



Doc. 15406

18 November 2021

Gender aspects and human rights implications of pornography

Report¹

Committee on Equality and Non-Discrimination

Rapporteur: Mr Frank HEINRICH, Germany, Group of the European People's Party

Summary

Pornography is a multifaceted phenomenon with strong human rights implications, particularly in relation to freedom of expression, the right to respect for private life, gender equality, violence against women, human trafficking, sexual exploitation, and child welfare and protection. It contributes to shaping people's mindsets on sexuality and perceptions of gender roles, often engendering and perpetuating stereotypes thereby undermining gender equality and women's self-determination by conveying an image of women as subordinate to men, as objects and trivialising violence against women.

Young people are particularly exposed to this risk, as they rely on pornography as a source of information on sexuality due to the lack of comprehensive sexuality education in school curricula to provide them with reliable and objective information.

It is necessary to protect the human rights of people involved in the production of pornography, particularly women, and especially women performers, and self-determination, safe and dignified work conditions and fair remuneration should be guaranteed. Comprehensive sexuality education should be the main source of information on sexuality for young people, which would prevent other sources, such as pornography, spreading information which is unreliable and potentially harmful.

1. Reference to committee: [Doc. 14864](#), Reference 4450 of 24 September 2019.



Contents	Page
A. Draft resolution	3
B. Explanatory memorandum by Mr Frank Heinrich, rapporteur	6
1. Introduction	6
2. Pornography – economic factors	6
3. Young people and pornography: usage and impact	7
3.1. Usage	7
3.2. Impact	8
3.3. Pornography and violence against women and girls	9
3.4. The impact of pornography on young people’s relationships and sexuality	10
3.5. Pornography and sexual objectification of women	11
3.6. Same-sex pornography	12
3.7. Pornography use and behavioural addiction	12
4. Is there a link between pornography and trafficking in human beings?	12
5. Alternative types and possible usage of pornography	14
5.1. The question of ethical pornography	14
5.2. Pornography, education, awareness	15
6. Conclusions	15

A. Draft resolution²

1. Pornography is ubiquitous and easily accessible, particularly online. It is estimated that over half of all internet traffic is related to pornography and sex, and a large proportion of the population consults pornographic material. This tendency is claimed to have increased during the Covid-19 pandemics.
2. Research shows that pornography contributes to shaping people's mindsets on sexuality and perceptions of gender roles, often engendering and perpetuating stereotypes thereby undermining gender equality and women's self-determination by conveying an image of women as subordinate to men, as objects and trivialising violence against women. Young people are particularly exposed to this risk, as they rely on pornography as a source of information on sexuality for lack of unbiased, reliable information, due to the insufficient comprehensive sexuality education in school curricula.
3. The Parliamentary Assembly expresses its full support to Committee of Ministers Recommendations CM/Rec(2019)1 on preventing and combating sexism, which invites the governments of member States to "promote 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", and CM/Rec(2013)1 on gender equality and media. Implementing the proposals put forward in these recommendations would allow to address the negative and degrading image that pornography portrays of women.
4. Already in 2011, in its [Resolution 1835 \(2011\)](#) "Violent and extreme pornography", the Assembly considered that "this type of pornography further erodes the conditions for achieving effective gender equality, alongside other forms of hard and soft pornography, the widespread use of sexualised images of women for commercial purposes and the portrayal of gender stereotypes by the media and the entertainment industry."
5. The Assembly 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.
6. The Assembly considers that the human rights of people involved in the production of pornography, especially women and in particular performers, should be protected, and that self-determination, safe and dignified work conditions and fair remuneration should be guaranteed.
7. The Assembly notes that pornographic content is increasingly being created privately, by individuals not part of specialised production companies and distributed electronically. This calls for particular caution and for measures regulating the distribution of such content. The self-determination of people involved in the production and the consent of all those being depicted are paramount and must be strictly verified. "Revenge porn", or the non-consensual dissemination, by email, phone messaging, social media or any other means of intimate and sexual images to embarrass and humiliate the persons depicted, is particularly concerning, and should be effectively prosecuted.
8. The Assembly considers that comprehensive sexuality education is a crucial part of young people's preparation to adult life. It should be part of all school curricula and be age-appropriate, medically accurate and evidence-based. Sexuality education should cover issues including contraception and the prevention of sexually transmitted diseases, gender equality, gender norms and stereotypes, prevention of and protection from sexual, gender-based and intimate partner violence, sexual orientation and gender identity and expression, self-determination and consent in relationships and personal interaction.
9. 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. Media education, aiming to improve 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.
10. In the light of these considerations, the Assembly calls on member and observer States, as well as Partners for Democracy:
 - 10.1. to fully enforce Committee of Ministers Recommendations CM/Rec(2019)1 on preventing and combating sexism and CM/Rec(2013)1 on gender equality and media;

