), effective and permanent right to remove intimate content shared without consent for victims; introducing a requirement for platforms to proactively detect content and to ensure the automatic removal of the content that has already been recognised as illegal; a database of illegal content set up at the European level; recognising forced viewing of pornographic content as a form of violence against children. Furthermore, she underscored that the European Union (EU) has a responsibility to regulate pornographic platforms and protect minors.

22. During my meeting with the Spanish Minister of Equality, we discussed the report *"*OnlyFans: A Whitewashed Space for the Sex Trade*"*, prepared by the Federation of Young Women and the Observatory of Sexual Violence Against Young Women. Certain elements of the OnlyFans phenomenon which exemplify the complex intersection of human rights, digital innovation, gender inequality and economic vulnerability, are worth mentioning in the framework of my report.

23. OnlyFans functions as a subscription-based platform allowing individuals to monetise self-produced sexual content, with the company retaining around 20% of all revenues. The platform's data-retention and content-distribution policies mean that intimate images and videos can continue to circulate indefinitely, even after a user deletes her account. Such practices raise serious concerns about the right to privacy, the right to dignity, and the right to control one's image, as protected under Articles 8 and 10 of the European Convention of Human Rights and by the EU General Data Protection Regulation (GDPR).

24. Multiple types of harm arising from the participation in Onlyfans have been identified by experts: social harm (stigmatisation, perception of loneliness due to isolation, shame and emotional distress), psychological harm (extortion, feelings of dehumanisation and those related to a persistent digital footprint), and, in certain circumstances, physical harm linked to sexual assaults during in-person encounters. These forms of harm disproportionately affect women and girls and may intersect with broader patterns of gender-based violence, as defined in the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, "Istanbul Convention").

25. A wider cultural shift is being observed, whereby young women are encouraged to invest in their so-called "sexual capital" as a perceived path to empowerment, instead of their cultural capital. OnlyFans spreads the idea that a woman has power when a man is willing to pay to see her naked, not calling it commodification, but empowerment. Hypersexualisation is presented as freely chosen, as a source of power and feminine identity. These narratives risk perpetuating patriarchal norms rather than dismantling them, as it equates female empowerment with sexual display and market visibility. In this system, the social validation obtained is ephemeral, short-lived and inconsequential. In contrast, men's social validation continues to derive

from professional, academic, athletic or economic achievement. Such portrayals contribute to the hypersexualisation and objectification of women, undermining equality and reinforcing gender stereotypes. Women don't win; as long as power asymmetries exist, free sexual consent cannot be built.

26. According to the Spanish analysis of this phenomenon, the OnlyFans model reflects a process of "pornification" of society, where women's bodies are commodified and reduced to objects of consumption. This objectification strips them of what makes them human, their dignity, their rights, and reduces them to the category of sexual objects, denying their role as political subjects. This dynamic is metaphorically described as the "McDonaldisation of sex": allowing women to be consumed quickly, by buying them. Thus, it normalises transactional relationships and blurs the boundaries of free and informed consent, particularly in contexts marked by economic precarity or social pressure. While OnlyFans and platforms alike claiming to promote empowerment and autonomy can reproduce structural inequalities and forms of exploitation, they remain part of the digital economy as long as they operate within existing legal frameworks.

27. Therefore, this study concludes that the prohibition alone cannot provide a sustainable solution. Instead, a balanced response must be consistent with the values of the Council of Europe and its human rights instruments. It should include policies that focus on socio-economic empowerment, education, digital rights protection and legal accountability. Member States should ensure that women and girls have access to the tools, legal remedies and socio-economic opportunities necessary to make informed and autonomous decisions regarding their digital presence; develop clear mechanisms to uphold the right to be forgotten and the right to one's image, obliging platforms to remove intimate material upon verified request. National Data Protection Authorities should be mandated to provide effective complaint channels and to oversee compliance through regular audits; awareness-raising initiatives should target both potential creators and consumers of sexual content; campaigns should inform women and girls of the long-term risks of sharing intimate material online, while engaging men and boys as agents of cultural change to counteract demand for exploitative content that normalises violence; public messaging at major sporting and cultural events could play an important preventive role; campaigns should promote public understanding of the social and psychological effects of violent pornography, including its role in shaping attitudes towards consent, gender equality, and interpersonal relationships; advertising and media regulators should be encouraged to prohibit or sanction the use of gender stereotypes that trivialise or normalise sexual violence; co-operation among law enforcement authorities, judicial institutions, and technology companies should be strengthened to identify, remove, and prosecute the dissemination of illegal or non-consensual sexual material; member States should consider introducing regulatory requirements for technology producers and distributors in line with existing public health approaches used for tobacco and alcohol products, to display health and safety warnings on digital devices, including on the packaging of new technology devices. These warnings should inform consumers about the risk of behavioral addiction, excessive screen time, and exposure to harmful online content, promoting responsible and mindful technology use consistent with public health standards; and member States should support with adequate financial resources the establishment of socio-labour reintegration programmes for women and girls who are victims of trafficking and sexual exploitation, including training, guidance, employment assistance, hiring bonuses, housing support and childcare services or care for dependents.

3. The impacts and harmful effects of violent pornography consumption

3.1. The impact and harmful effect on the brain

28. The Covid-19 pandemic brought a significant global spike in online pornography consumption. A global study[10] identified a sharp rise in traffic to pornographic websites during lockdowns. Psychological research has indicated that pandemic-related stress, isolation, and anxiety contributed to a rise in addiction-like behaviours, with pornography addiction and obsessive-compulsive disorder (OCD) emerging as serious mental health concerns–particularly among young people.

29. Research in neuroscience illuminates the profound ways pornography–especially violent content–affects the brain. Studies using functional MRI (fMRI) scans have shown[11] that repeated exposure to pornography can rewire the brain's reward system, much like substance addiction. Among the 54 neuroscience-based studies on frequent porn users and sex addicts,[12] neurological research has identified

10. Mestre-Bach, G., Blycker, G. R., & Potenza, M. N. (2020). "The impact of COVID-19 pandemic on pornography habits: A global analysis of Google Trends", *International Journal of Impotence Research, 33*(1), 1–5., 20 November 2020.
11. Love, T., Laier, C., Brand, M., Hatch, L., & Hajela, R. "Neuroscience of Internet pornography addiction: A review and update", *Behavioral Sciences*, 5(3), 388–433.
12. Your Brain On Porn. (n.d.) "Brain studies on porn users & sex addicts".

three major brain changes that occur with porn addiction: sensitisation, desensitisation, and dysfunctional prefrontal circuits. A handful of studies have also identified a fourth addiction-related brain change: a malfunctioning stress system.

30. According to Donald L. Hilton (2013)[13] and Gary Wilson (2014),[14] internet pornography functions as a "supernormal stimulus", overstimulating the brain's reward circuitry, particularly the mesolimbic dopamine system. This overstimulation can lead to increased cravings, compulsive consumption and desensitisation over time. A study has shown that short-term media violence exposure reduced pain ratings to other's pain by modulating neural empathic responses to pain through desensitisation,[15] raising concerns about the potential impact of violent pornography on empathy and social behaviour. A growing body of research has supported the addiction model. A 2024 summary reported in PsyPost reaffirmed this, noting that the high effective and arousal properties of pornography confer a strong addictive potential.[16]

31. The adolescent brain is especially susceptible to these effects. According to Blakemore & Robbins (2012),[17] the very nature of brain development during the transition to adulthood is often at the root of the risk-taking behaviour which can cause further damage to the already vulnerable younger brain. Research shows that the prefrontal cortex, responsible for decision-making, impulse control, and moral reasoning, continues to develop until age 25–30. Exposure to sexually explicit material, including violent pornography, during this period may therefore have outsized effects.[18]

32. The brain's neuroplastic response to violent sexual stimuli can normalise aggression over time, blurring the distinction between consensual fantasy and harmful reality. Some experts warn that this neurological conditioning, especially in adolescent brains, can foster an increased tolerance for aggression and a distorted understanding of consent.

