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Violent and extreme pornography

Reply to Recommendation¹: Recommendation 1981 (2011)

Committee of Ministers

1. The Committee of Ministers has examined with interest Parliamentary Assembly Recommendation 1981 (2011) on "Violent and extreme pornography", which it has referred to the European Committee on Crime Problems (CDPC), the Steering Committee on the Media and New Communication Services (CDMC) and the Executive Council of the European Audiovisual Observatory for information and possible comments.
2. The Committee of Ministers shares the Assembly's concern about the public's increased access to violent and extreme pornographic material, especially via the Internet, and its adverse effects on human dignity.
3. In this connection, the Committee of Ministers invites the member States which have not yet done so to sign and ratify the Council of Europe Conventions on Combating Violence against Women and Domestic Violence (CETS No. 210), the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201), and Cybercrime (ETS No. 185).
4. Legislation and regulations relating to violent and extreme pornography should be in line with Article 10 of the European Convention of Human Rights and the relevant case law of the European Court of Human Rights. The Committee of Ministers draws attention to its Recommendation CM/Rec(2009)5 to member States on measures to protect children against harmful content and behaviour and to promote their active participation in the new information and communications environment. It also refers to its guidelines for online games providers, drawn up by the Council of Europe in co-operation with the Interactive Software Federation of Europe, and its Recommendations Rec(97)19 on the portrayal of violence in the electronic media and Rec(89)7 concerning principles on the distribution of videograms having a violent, brutal or pornographic content.
5. Being firmly convinced that relevant standards and laws concerning illegal or harmful content and the protection of children and adolescents as well as human dignity should be applied in a consistent manner, the Committee of Ministers instructs the Steering Committee on Media and Information Society (CDMSI) to discuss the feasibility of a comparative analysis of the laws and regulations applying to forms of violent and extreme pornography in member States and, on this basis, consider whether there is scope for a more harmonised approach, in particular as regards responses to the distribution of violent and extreme pornographic material on the Internet.
6. With regard to the recommendation to ask the European Audiovisual Observatory to conduct a study on the feasibility of a common system of classification and content descriptors, the Committee of Ministers informs the Assembly that the Observatory does not currently have the necessary resources or all the skills required to carry out such a study. Furthermore, such a task would not fall entirely within the Observatory's remit, which is "to collect and process information and statistics on the audiovisual sector excluding any standard-setting or regulatory activities" (see Article 1.2 of the Statute of the European Audiovisual Observatory).

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