2. Draft resolution adopted by the committee on 28 September 2021.

10.2. as regards education, information and awareness raising, to:

10.2.1. ensure that age-appropriate, scientifically accurate, comprehensive sexuality education is part of all school curricula and mandatory for all pupils, and that children cannot be withdrawn from it. Sexuality education programmes should define, identify and explain the nature of pornography and specify its health, ethical, legal and gender equality implications. They should also highlight that pornography cannot replace reliable sources of information on sexuality and that it may convey inaccurate messages on gender roles, perpetuating gender stereotypes and fostering sexual violence and other forms of gender-based violence;

10.2.2. introduce out-of-school comprehensive sexuality education programmes, similar in content to in-school programmes but open to school-age children who do not attend school and young people above school age;

10.2.3. promote media education as part of school and out of school educational activities and ensure that it covers gender issues including gender stereotypes, sexism and the trivialisation of gender-based violence through pornography, advertising, entertainment and media in general;

10.2.4. introduce warning label systems requiring pornographic websites to display a notice warning about the potential harms of pornography use, similar to alcohol, smoking or online gambling warning labels;

10.2.5. consider introducing measures and tools to enhance the skills of parents to deal with cybersexism and internet pornography, as recommended in Committee of Ministers Recommendations CM/Rec(2019)1;

10.3. as regards data and image protection, to:

10.3.1. effectively enforce regulations on personal data and personal image protection, including in the area of online distribution of pornography;

10.3.2. ensure that all those depicted or otherwise participating in the production of pornographic content have given their free and informed consent to its distribution, in particular by requiring producers to prove verified consent before any image is made public;

10.3.3. within the limits of regulations on the use of private data, require online pornography providers to collect and store the identity and contact details of persons uploading pornographic material for public diffusion, with a view to facilitating criminal prosecution in cases where participants have not consented to diffusion or the material originates from trafficking in human beings, child abuse or other criminal activity;

10.4. as regards criminal law and other legal provisions, to:

10.4.1. consider extending the provisions criminalising the glorification of criminal acts, as along the lines of Article 131 of the German Criminal Code, which sanctions the diffusion of “content that depicts cruel or otherwise inhuman acts of violence against human beings or human-like beings in a manner that glorifies or trivialises such acts of violence or that portrays the cruelty or inhumanity of the act in a manner that violates human dignity”, to cover violent pornography;

10.4.2. ensure that regulations on online publishing, such as the European Union’s Digital Services Act, are applied to all media, including pornographic websites;

10.4.3. include provisions banning the use of pornography in the workplace in legislation on sexual harassment and other forms of harassment in the workplace, and require employers to install and utilise internet filters to this end;

10.4.4. ensure that “revenge pornography” is criminally sanctioned;

10.4.5. require public libraries and schools to install internet filters to block pornography;

10.4.6. consider introducing the obligation for manufacturers and distributors of computers and portable devices to activate anti-pornography filters by default (as opposed to pre-installed but deactivated filters, which are currently the norm);

10.4.7. require internet providers to apply an Opt-in or opt-out clause, asking customers to choose whether pornography should be freely accessible or not through their service;

10.4.8. consider banning public advertising of pornography;

- 10.4.9. consider introducing country-wide age verification to access pornography, or a legal obligation for companies distributing pornography to verify age;
 - 10.4.10. make complaints procedures available to internet companies in case of unwarranted restrictions or limitations to access to pornography, for the sake of freedom of expression and the neutrality of the Internet;
 - 10.4.11. investigate the possible link between pornography and trafficking in human beings for the purpose of sexual exploitation.
- 10.5. as regards other measures, to:
- 10.5.1. promote research and data collection on pornography, based on a transdisciplinary and cross-cultural approach, and allocate adequate funding for it, with a view to providing accurate information to teaching staff, social workers, healthcare providers and legislators, including on the types and frequency of usage of pornography and on the prevalence and impact of sexist portrayals of women and girls in pornographic material, the extent to which they exacerbate gender inequalities and violence against women and girls, and also on their impact on women's physical, sexual and psychological health.
 - 10.5.2. provide adequately funded exit services to people who wish to leave the sex industry, including pornography;
 - 10.5.3. promote and provide counselling and support services for compulsive users of pornography.