33. The regions of the brain that are active when someone is viewing porn are the same regions of the brain that are active while the person is actually having sex.[19]

34. The frequency of pornography consumption has been shown to predict various negative outcome measures in humans. A representative Swedish study on adolescent boys has shown that boys with daily consumption showed more interest in deviant and illegal types of pornography and more frequently reported the wish to actualise what was seen in real life.[20.]

35. Another study[21] suggests that the growing consumption of Internet pornography among adolescents may contribute to sexual dysfunctions that are misdiagnosed due to inadequate screening, and consumption can lead to neuroplastic changes in the brain, particularly in areas responsible for sexual arousal and reward processing, such as the dopamine system and prefrontal cortex. As a result, individuals may develop a reliance on pornography for sexual arousal, potentially leading to sexual dysfunctions in real-life sexual encounters.

36. The neuroscientific findings, especially on the addictive potential of pornography and its far-reaching effects on mental health and brain development, have significant implications for mental and physical health, public policy, including regulations of the online environment, and education in connection with pornography

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13. Hilton, D. L. "Pornography addiction – A supranormal stimulus considered in the context of neuroplasticity", *Socioaffective Neuroscience & Psychology, 3*(1), 20767, 2013.
14. Wilson, G., *Your brain on porn: Internet pornography and the emerging science of addiction*, Commonwealth Publishing, 2014.
15. Guo, X., Zheng, L., Wang, H., Zhu, L., Li, J., Wang, Q., Dienes, Z., & Yang, Z., "Exposure to violence reduces empathetic responses to others' pain" *Brain and Cognition, 82*(3), 187–191, July 2013.
16. Dolan, E. W., "Pornography triggers stronger brain reward responses than gaming or money".*PsyPost*, 21 July 2024.
17. Blakemore, S. J., & Robbins, T. W., "Decision-making in the adolescent brain", *Nature Neuroscience, 15*(9), 1184–1191, 2012.
18. Brown, J. A., & Wisco, J. J., "The components of the adolescent brain and its unique sensitivity to sexually explicit material". *Journal of Adolescence, 72*, 10–13, 10 February 2019. Brown and Wisco note that during adolescence, the brain is characterised by heightened neuroplasticity, over-responsive limbic and striatal circuits, and overactive dopamine system, augmented levels of testosterone, and the unique impact of steroid hormones, all of which increase susceptibility to addiction and distorted learning. The brain is also characterised by a pronounced hypothalamic-pituitary-adrenal (HPA) axis responsible for the stress response, which is activated in response to various stressors and can influence aggressive behaviour.
19. "Pornography rewires the brain to a more juvenile state", *Neuroscience News,* 29 December 2019.
20. Svedin, C. G., Åkerman, I., & Priebe, G., "Frequent users of pornography. A population based epidemiological study of Swedish male adolescents" *Journal of Adolescence*, *34*(4), 779–788, 2 October 2010.
21. Park, B. Y., Wilson, G., Berger, J., Christman, M., Reina, B., Bishop, F., Klam, W. P., & Doan, A. P., "Is Internet Pornography Causing Sexual Dysfunctions? A Review with Clinical Reports" *Behavioral Sciences*, *6*(3), 5 August 2016.

use. The World Health Organization (WHO) has recognised the Compulsive Sexual Behavior Disorder (CSBD), which may be related to porn addiction, as a clinical condition. However, researchers like Wilson and Hilton emphasise that the brain retains the ability to recover, rewire and adapt itself through neuroplasticity, even after long-term exposure to harmful stimuli like compulsive violent pornography use.

3.2. The impact and harmful effect on women and girls and on society as a whole

37. The main question underlying this report, however, is about the relationship between pornographic films featuring violent and extreme content and violence against women in real life. Does violent pornography encourage violence, including, but not limited to, sexual aggression? Does it normalise, or even glamourise, gender-based violence? These concerns have been the object of hundreds of research studies.

38. At the hearing held on 29 January 2025, Dr Jose Luis García, who conducted extensive research on the effect of exposure to pornography, confirmed that the precocious use of this type of content was harmful, as it conveyed inaccurate, misleading messages about sexuality and relationships. Research found that 95% of young people were exposed to pornographic content, and the porn industry chased after young people using its powerful means. Algorithmic recommendation systems on free, high-traffic pornography websites are designed to maximise user engagement and without ethical safeguards may push increasingly violent pornographic content. A 2023 study by the University of the Balearic Islands estimated that 25% of young people are exposed to pornography for 1 000 to 5 000 hours before the age of 20, which inevitably has an impact on their mindset.

39. Violent pornography, Dr García highlighted, constantly conveys specific messages that are simply wrong. It presents violence, including sexual aggression, as acceptable and exciting. It also conveys the idea that sex is always available and takes consent for granted. Crucially, it transmits the very harmful message that women and children like to be forced, abused and, ultimately, raped.

40. On 2 April 2025 I had a bilateral meeting with Dr John D. Foubert, an expert in sexual assault prevention from the United States who has carried out extensive research on pornography. In our conversation, Dr Foubert emphasised the deeply troubling impact of violent pornography on individual behaviour and societal attitudes. Referring to over 100 studies linking violent pornography to increased aggression and an additional 50 studies connecting it to sexual assault, he underscored that violent pornographic content is not neutral or harmless. Rather, it serves as a potent behavioural conditioning tool, capable of reinforcing harmful tendencies and shaping attitudes toward sexuality and violence. Based on his broad and consistent research, he argued that the time has come to shift from further study to public awareness, regulatory reform and preventative strategies.[22] Dr Foubert mentioned research that highlighted how these effects vary by gender. Girls exposed to violent pornographic content are more likely to internalise toxic beliefs, such as accepting violence as a normal part of sex or subscribing to rape myths, leading to diminished expectations for consent and respect within their intimate relationships. For boys, consumption has often been associated with increased aggression and a higher likelihood of sexually coercive behaviour. Dr Foubert noted that in both cases, violent pornography distorts concepts of intimacy, consent and sexuality, fuelling a culture in which harmful behaviour and gender-based violence becomes increasingly normalised. In this sense, Ms Crabbe, in the hearing, affirmed that pornography consumption was linked to violent attitudes and behaviour towards women and there is a recent increase in harmful sexual abuse among children and young people.

41. There are numerous studies that investigate the relationship between exposure to pornography and sexist attitudes and beliefs. In many of them, it is found that violent pornography, which includes aggression, violence or degradation of women, contributes to the normalisation and acceptance of violence against women and its consumption, and is related to acceptance of violence and sexual violence.[23] One of them analyses 500 studies on the connection between pornography and the category "gender-based violence," and concluded that pornography use leads to gender-based violence.[24] There are many other studies that

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22. Peter, J. et al., “Adolescents and Pornography: A Review of 20 Years of Research”. J Sex Res. Vol. 53 (4-5): 509-31, September 2017.

23. Allen, M., "Exposure to pornography and acceptance of the rape myth", *Journal of Communication*, Vol. 45(1): 5-26, 1995.

Berkel, L. A. et al., "Gender Role Attitudes, Religion, And Spirituality As Predictors Of Domestic Violence Attitudes In White College Students", *Journal of College Student Development*, Vol.45: 119-131, 2004.

Kingston, D.A. et al., “Pornography use and sexual aggression: the impact of frequency and type of pornography use on recidivism among sexual offenders, Aggressive Behavior”, Vol 34(4): 341-351, 2008.

Carroll, J. et al., “Generation XXX: Pornography acceptance and use among emerging adults”, *Journal of Adolescent Research*, Vol. 23: 6-30, 2008.

suggest a link between porn consumption and sexual assault, for more than 25 years.[25] Paul J. Wright's study is one of the few that analyses violent content as an aggravating factor, concluding that violent content in pornography was associated with sexual assault both in the United States and internationally and in cross-sectional and longitudinal studies.[26] To sum it up, the impact and implications of the consumption of pornography have been the subject of extensive multidisciplinary research for decades and, over the last few years, increasing concerns among experts and institutions involved in gender equality and the fight on gender-based violence have led to investigations specifically aimed at identifying the correlation between the production and consumption of violent pornography, and violations of women's rights. This is reflected both in information reports and in standard-setting texts adopted by international bodies, including the Council of Europe and national institutions.