B. Explanatory memorandum by Mr Frank Heinrich, rapporteur

1. Introduction

1. Pornography is a multifaceted phenomenon with strong human rights implications in relation, among other things, to freedom of expression, the right to respect for private life, gender equality, violence against women, human trafficking, sexual exploitation, and child welfare and protection.

2. In this report I focus first and foremost on the impact of pornography on women regarding their rights, their dignity and their place in society. From the early phases of the preparation, research seemed to confirm the underlying idea of the motion at the origin of this report: pornography contributes to shaping people's views on sexuality and on women, which in turn has an impact on perceptions of the role of women and men in families, in personal relationships and in society. I have also investigated the possible link between pornography and trafficking in human beings, which is widely known to affect women and girls disproportionately severely. A report entitled "For an assessment of the means and provisions to combat children's exposure to pornographic content", is currently being prepared by Mr Dimitri Houbbron (France, ALDE) for the Committee on Social Affairs, Health and Sustainable Development. The scopes of both reports partly overlap, but the main focus and goals of my work remain distinct. The preparation of this report was based on desk research, consultation of independent experts and a hearing with the participation of two guest speakers held on 15 March 2021. Fellow members of the Committee on Equality and Non-Discrimination also provided valuable contributions, both by sharing their views at committee meetings and by submitting written contributions. Some of them highlighted the potential harmful effects of pornography on women's dignity and freedom, and the need to be vigilant and to prevent excessive exposure to it. Other members drew my attention to the need to respect personal freedom in the area of sexuality, as well as freedom of expression.

3. I am grateful to all the members who shared information and their views on this matter, which I endeavoured to reflect in this document.

2. Pornography – economic factors

4. Today, a Google search on the word "porn" generates almost 500 million results, a large share of which are websites offering pornographic content, in many cases free of charge and often organised in "categories" depending on the gender, age, ethnicity of the performers, and of the type of practices presented.

5. In her 2016 book "The pornography industry (what everyone needs to know)"³, feminist writer Shira Tarrant highlights that while pornography as a phenomenon has existed for centuries, the pornography industry as we know it today is relatively recent. Regarding relevant regulations, she states that production and distribution of legal pornography is intended to be transparent, but this is often not the case, and although companies and organisations are well known, "the financial side of the business is often shrouded by secrecy, misinformation, and even piracy".

6. When discussing this industry, a distinction is often made between mainstream and independent porn. The difference between the two is mainly based on two elements, namely the nature of the content and the way it is made and distributed. Mainstream pornography is produced and distributed by large companies. Its content is mostly heterosexual and, according to author Jaclyn Friedman, "centers on male pleasure and sexual satisfaction, and generally relegates women to the role of pleasure providers". Feature films (with scripts, plot lines, elaborate costumes, soundtracks and set design), Gonzo porn (lacking a plot and costumes – often there are no clothes at all – and based on the idea of erasing the separation between performers and viewers) and unscripted porn (in which performers receive little or no guidance from the director) may all be seen as part of mainstream porn. Independent porn is produced by a variety of smaller companies and often features non-cisgender and non-heterosexual performers. Production modes are generally different and sometimes innovative: Make Love Not Porn, for instance, bases its business model on involving ordinary people who upload videos of themselves having sex. Profits are then shared equally between the company and those starring.

7. Porn production today is fragmented due to technological development, since "anyone with a cellphone can now make and distribute porn and thereby control the means of production".⁴ And yet, an overwhelming proportion of this industry is controlled by a single company, namely MindGeek. Formerly known as Manwin, then Mansef, "MindGeek is a porn provider. Or more accurately, "the porn provider", as David Auerbach writes

3. "The pornography industry (what everyone needs to know)", Shira Tarrant, Oxford University Press, 2016.

4. Tarrant, *ibid.*

on Slate. “MindGeek has become the porn monopoly [...]. The MindGeek hydra exerts so much force that people in the online-porn industry are scared to talk about it for fear of blacklisting”. Established through a series of mergers and acquisitions operated until 2013 by German businessman Fabian Thylmann, who then left the company, Mindgeek is a group that owns a large number of porn aggregator tube sites including Pornhub, YouPorn, and Redtube, which make porn available free of charge and are funded by advertising.

8. Mindgeek is the “undisputed emperor of online adult entertainment”⁵and its figures are impressive: its flagship website Pornhub averaged 81 million visitors per day in 2017, or 28.5 billion visitors for the year), with 24.7 billion searches performed. Its global community of users uploaded over four million videos in the same period of time, totalling 595 492 hours.

9. The size and the market share of MindGeek make it problematic from the angle of competition, and its complex structure (formally based in Luxembourg, it actually operates from Canada through a number of subsidiaries scattered all over the world) is viewed by some as a way of avoiding corporate tax.⁶In addition, the large amount of personal data collected and processed by this group is a reason for concern.

10. On another note, but also related to large companies and pornography I would like to mention that a sensitive debate is on-going on the possibility of Internet providers playing a role in the fight on online child sexual exploitation and abuse. These companies have created automated systems to detect such material when exchanged between users, but the European Electronic Communications Code, entered into force in December 2018, has put webmail, messaging services and internet telephony under the scope of the EU e-privacy Directive, and therefore out of the reach of the automated detection systems. Subsequently, the European Union has developed an Interim Regulation on the processing of personal and other data for the purpose of combatting child sexual abuse providing for a temporary derogation to the European Electronic Communications Code which would allow online communication services to continue their voluntary activities in the detection of child sexual exploitation and abuse online. This situation raises some challenges in relation with human rights, in particular the need to strike a balance between the right of the child to be protected from online sexual exploitation and abuse, and the public’s right to privacy. At the request of the Lanzarote Committee, a group of experts has been set up by the Council of Europe and has presented a series of recommendations in June 2021. The situation is still evolving at European Union level. Mr Houbron, rapporteur for the Committee on Social Affairs, Health and Sustainable Development, is following the developments closely.

3. Young people and pornography: usage and impact

3.1. Usage

11. Research shows that approximately 66% of men and 41% of women consume pornography on a monthly basis⁷. The Internet is the most popular medium used. Pornhub, one of the most frequented pornographic websites, indicates that in 2019 the proportion of female viewers was 32% worldwide, while men represented 68%. The tendency is similar in Europe. The proportion of female visitors ranges from 25% in Germany to 35% in Poland and Sweden and, conversely, male viewers range from 75% in Germany to 65% in Poland and Sweden. Pornhub’s data also indicate that women are increasingly watching pornography.⁸

12. While attitudes and practices vary across countries, some general tendencies are constant. Porn sites have more monthly visitors than Netflix, Amazon and Twitter combined⁹and an estimated 50% of all Internet traffic is related to sex.¹⁰ These percentages illustrate that pornography does not concern a minority of the population but is rather a mass phenomenon that influences our society.

5. “Mindgeek, or the Biggest Digital Streaming Platform You've Never Heard Of”, Kal Raustiala, Christopher Sprigman, *Reason*, 8 August 2018.

6. “Porno et impôts – L’énigme Mindgeek, du Luxembourg à Montréal” [Porn and taxes – The Mindgeek Enigma, from Luxembourg to Montreal] Maxime Bergeron, *La Presse*, Montréal, 10 October 2016.

7. Paul P., *Pornified*. New York, Ny: Times Books; 2007, cited in Simone Kühn and Jürgen Gallinat. “Brain Structure and Functional Connectivity Associated with Pornography Consumption: The Brain on Porn.” *JAMA Psychiatry* 71, no. 7 (2014): 827-834.

8. “The 2019 Year in Review”, *Pornhub* Insights.

9. Alexis Kleinman, “Porn sites gat more visitors each month than Netflix, Amazon and Twitter combined”, *Huffington Post*, May 2013.

10. Simone Kühn and Jürgen Gallinat, *op. cit.*

13. Regarding young people specifically, the Internet has provided opportunities for them to access and generate information without the mediation of adults and has exposed them to material that was previously subject to greater control and regulation when confined to printed and other formats.¹¹ The Internet has made pornography increasingly accessible, affordable and anonymous.¹²

14. Research illustrates that by the age of 15, a majority of young people have already been exposed to pornographic content, whether intentionally or not. Unintentional viewing of pornography may happen through a number of different ways such as pop-ups, misleadingly named websites or advertising on illegal streaming sites.

15. According to some studies, up to 93% of boys and 62% of girls aged 18 years old were exposed to online pornography during adolescence. Boys are more likely to be exposed at an earlier age, to see more images, to see more extreme images such as rape or child pornography, and to view pornography more often, while girls reported more involuntary exposure.

16. At the hearing held on 15 March 2021, Professor Klaus Beier, Director of the Institute of Sexology and Sexual medicine of the Charité Hospital of Berlin, highlighted that the impact of pornography should not be underestimated. He explained that a large proportion of children are exposed to pornography, including of “deviant” and violent types, which showed that existing age restrictions to access are not effectively enforced. Interestingly, he added that therapy can help those who are harmed by pornography and could easily be made available on Internet.