42. In March 2019, the Council of Europe Committee of Ministers adopted a Recommendation on Preventing and Combating Sexism, which contains the first-ever internationally agreed definition of sexism and proposes a set of concrete measures to combat this widespread phenomenon, including through legislation and policies, as well as awareness-raising. The text recommends, among other things, "promoting a gender equality perspective, as well as the development of critical thinking for the countering of sexism in the content, language and illustrations of toys, comics, books, television, video and other games, online content and films, *including pornography*, which shape the attitudes, behaviour and identity of girls and boys."

43. In September 2022, the French Senate's Delegation for the Rights of Women and for Equality of Opportunity between Men and Women published the report "Porno: Hell Behind the Scenes", based on 6 months of work and extensive hearings (the victims of the so-called "French Bukkake" scandal, a case of alleged sexual exploitation and violence scheduled for trial in 2026, gave testimony behind closed doors). The report presents the main developments in porn over the last years, such as the emergence of porn-sharing platforms, and the distribution of pornography through social media platforms, including X and Instagram, and messaging apps such as WhatsApp and Snapchat. The report denounces that producers do not hesitate to exploit the economic and psychological vulnerability of young, even very young women, and keep control over them through dehumanisation and manipulation. As for the consumption side, the document indicated that large shares of both adult and young population, including minors, visit porn sites. Young people face consequences ranging from trauma to sleep, attention and eating disorders, difficulties establishing relationships, and, crucially, a distorted and violent vision of sex. This may be explained by the nature of the content, which, the report explains, is increasingly violent, as it eroticises relations based on violence and domination, presenting them as the norm.

44. The French Senate's recommendations include launching a public debate on the fight against violent pornography, making sexual violence committed in a pornography context an incitement to commit criminal offences (rape or sexual assault), obliging pornographic sites to post warning messages concerning violent content. The motto "educate, educate, educate" is central to the recommendations, with an emphasis put on the important role that sexuality education may play in preventing and countering the harmful effects of exposure to violent pornography.

45. In March 2025, this report was discussed at a side event organised by the French authorities within the UN's Commission on the Status of Women (CSW) in New York. I attended this event, which saw the participation of important personalities, including the French Minister in charge of gender equality, Ms Aurore Bergé, and Ms Belén Sanz Luque, Regional Director for UN Women Europe and Central Asia. The debate around the report highlighted the need to step up efforts to counter sexism and violence in the cyberspace, including by strengthening international co-operation in this area. This idea deserves our full support. As the

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Krafka C. et al., "Women's Reactions to Sexually Aggressive Mass Media Depictions. Violence Against Women", Vol. 3(2): 149-181, 1997.

Gert Martin Hald, G. M. et al., "Pornography and attitudes supporting violence against women: revisiting the relationship in nonexperimental studies", *Aggressive Behavior*, Vol. 36 (1):14-20, 2010.

24. Waltman, M., "The politics of legal challenges to pornography", Doctoral Dissertation. Cited by: Foubert, J. D. "The Public Health Harms of Pornography: The Brain, Erectile Dysfunction, and Sexual Violence. Dignity: A. Journal on Sexual Exploitation and Violence", Vol. 2 (3) Article 6, 2014.

25. Zillmann, D. et al., "Effects of Prolonged Exposure to Gratuitous Media Violence on Provoked and Unprovoked Hostile Behavior", Vol.29 (1): 145-165, 1999.

Berkel, L. A, "Gender Role Attitudes, Religion, And Spirituality as Predictors of Domestic Violence Attitudes In White College Students", *Journal Of College Student Development*, Vol. 45(2): 119-131, 2004.

Hald, G. M., "Pornography And Attitudes Supporting Violence Against Women: Revisiting The Relationship In Nonexperimental Studies", *Aggression And Behaviour*, Vol. 36(1): 14-20, 2010.

26. Wright, P. J. et al., "A Meta-Analysis of Pornography Consumption and Actual Acts of Sexual Aggression in General Population Studies", *Journal of Communication*, Vol. 66(1):183-205, 2016.

cyberspace, or online environment, is inherently cross-border, the action to counter harmful phenomena happening online should have a strong international co-operation dimension. This should apply not only to crime prosecution, but also to prevention activities, including research and data collection, as well as information and awareness-raising measures targeting the general public.

46. In 2023, France's High Council for Equality between Women and Men (Haut Conseil à l'égalité entre les femmes et les hommes-HCE*)* the country's main gender equality body, published a report[27] that confirmed the estimates on the prevalence of violence in pornography indicated by the French Senate's report: 90% of pornographic content features non-simulated acts of physical, sexual, or verbal violence against women. These acts, the report explains, include humiliation, objectification and dehumanisation, often reflecting sexist and racist stereotypes. Some content may legally qualify as acts of torture and barbarity under French law. The report describes this industry as a large-scale system of sexual exploitation, involving production and distribution practices that violate human dignity and legal standards. Ongoing legal proceedings in France involve multiple producers charged with offenses such as group rape, aggravated human trafficking and aggravated pimping. In addition, the report links pornographic content to the perpetuation of rape culture, misogyny, and various forms of hate, such as racism and LGBTIphobia, and it argues that pornography contributes to a continuum of violence against women.

47. The HCE calls for the extension of administrative police powers to allow for the removal of online content that constitutes severe violations of personal integrity. It also advocates for the recognition of pornographic content as a potential vehicle for hate speech and violence, challenging its protection under the freedom of expression. It also urges the French government and legislators to implement stricter regulations on the pornographic industry, ensuring accountability and protection for victims.

48. The work of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), in charge of monitoring the implementation of the Istanbul Convention, confirms the growing awareness of the danger represented by violent pornography. At the hearing of 29 January 2025, Joanna Nelles, Executive Director to the Istanbul Convention, indicated that concern about the possibility of a connection between violent pornography and gender-based violence in real life was being voiced systematically during GREVIO's evaluation visits. According to the national stakeholders consulted, such as women's support service, social workers, legal professionals and educators, children and young adults are watching and sharing pornography without the ability to contextualise or comprehend what they see.

49. GREVIO has specifically expressed concern over the harm that violent pornographic content may do to the ability of girls and boys to form healthy relationships, and deems it important to address this phenomenon through wider strategies for the prevention of sexual violence. The group of experts argue that there is an urgent need to tackle the normalisation of acts that amount to sexual violence, such as strangulation, non-consensual or degrading practices, whether they find their way into sexual relations through violent pornography or otherwise. Ms Nelles indicated that most country visits revealed a problematic lack of comprehensive sexuality education and of long-term measures to prevent violence against women, in spite of high rates of violence.

50. On 24 April 2025, I had a meeting with Maria-Andriani Kostopoulou, current President of GREVIO, which confirmed the information presented by Ms Nelles at the hearing and provided additional insight. The prevalence of violent pornography and the harm it may cause is systematically mentioned in GREVIO's country visit reports among the emerging trends. This shows the transnational, European and global dimension of this issue, which calls for strong international co-operation, including around crime repression. As Ms Kostopoulou clarified, violent pornography is a multifaceted issue, that may be addressed by applying several provisions of the Istanbul Convention, calling for education and awareness raising, the involvement of parents, and repressive measures, based on proportionality.

51. It was useful to discuss with Ms Kostopoulou the concepts of consent and sexual violence, including rape, as enshrined in the Istanbul Convention and interpreted by GREVIO. These are relevant to the matter of this report also in terms of protecting the people involved in the production of pornographic content, especially women. Under the Istanbul Convention, sexual violence and rape are based on the lack of consent. For consent to be valid, it must be informed, free, subsist throughout the sexual act and be applied to all the specificities (such as the choice of acts performed, or the use of protection). In the light of these criteria, I find that the notion of consent coincides approximately with that of "mutual agreement" suggested by some authors as a necessary element of any sexual interaction. Based on these criteria, consent is arguably lacking

27. Haut Conseil à l'égalité entre les femmes et les hommes, "Pornocriminalité: mettons fin à l'impunité de l'industrie pornographique!" (Pornocriminality: let's put an end to the impunity of the pornography industry!, French only), Paris, September 2023.

in pornography production whenever performers take part in it out of a desperate need of money, which excludes an actual free choice. In addition, numerous testimonies of performers show that they were victims of violence, as the acts performed on them went far beyond what they had originally consented to. Even the concept of a true, informed and ongoing consent is compromised by economic precarity, misinformation and the pressure the producers put on actresses for extreme acts they do not want to do.

52. GREVIO's work ensures that the provisions of the Istanbul Convention have an actual impact, both by monitoring their implementation by States Parties and by expanding their scope through interpretation. In 2021, GREVIO published General Recommendation No.1 on the digital dimension of violence against women,[28] which outlines both gender-based violence against women committed online and facilitated by technology. While not originally meant to cover violent pornography specifically, this text is very relevant. Its indications directed to States Parties to the Istanbul Convention include reviewing relevant legislation in accordance with the digital dimension of violence against women, undertaking initiatives to eradicate gender stereotypes and discrimination, especially among men and boys, and promoting the inclusion of digital literacy and online safety at all levels of education. I would also mention the recommendation to encourage internet intermediaries to share responsibility and take action to put an end to impunity for digital acts of violence.

53. Consistent implementation of the Convention is key, and Council of Europe member States that are Parties to the Convention should fulfil their obligations and support the work of GREVIO and turn its findings and indications into action.

4. Legal aspects

54. As already mentioned, freedom of expression, as a fundamental right and a cornerstone of democracy, is widely protected by human rights standards, including the European Convention on Human (ETS No. 5). However, freedom of expression is not an absolute right, and it comes with responsibilities and limitations. Determining whether violent pornography infringes such limits is crucial, especially when it affects minors. That is why I suggested asking the Council of Europe's Commission on Democracy through Law (Venice Commission) to prepare a study on this matter. As professor Itziar Gómez[29] says, if violent pornography is associated to presentation of ideas, what kind of messages deserve to be protected or if the messages that reinforce stereotypes of misogyny should be protected. The limits of freedom of speech in violent pornography evolve in this debate if the gender-perspective is introduced, and the conflict arises between equality and violent pornography since the pornographic discourse is not neutral, it affects rights and freedoms and the guarantee of equality and dignity of women and girls and could induce discrimination. Those materials could symbolically affect the status of women as subjects of rights because they undermine the image of womanhood for the benefit of male arousal.

55. In Spain, the Constitutional Court has provided special protection of the dignity of certain groups against messages that exceed the tolerance level on account of being vexatious, constituting hate speech, or being an incitement to xenophobia, denigration and violence (STC 235/2007 or STC 214/1991, in cases of denial of genocide). In order to determine whether the limits imposed on freedom of expression respect proportionality, the Spanish Constitutional Court indicated two criteria: firstly, the public relevance of the message, i.e. whether or not it serves the general interest, since it refers to an issue that affects all citizens; and secondly, the necessity to provide and circulate the information or opinions.

56. If these principles are to be applied to violent pornography, which is not explicitly mentioned in the provisions, it is essential to establish whether the message conveyed by violent pornography is necessary and of public relevance, in which case it is protected by freedom of expression. Otherwise, it exceeds the boundaries of tolerance and can be viewed as an incitement to violence and denigration against women and girls.

57. Professor Clare McGlynn of the University of Durham, whom I met in Strasbourg in October 2024, espouses the concept that freedom of expression is limited by pornography, particularly pornographic deepfakes (artificial intelligence-AI-creations that consist in superimposing or replacing someone's likeness in video or images). While many observers challenge the limitations put to the production and consumption of pornography as a restriction of freedom of expression, Professor McGlynn explains that pornography itself, particularly so in the case of deepfakes, breaches women's right to freedom of expression, as it chills their

28. "GREVIO publishes its General Recommendation No.1 on the digital dimension of violence against women", *Council of Europe*, 24 November 2021.
29. Gómez Fernández, Itziar: Cómo definir los límites a la libertad de creación y difusión del "Discurso pornográfico", *Pornografía y Derechos*, Valencia, ed. Tirant lo Blanch, 2025. p 89-131.

speech and inhibits women's online presence and engagement. Professor Clare McGlynn has carried out extensive work[30] on violence against women and pornography, including her previous paper "Criminalising extreme pornography" calling for the criminalisation of rape pornography. Her current work focuses on sexual violence, pornography and online abuse against women and girls and first developed the concept of image-based sexual abuse, a term and concept that better explains what many continue to refer to as "revenge porn", deepfake porn etc.

58. As explained by Professor Noelia Igareda González of the University Autonomous of Barcelona at the hearing of 29 January 2025, all pornographic content involving minors is a serious criminal offence under national legislation in several Council of Europe member States and under the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, "Lanzarote Convention"), as it falls within the definition of sexual exploitation of children, which is criminalised. EU Directive 2011/93 on combating child sexual abuse, sexual exploitation of children and child pornography also sets forth a comprehensive ban. In addition, the 2001 Council of Europe Convention on Cybercrime (ETS No. 185, "Budapest Convention") stipulates that States Parties have an obligation to criminalise offenses committed via the internet, including hosting or distributing child sexual abuse material.

59. Professor Igareda González explained that when sex acts are performed to create pornographic content without the participants' consent, whether through threat or physical force, it is a form of sexual violence. If participants are victims of trafficking, the pornographic content breaches national law and international treaties such as the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197). If the content is created without consent and later distributed without the victim's permission, it is a violation of privacy and personal rights. Many jurisdictions have specific laws that make it illegal to share intimate images or videos without consent, particularly when there is intent to harm or humiliate the victim. She considers pornography to be violent even when participants perform violent acts voluntarily. This is legal under EU law, but needs to abide by the limits set out by national legislation, particularly in terms of obscenity.

60. Professor Igareda's presentation gave an overview of national and international regulations that apply to violent pornography. Legislators and policy makers have made remarkable efforts to prevent and counter the harm caused by pornography. Protecting children from exposure to it has always been the main priority in this area, and rightly so. However, more could be done to strengthen harm prevention, and the protection of victims. Regulations in this respect should meet the highest standards and be harmonised across Europe.

61. In January 2025, I had a meeting with Reem Alsalem, UN Special Rapporteur on violence against women and girls, its causes and consequences. Ms Alsalem has taken a clear stance against pornography in general, which she views as "filmed prostitution". In turn, prostitution should be considered, according to Ms Alsalem, as a form of violence against women, and as such it should be abolished. Also, users of pornography should be considered as perpetrators of violence against women, which would justify criminal law sanctions.

62. In our conversation, Ms Alsalem also indicated that she did not see violent content as a specific type of pornography, since most pornography is violent, according to recent research. These opinions also applied, she clarified, to self-produced contents, uploaded by users on platforms such as YouPorn. Even Only Fans, a platform that may seem safe for female content creators, was in fact insidious, as they were led to create increasingly violent and extreme videos, for fear of losing followers. Special Rapporteur Alsalem's recommendations focused on banning all types of pornography, with criminal sanctions for those who own or manage online platforms. Having examined the research and heard the explanations of different experts, my recommendations in this report do not extend to calling for a complete ban on pornography, which in my opinion would amount to censorship.

63. Some Council of Europe member States have legally banned violent pornography. An early example of legislation regulating this area comes from the United Kingdom, where the Criminal Justice and Immigration Act 2008 proclaimed it an offence in England, Wales and Northern Ireland to possess extreme pornographic images. "Extreme" pornographic content is defined as grossly offensive, disgusting or otherwise obscene, and that explicitly and realistically depicts serious injury, bestiality, or necrophilia, while the Criminal Justice and Licensing Act 2010, introduced a similar offence in Scotland, which explicitly covers "rape pornography" among other things. In December 2024, the UK Parliament started debating a proposed new law criminalising the taking, soliciting and creating of intimate images, including sexually explicit deepfakes. The Bill aims to cover all forms of solicitation, creation and taking of sexual images and videos without consent. The proposal is consent-based, which means that it focuses on the victim and not the motives of perpetrators.

30. "About Clare McGlynn", *Professor Clare McGlynn KC (Hon).*

64. In Germany, Section 131 of the Criminal Code sanctions the diffusion of "material which describes cruel or otherwise inhuman acts of violence against humans or humanoid beings in a manner which glorifies or downplays such acts of violence, or which represents the cruel or inhuman aspects of the event in a manner which violates human dignity". While these provisions were not originally meant to target pornography, they could arguably apply to pornographic content when this meets the criteria indicated in the law.

65. In recent years, several other European countries have intensified efforts to regulate or ban violent pornographic films, reflecting broader concerns about its impact on gender equality, public health, and the normalisation of sexual violence. These developments align with evolving legislative frameworks at both national and EU levels, particularly in response to technological advancements and shifting cultural attitudes. Below is an example of key recent initiatives and debates across Europe.

66. During a bilateral meeting I had on 2 April 2025 in Madrid with the Spanish Equality Minister, she explained this initiative: on 25 March 2025, the Council of Ministers submitted to the Parliament (*Cortes Generales*) the draft Organic Law on the Protection of Minors in Digital Environments, as part of the 2024-2025 Annual Regulatory Plan. The draft Organic Law introduces provisions across various sectors, including consumer and user protection, education, and healthcare, with a view to ensuring the protection of minors in digital environments. This draft legislation aims to promote a balanced and responsible use of digital technologies and to support the healthy development of minors' personalities and safeguard their dignity and fundamental rights. It also aims to ensure that digital products and services take into account the child's best interests and incorporate both a gender and intersectional perspective. Crucially, it aims to support the development of digital literacy among children and enhance their capacity to assess online content, and to identify disinformation and abusive material. The law's objective to prevent sexual violence in digital contexts is strictly relevant to this report, including the dissemination of sexual violence through technological means, non-consensual pornography, and sexual extortion, as well as the advocacy or promotion of such behaviours. Obligations are imposed on manufacturers of digital equipment with an internet connection, and their non-compliance is sanctioned. Further, it amends procedural legislation to allow judicial intervention by means of a temporary interruption of a digital service providing inappropriate content to minors or the removal of that content, and modifies the Audiovisual Communication General Law with a view to compelling the big communications operators and influencers to inform of the harmful content for minors and to use age verification systems.

5. Regulatory oversight of violent pornography through mechanisms such as the Digital Services Act of the European Union

67. The EU's Digital Services Act (DSA) introduces a robust regulatory framework for online platforms, including adult content websites, to enhance user protection and accountability.[31] Under this regulation, platforms with over 45 million monthly EU users are classified as "Very Large Online Platforms" (VLOPs), requiring them to conduct risk assessments, ensure transparency, and submit to independent audits. In December 2023, the European Commission designated several adult sites–including Pornhub, XVideos, XNXX and Stripchat – as VLOPs, obliging them to assess risks related to illegal content and to take steps to protect minors.[32] However, by early 2025, reported user numbers had declined for some of these sites, prompting a review of their VLOP status.[33] Despite this, DSA provisions still apply broadly across platforms.

68. The European Commission has launched an investigation into four major adult websites, accusing them of not complying with regulations that protect minors from accessing pornography.[34] Safeguarding minors from accessing pornography is an essential part of the DSA, which went into effect in 2022 and applies to all platforms that are used in the bloc. The EU is also developing an age-verification app that will allow individuals to prove that they are over 18 without revealing any other information about themselves online. The app will be available soon.

69. Given that the DSA does not explicitly require platforms to assess legal but harmful content, such as violent pornography that may reinforce gender-based violence or cause psychological harm – particularly to women – member States should advocate for clearer inclusion of these risks in the mandatory assessments.

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31. European Commission, "The Digital Services Act".
32. "EU designates XNXX as very large online platform under Digital Services Act", *Reuters,* updated 10 July 2024.
33. "Waze hits large platform status under EU tech rules, porn sites set to drop off list", *Reuters*, updated 21 February 2025.
34. "Pornhub and other adult websites under EU investigation over lack of child safety measures", *CNN,* 27 May 2025.

This could be done by issuing supplementary guidance or proposing amendments that recognise the *harmful impact of non-criminal, yet degrading or violent sexual content*, especially in relation to broader EU gender equality and digital safety goals.

70. In December 2020, Pornhub removed over 10 million videos – more than two-thirds of its entire content – in less than 24 hours, reducing its library from approximately 13 million to 3 million videos. This drastic action followed a New York Times investigation by Nicholas Kristof on "The Children of Pornhub*"* which exposed the presence of non-consensual and abusive content on the site.[35] In response to the public outcry, Mastercard and Visa suspended payment processing for the platform, prompting Pornhub to overhaul its content moderation policies and remove all unverified videos. This case illustrates the need for rigorous, proactive content governance even in the absence of criminal classification. The establishment of independent bodies to review compliance and content moderation practices of adult platforms regardless of VLOP designation could be recommended.

71. The current two-tier regulatory system leaves users of medium-sized and emerging platforms less protected against violent or illegal content. Furthermore, because platforms self-declare their user numbers, there is a risk that some will under-report audience size to avoid the VLOP designation and the heightened scrutiny that accompanies it. The absence of a proactive detection duty further undermines effective enforcement, allowing harmful material, including non-consensual sexual imagery, to persist online. Medium-sized and niche adult platforms, which often serve as entry points for new forms of cyber-violence, remain largely outside the DSA's intensive oversight framework. The goal must be to ensure equal protection standards for all users, regardless of the size or market share of the platform concerned.

72. Therefore, to strengthen the regulation of digital platforms and the effective implementation of the DSA, the EU should: Include all platforms that allow the dissemination of sexual content within the VLOPs category or an equivalent classification, thereby imposing increased obligations in terms of content control and systemic risk management; designate platforms as "systemic risk" entities under the DSA if they host content such as pornographic websites and social media networks frequently used for the dissemination of non-consensual intimate material. Such classification should trigger specific preventive measures based on objective indicators, such as repeated removal orders over a defined period or verified complaints; clarify the concept of "serious and repeated violations" and develop common criteria for assessing "serious harm" (e.g., duration, frequency, documented and verified psychological or social impacts) to ensure consistent enforcement and proportional sanctions across member States; introduce effective and proportionate sanctions not only against unco-operative platforms but also against Internet Service Providers (ISPs) that knowingly facilitate the dissemination of illegal or harmful material; require platforms and ISPs to justify any technical or operational inability to comply with a removal order, to prevent delays or inaction; establish a binding injunction procedure requiring hosting service providers to remove or block access to non-consensual intimate content within 24–48 hours after notification by the competent authority.

73. Member States should: establish an independent monitoring mechanism to oversee the implementation of the DSA across all online platforms, including adult sites, regardless of their VLOP status. This body, working alongside independent and well-resourced Digital Services Coordinators (DSCs) in each member State, should review compliance, assess content moderation practices, and impose sanctions for non-compliance to ensure consistent and transparent enforcement of the DSA; provide specialised training for magistrates, prosecutors, and law enforcement officers on digital violence and gender-based harassment, mandate regular transparency reports on risk assessments and moderation outcomes, subject to audit by competent authorities, which could impose additional measures in the event of failure to comply, member States and EU institutions should advocate for the explicit inclusion of "legal but harmful" content, such as violent pornography that reinforces gender stereotypes, legitimises sexual aggression, or causes psychological harm, in the mandatory risk assessments required under the DSA.

74. On 11July 2025 I met with Mr Mark Beavan, Head of the International Criminal Police Organization (INTERPOL) Crimes Against Children Unit, which primarily focuses on the detection, disruption, investigation and prosecution of child sexual exploitation, prostitution and abuse. Their work includes identifying child victims, rescuing them, and pursuing offenders on an international scale. On the definition of pornography, INTERPOL does not have a formal institutional position on pornography, except in cases where children are involved because from that moment, it's not porn, it's a crime. They define pornography as adults engaging in consensual sexual acts, distributed legally for sexual arousal. When children are involved, the material is not

35. Kristof, N., "The children of Pornhub", *The New York Times*, 4 December 2020.

considered pornography but child sexual abuse material (CSAM). Violent and extreme content in pornography involving adults is also classified as abuse and exploitation, and as a corollary, is or ought to be considered a crime.

75. INTERPOL faces significant challenges globally in enforcing its mandate, including lack of resources in most police jurisdictions to effectively combat illicit pornography and child abuse. Additionally, there is regulatory disparity among European countries, with differing laws and bans on such materials. Despite these difficulties, INTERPOL collaborates internationally to tackle these crimes.

76. He shared the following recommendations: provide adequate resources to law enforcement agencies to combat illicit pornography and child abuse effectively, among other things to complete data analytics on prevalence, embed resource within INTERPOL eco system, working with CHILDLIGHT; adopt the Universal Classification Scheme for child abuse material and for violent pornography to improve law enforcement processes, data collection and training for emerging technologies like large language models, to help police and regulators identify and triage violent or extreme adult sexual content; strengthen co-operation with technology companies to manage large volumes of child abuse content; Universal Classification Exercise: Initiated by the "In Hope" project, this standardises terminology and labels for child abuse material, making law enforcement easier globally. A similar approach is recommended for violent pornography; collaboration with tech experts: INTERPOL consults experts from Google, TikTok and Meta quarterly to improve content management strategies; INTERPOL's "Worst of List" (IWOL): this is a dynamic list of open web domains spreading the worst child sexual abuse content, which is shared with ISPs to help block such content and could serves as prevention mechanism, educating users that they may be committing an offence. Most ISPs co-operate as such material violates their internal guidelines. A similar method is recommended for use on violent pornography, targeting ISPs. To judge which content needs blocking and which domains should be included on the IWOL, INTERPOL checks images and videos against Baseline (a hasch list). If there is a match, network operators alert the police and remove the material, limiting its circulation. Baseline is continuously updated with new hashes through collaborative work in member States; on Child Sexual Exploitation Databases: INTERPOL maintains national level databases colligating material from member States. These databases help identify victims and offenders, though the volume of materials is massive.

6. The importance of comprehensive sexuality education and "porn literacy"

77. While criminal sanctions may have a role to play in countering the potentially harmful effects of violent pornography, they are not the only remedy. In any case, they should not target pornography in general, but rather certain types of content. A complete ban on pornography would be at odds with freedom of expression and could hardly be justified. It might even prove counterproductive or be misused. In the United States, for instance, progressive commentators have found that the bans on porn proposed by ultra-conservative politicians and introduced in some federal States may have undesirable effects, such as outlawing LGBTI-themed books in school and public libraries, stigmatising transgender people or unduly limiting freedom of artistic expression, of drag queens for instance.[36]

78. The Assembly has consistently recommended comprehensive sexuality education for years. Resolution 2412 (2021) "Gender aspects and human rights implications of pornography" indicates that "Comprehensive sexuality education should be the main source of information on sexuality for young people, which would prevent the spread of unreliable and potentially harmful information by other sources such as pornography. Education in media literacy, aimed at improving young people's interpretation skills and the understanding of written and audiovisual material, may also help to prevent the risk of harmful effects of pornography on the image of women." In Resolution 2490 (2023) "Innovative approaches to sexual and reproductive health and rights", the Assembly "reiterates that comprehensive sexuality education is crucial for preparing young people for adult life. Age-appropriate, medically accurate and evidence-based sexuality education should be a mandatory part of school curriculums at all levels and accessible to all young people, including outside of schools, also with the help of digital technologies. Comprehensive sexuality education should cover issues such as contraception and the prevention of sexually transmitted infections; gender equality, gender norms and stereotypes; prevention of and protection from sexual, gender-based and domestic violence; sexual orientation and gender identity and expression; self-determination and consent in relationships; and personal interaction. As a necessary tool for learning how to practise one's self-determination and bodily autonomy, and for making informed choices on one's sexuality, comprehensive sexuality education is a right that should be recognised for all".

36. Melissa Gira Grant, "The Real Targets of Project 2025's War on Porn", *The New Republic*, 10 July 2024.

79. This indication coming from the Assembly is as relevant as ever, both as regards the necessary content of comprehensive sexuality education, and the reference to it as a right for everyone.

80. At the hearing held by the Committee on Equality and Non-Discrimination in January 2025, Dr García insisted on the importance of a comprehensive sexuality education as a tool for preventing the negative impact of violent pornography on youth. In the hearing of April, Ms Crabbe stressed that she had authored a guidance note on "Safeguarding children from the risks of accessing online pornographic content" [37] for the Council of Europe with detailed recommendations, and emphasised the importance of comprehensive age-appropriate educations and support critical thinking. She mentioned Australia's trial of age assurance technology to prevent young people from accessing porn, and the UK's Online Safety Act.

81. In a nutshell, age-appropriate, medically accurate and evidence-based sexuality education is a necessary tool to learn how to practice one's self-determination and bodily autonomy, to make informed choices on one's sexuality, and therefore it should be recognised as a right for all. One strategy is the school-based provisions of curricula on pornography what might be termed "education to address pornography's influence". This article[38] by Ms Crabbe and recommended by UN Women, explores what this education should look like and offers a framework for school-based pornography education.

82. Providing comprehensive sexuality education is not only a step in the right direction that legislators and policy makers may choose to take. Article 14 of the Istanbul Convention sets forth an actual obligation for States Parties to engage with the education sector to address violence against women, instil the notion of gender equality, mutual respect and the right to personal integrity. The Canary Islands in Spain have included emotional education since 2014 as a compulsory subject with 90 minutes per week, not to mention the United Kingdom and Malta which teach emotional education as a compulsory subject. As Dr García highlights, consent and mutual agreement in sex education is needed. To know that it is a serious crime, to be educated in the value of respect, scrupulous respect for the sexual freedom of the other person and their dignity which is above any other consideration. When one consents even though one doesn't feel like it and decides to put up with it, even consent doesn't protect one enough. The concept of mutual agreement however, i.e. doing what both people want to do and which they have previously talked about and negotiated, is seemingly a better concept.

83. In the opinion of UN Women, "Children must be taught the importance of consent from childhood. It is an essential part of comprehensive sex education, which empowers the population through knowledge of their rights. A way to end taboos related to consent is to create safe and interactive spaces to talk about the subject". "Engaging men and boys in the debate on the concept of masculinity is another important pillar to raise awareness about the consent. To banish rape culture, we must examine masculinities and redefine what it means to be a man using feminist principles."

84. A recommendation on comprehensive sexuality education is currently being prepared by a group of experts for the Council of Europe. The Assembly should encourage this initiative, ensure that it meets the highest standards, and provide political support to its implementation once it is adopted.

7. The role of internet platforms and internet service providers to moderate, prevent and eliminate violent content: artificial intelligence

85. The relevance and prevalence of AI in relation to violent pornographic films cannot be overestimated. In this area, AI has been first and foremost a reason for concern, particularly as regards sexually explicit deepfakes. In 2024, a fake pornographic video using images of musical artist Taylor Swift became viral. Shortly afterwards, the Canadian Government announced a plan to ensure that sexually explicit deepfakes would be included in future legislation on online harm.[39]

86. While the use of AI to create fake, non-consensual or otherwise violent pornographic contents is a reason for concern, the same type of technology has great potential as a tool to detect such content and limit its spreading. In other words, AI is part of the problem but is also an important part of the solution.

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37. Council of Europe, "Thematic guidance note: Safeguarding children from the risks of accessing online pornographic content", May 2025.
38. M. Crabbe & M. Flood, "School-Based Education to Address Pornography's Influence on Young People: A Proposed Practice Framework", *American Journal of Sexuality Education*, 2021.
39. Aurélie Petit, "The governance of AI-generated pornography: from deepfakes to synthetic animation", *University of Ottawa*, 18 September 2024.

87. AI is extensively used by online platforms, including social media, to analyse user-shared content, mainly to obtain information on users' behaviour, preferences and trends. Content analysis tools can process vast amounts of data in real-time and yield sophisticated results. For instance, they can identify the tone of posts and comments (sentiment analysis) and patterns to predict future behaviour. AI algorithms are also used to identify spam, bots and fraudulent activity. The effectiveness of AI applications is impressive, and we can only expect it to improve further. It seems clear that this technology should be used by online platforms to analyse pornography content, whether self-produced or industrially created. This content could then be treated according to rules adopted by the platforms themselves (self-regulation) or imposed by the law: it could for instance be removed or marked by a warning message.

88. On a different note, AI and other technologies may be used for age verification. In the United States, legislation limiting access to online pornography was passed in 19 federal States over the last few years. For decades, users were met with a popup asking whether they were 18 or older, with no further check. In Texas and numerous other States, the law now requires certain websites to verify each user's age, either by uploading a State Identity Document or through AI-powered software that scans users' face and estimates their age.The decision by sites like Pornhub to pull out of some States due to these laws, has led more and more Americans to download the same kind of technology that people in authoritarian countries. Besides, in States where Pornhub has blocked users, there's been an apparent spike in interest in Virtual Private Networks (VPNs), tools that can trick websites into thinking the user is in a different location.[40] In France, Pornhub has blocked access to its website because of its objections to a new French law requiring pornographic sites to verify the age of their users.[41] Arcom, the country's communications regulator said that this platform had chosen to shirk the requirement of protecting minors enshrined in digital regulations (last year France enacted a law mandating that pornographic sites implement stricter age-verification technology, which could include asking users to provide their bank card details).

89. I have attended several meetings on AI challenges and opportunities: the side event organised by the Andorra delegation during the plenary sitting of 30 October 2025 on "Implementing the Framework Convention on AI and its risks and impact assessment tool: human rights in action"; the Conference co-organised by the Sub-Committee on Artificial Intelligence and Human Rights in Warsaw on 13October 2025: "Parliamentary democracy and legislation in the age of Artificial Intelligence: the European perspective"; and the "Conference on Artificial Intelligence" on 15 and 16 December 2025, in London. Further, I was invited to participate as a panellist in the "Peer-learning webinar: Towards a safer digital space for women and girls combating Cyberviolence", on 29 October 2025, organised by the European Women's Lobby and Osez Le Féminisme.

8. The Venice Commission report

90. In March 2026, the Venice Commission adopted a Report on the balance between fundamental rights and freedoms relevant to violent pornography in the case-law of constitutional and supreme courts and international tribunals, prepared at the request of the Committee on Equality and Non-Discrimination.

91. The starting point of this report is the consideration that the issues raised by violent or extreme pornography involve a complex balancing exercise between competing rights and interests. On the one hand, there is a need to prevent harm, combat gender-based violence, protect human dignity and safeguard vulnerable groups, particularly women and children. On the other hand, these concerns must be weighed against fundamental rights and freedoms, including the right to private life, sexual self-determination, economic freedoms and freedom of expression.

92. The Venice Commission underlines, as clearly stated in my own report, that freedom of expression is one of the cornerstones of democratic societies and is essential to individual self-development and participation in public life. However, as recognised by international human rights instruments, this freedom is not absolute. Its exercise carries duties and responsibilities and may be subject to restrictions prescribed by law where these are necessary and proportionate in order to protect the rights of others, public safety, health or morals.

93. The challenge of striking an appropriate balance has become increasingly complex with the development of the internet and digital technologies. Access to and dissemination of pornographic material has expanded considerably in recent decades, largely through online platforms and mobile devices. Violent

40. "More than a dozen states have passed new laws that led to restrictions on pornography. Now, the Supreme Court will weigh in", *CNN*, 11 January 2025.
41. "Pornhub exits France, its second-biggest market, over age verification law", *CNN*, 4 June 2025.

pornography is now widely available and easily accessible, including to minors. Research also highlights the strongly gendered nature of this phenomenon, with a very large proportion of violent pornographic content targeting women. Studies further indicate high rates of pornography consumption among men and growing exposure among boys at increasingly young ages.

94. The report then proceeds to examine violent pornography from two perspectives: on one hand, fundamental rights and freedoms at risk from violent pornography and regulatory gaps; on the other, fundamental rights and freedoms that can be invoked by actors involved in production, distribution and access. It then refers to fundamental rights including freedom of expression, with a focus on artistic expression, the right to private life, and economic rights.

95. A central aspect of the Venice Commission report, as its title indicates, is the comparison between different case-law traditions across European countries, and beyond.

96. The Venice Commission concludes that clear and foreseeable statutory definitions of violent pornography should be adopted, providing for criminal liability in cases involving realistic violence, coercion, non-consent or severe and objectively established degrading treatment, while avoiding vague moral or subjective criteria. The report also stresses the need for comprehensive and coherent legislative frameworks addressing violent pornography as a whole, clearly defining their protective aims, the scope of criminal and non-criminal measures and foreseeable standards for enforcement.

97. The Venice Commission further concludes that a gender-sensitive and harm-based approach should be integrated into legislation, public policy and judicial practice in cases involving women portrayed in violent pornography. The report underlines that such an approach is necessary in order to reflect the structural discrimination and heightened risks of violence faced by women, in line with the obligations stemming from the Istanbul Convention and the UN Convention on the elimination of all forms of discrimination against women. It also emphasises the importance of education-oriented, trauma-informed and victims' rights-compliant policies.

98. The report highlights that regulation should remain proportionate and respect the principle of ultima ratio, reserving criminal law for the gravest forms of violent pornography, while relying on administrative, technical and educational measures for harmful but non-illegal content. In this respect, the Venice Commission points to the importance of tools such as age verification, content moderation, media literacy and content-classification systems.

99. The Venice Commission also concludes that the protection of minors should be strengthened through robust risk-assessment and mitigation measures, rapid removal and blocking procedures for harmful content, and proportionate obligations imposed on online platforms and ISPs. The report further stresses the importance of procedural safeguards, including judicial review, effective remedies regarding blocking or takedown orders and due-process guarantees for all affected parties.

100. Finally, the report underlines the need for legal frameworks and enforcement practices to be reviewed regularly in light of technological developments, including AI and deepfakes, as well as empirical evidence and cross-border challenges. The Venice Commission concludes that international co-operation should be strengthened in order to align standards with relevant Council of Europe instruments and facilitate cross-border evidence sharing and co-ordinated enforcement against the online dissemination of violent sexual content. This is in line with the recommendation that I heard from several stakeholders, which I strongly support.

9. Fact-finding visit to the United Kingdom

101. On 14 and 15 April 2026, I carried out a fact-finding visit to the United Kingdom, during which I met a wide range of stakeholders, including parliamentarians, representatives of the Government, civil society organisations, independent experts and representatives of online platforms specialising in pornographic content. I would like to warmly thank the British delegation to the Parliamentary Assembly for its generous hospitality and its secretariat for the excellent organisation of the visit.

102. The meetings held during this visit were particularly fruitful. They provided an opportunity to exchange views with actors deeply committed to preventing and combating violence against women and girls and, more broadly, to promoting a safer and healthier digital and social environment for both adults and children.

103. The United Kingdom has long recognised the dangers posed by violent and extreme pornography and has adopted measures aimed at countering its dissemination. Legislation adopted in 2008 criminalised the possession of extreme pornographic material and established a legal definition of "extreme pornography",

which, in addition to violence targeting living humans, includes content depicting acts of bestiality and necrophilia. The legislation was reviewed and updated several times in order to address new forms of violent pornographic content, notably material involving strangulation, now specifically banned.

104. Several stakeholders stressed the alarming normalisation of strangulation practices, often misleadingly referred to as “choking”, in mainstream pornographic content, particularly among adolescents and young people, some of whom increasingly perceive these acts as a standard or even expected component of sexual relations.

105. Another issue raised repeatedly during the discussions is pornographic content depicting roleplay scenarios, in which adult women are presented as minors. This type of content contributes to the normalisation and trivialisation of child sexual abuse and may reinforce harmful perceptions regarding the sexualisation of minors. It was encouraging to discuss with committed personalities such as Baroness Bertin, who prepared the 2025 report “Creating a safer world: the challenge of regulating online pornography”, and Alex Davies-Jones MP, then Parliamentary Under-Secretary of State for Victims and Tackling Violence Against Women and Girls.

106. I had the opportunity to discuss and learn more about the cultural and economic environment surrounding pornography, particularly in the context of the evolution of the internet and social media platforms. Several stakeholders pointed to the role played by online platforms and algorithmic recommendation systems in encouraging increasingly extreme or violent content. By collecting detailed data on users’ preferences and consumption habits, platforms may contribute to a dynamic whereby increasingly violent content is promoted and normalised in pursuit of greater user engagement and profit.

107. A political element that I find important is that, as my interlocutors underlined, there is currently a broad political and societal consensus in the United Kingdom regarding the need to address violent pornography and strengthen existing protections, particularly for women and children. I found this encouraging, as it shows growing awareness of the serious harms associated with violent pornographic, and it confirms that time is ripe for ambitious legislation and policies to counter this scourge.

108. The valuable observations and recommendations that I collected from fellow politicians, experts and activists are reflected in the draft resolution.

10. Conclusions and proposals

109. In this report I have endeavoured to highlight the harm that violent pornography causes to people involved in its production, to viewers, particularly young ones, and to society at large.

110. Nowadays violence permeates pornographic films, which, in turn, affects people’s understanding of sexuality and gender relations. As Dr Garcia says, “What is the need to incorporate violence inflicted on women ang girls in sex videos? Why should boys and girls develop a vision of sexuality that is based on aggression, and why should adults be convinced that this is an acceptable, pleasurable and almost necessary component of sex?” Research highlights how these effects vary by gender. Girls exposed to violent pornographic content are more likely to internalise toxic beliefs, such as accepting violence as a normal part of sex or subscribing to rape myths, leading to diminished expectations for consent and respect within their intimate relationships. For boys, consumption is often associated with increased aggression and a higher likelihood of sexually coercive behaviour. In both cases, violent pornography distorts concepts of intimacy, consent and sexuality, fuelling a culture in which harmful behaviour and gender-based violence becomes increasingly normalised.

111. Violence generates violence. This is why I believe that measures should be adopted to counter the harm of the production, the spread and the consumption of violent pornography. There are boundaries between freedom of expression and incitement to violence against women and girls. As previously highlighted, this is not an absolute freedom, and other rights must be taken into account when enforcing it. Besides, as it is stressed by the UN Secretary General in the report A/77/302, the right to freedom of expression cannot be invoked to justify language or other forms of expression designed to incite discrimination, hostility or violence, including online violence against women and girls (A/HRC/38/47, para. 52). The Venice Commission has found three balancing methodologies. Legal frameworks for regulating sexual expression generally operate through three distinct lenses. Dignity-based approaches categorically exclude depictions that violate or negate human dignity from protection, making further legal balancing unnecessary. In contrast, harm-based frameworks justify restrictions only when there is evidence or a strong inference of concrete social or individual harm, with a specific focus on gender equality and degradation. Meanwhile, structured proportionality models scrutinise legality, legitimacy, necessity, and proportionality,

often granting national authorities a margin of appreciation on morally sensitive legislative choices while weighing context and alternatives. Despite these differing methodologies, protection for sexual expression narrows sharply whenever it intersects with serious violence or dehumanisation. Conversely, in cases involving consensual adult activity where demonstrable harm is merely speculative or remote, courts typically hesitate to uphold intrusive criminal measures, reflecting a commitment to private autonomy and a caution against State overreach.

112. Therefore, various types of recommended measures are necessary: legal recommendations; technical recommendations regarding the use of AI and aimed at large technology companies and platforms; educational and health recommendations; in addition, I consider it particularly important to take a joint international action involving between Council of Europe, the UN, in particular UN Women, and the EU.

113. Regarding legal and technological solutions, some experts propose geo-blocking of violent pornography sites, filtering content filters, initiating robust age verification, the requirement having to actively "opt-in" with internet services providers in order to access this violent content, criminalising the production and distribution of degrading and violent films, enforcing legislation criminalising the supply of pornography to children and, tackling the entire business model of violent pornography trade.

114. Most experts make it clear that freedom of expression should not be prioritised over the harm that stems from violent pornography. And that the spreading of contents depicting acts of sexual violence to an indiscriminate community of users that includes minors must be prevented. In no other place, on no other platform, are women more dehumanised or objectified than in violent pornography.

115. Throughout the preparation of this report, various types of recommended measures were collected, analysed and compared, which are reflected in the report and in the draft resolution and recommendation stemming from it. They include legal recommendations, technical recommendations, particularly regarding the use of AI, and aimed at large technology companies and platforms; educational and health recommendations. In addition, a measure I consider particularly important, originating from the exchanges I held with representatives of international agencies, is the idea to take a joint international action involving the Council of Europe, the UN, the EU to counter violent pornography worldwide.

116. Resolution 2547 (2024) "The protection of children against online violence" asks member Sates to introduce effective age verification obligations on websites, particularly on sites providing goods and content which are not intended for children, and which could incur in similar obligations in the offline world. Further, this Resolution also asks to set up digital fingerprint or hash databases to identify and locate children subjected to sexual exploitation or abuse; remove or restrict access to such content; apprehend perpetrators and provide child victims with the necessary psychological support and rehabilitative care. Besides, recommends to integrate safety and privacy at the design stage and by default, while taking account the right of children to protection from violence online, as guiding principles for the features and functionalities of products and services intended for or used by children. It is necessary that the digital services and products take into account the superior interest of children and integrate the gender and intersectional perspectives.

117. Regarding legal and technological solutions, some experts propose geo-blocking of violent pornography sites, filtering content, initiating robust age verification, having to actively "opt-in" with internet services providers in order to access this violent content, criminalising the production and distribution of degrading and violent films, enforcing legislation criminalising the supply of pornography to children, tackling the violent pornography trade's business model, etc.

118. The Political declaration on the occasion of the 30th anniversary of the 4th World Conference on Women, adopted in New York in March 2025, recommends adopting, funding and implementing national plans to prevent, eliminate and respond to violence against all women and girls, and calls on member States to investigate, prosecute and punish the perpetrators of violence, to end impunity; to adopt a comprehensive approach to eliminating through the use of technology and online platforms; to ensure that victims have universal access to social and health care services and justice; and to mobilise all relevant stakeholders to eliminate and respond to all forms of violence against women and girls as well as its root causes.

119. In this context, an International Alliance lead by the Council of Europe to combat and eliminate violence against women and girls in pornography is needed: it should bring together multiple stakeholders such as governments, international organisations, civil society and the tech private sector, in order to set platform standards, harmonise legislations, prosecute crime, prevent illegal activities, collect data and invest in research, as well as to raise awareness through campaigns targeting the general public. Furthermore, the establishment of an international observatory and monitoring mechanisms should be encouraged.

120. Lastly, regarding the impact of this form violence on society, I believe that the Council of Europe should organise, in co-operation with the WHO, a conference or a panel of independent experts in neuroscience, psychology, public health and other fields, on the addictive effects, neurological impacts, and real-world violence correlations of violent pornography consumption.

121. These proposals are now included in the draft resolution and drat recommendation attached to this report, which I trust the Committee on Equality and Non-Discrimination will support, and the Parliamentary Assembly will then adopt. This is an opportunity for the Assembly to take a strong stance against a dangerous phenomenon, which undermines the safety of women and girls globally and the well-being of people at large.