3.2. Impact

17. As a consequence of such exposure, pornography has increasingly become one of the main sources of information on sex and sexuality for young people. Studies in Europe and the United States show that pornography largely contributes to defining young people’s ideas about sexuality and personal relationships, which over time inevitably has an impact on the general population. “It is clear that young people have access to a much less moderated world than previously existed”, reads a 2014 report published by British think-tank Institute for Public Policy Research:¹³ “It no longer makes sense to separate online and offline activities – digital activity is an integral part of young people’s relationships”. This applies in part to viewers of other age groups and is a reason for concern: pornography is produced for mere profit and cannot replace reliable, unbiased, scientific sources and sex education.

18. Recent studies have analysed the impact of pornography on young people’s behaviour and attitudes, highlighting mostly its negative effects regarding gender equality. As teenage years are a time for young people to develop an image of themselves and to discover their sexuality, this impact can be deep and lifelong.

19. Emotional and psychological consequences vary depending on the age, gender and conditions of first exposure to sexually explicit materials. If the first contact occurs accidentally or was provided by others (“unwanted exposure”) the emotional consequences for the viewer tend to be more negative for them to shape their identity and, especially for girls, one of disgust.¹⁴

20. The impact of pornographic material on young people’s mindsets is deeper when it features teenagers, as it is more likely to be watched by adolescents and young adults. Such videos often depict scenarios that are closer and more relevant to adolescents’ lives, such as “first-time” sexual experiences or sexual interaction in classrooms or fraternity houses.¹⁵ As performers are approximately the same age as teenage viewers, some studies have demonstrated that young people are likely to model their sexual behaviour and interaction on those seen in videos or to consider performers as potential romantic partners (or to expect actual partners to behave like pornography performers). A study showed that only half as many young men (21%) as young women (40%) strongly agree that “pornography leads to unrealistic attitudes to sex”.¹⁶ The

11. Nicky Stanley et al., “Pornography, Sexual Coercion and Abuse and Sexting in Young People’s Intimate Relationships: A European Study”, *Journal of Interpersonal Violence* (2016): 1-26.

12. “Media’s impact on Youth and Sexuality”, Gail Dines, AAP National Conference 2016.

13. “Young people, sex and relationships: the new norm”, IPPR, August 2014.

14. “The harms of pornography exposure among children and young people”, Michael Flood, *Child Abuse Review*, 2009.

15. Eran Shor, “Age, Aggression, and Pleasure in Popular Online Pornographic Videos”, *Violence Against Women* 1-19, 2018.

16. *Children’s online activities, risks and safety: A literature review by the UKCCIS Evidence Group*, UK Council for Internet Safety, 25 October 2017.

higher the rates of consumption, the more likely users will be to attest positive outcomes from porn and educational value. Nevertheless, it would seem evident that higher consumption rates lead to a higher influence on the user.¹⁷

21. Various studies have shown that boys may view pornography in a more positive light, claiming it to be an educational tool, while girls often see it as unappealing and socially distasteful.¹⁸ A survey of 500 18-years-olds highlighted that more young men (45%) than young women (29%) agree that pornography helps young people learn about sex.¹⁹ The idea that pornography may be perceived as a reliable source of information should be challenged. Comprehensive sexuality education in school should be the main tool to provide accurate information on sexuality and relationships, conveying among other things positive messages on respect and consent that help to prevent gender-based violence, sexism, misogyny and other forms of gender inequality.

3.3. Pornography and violence against women and girls

22. Some experts have argued that pornography is particularly damaging for young people's attitudes and behaviour since its content is "sexist and hostile towards women".²⁰ Multiple surveys suggest that exposure to pornography is associated with attitudes supporting violence against women, sexual harassment, and sexual coercion.²¹ Negative gender attitudes among boys overlap with regular use of online pornography, leading some researchers to say that pornography is both underpinned by and perpetuates gender inequality.

23. The use of sexually explicit media has been shown to be significantly related to the perpetration of sexual harassment by young men and of less progressive attitudes among young women. The connection between sexual violence and porn is controversial in society and media, but is well documented in science from different perspectives. Furthermore, a recent study²² indicates that the frequent use of pornographic materials is associated with sexually coercive behaviour in Swedish and Italian young men. The correlation between dating violence and the use of violent pornography is well documented.²³ This overall connection has been supported in other studies as well.²⁴

24. While my report does not focus on combating children's exposure to pornography (as previously mentioned, a report on that is currently being prepared for the Committee on Social Affairs, Health and Sustainable Development by Mr Dimitry Houbroun), I would like to highlight the possible impact of viewing pornographic material on young people's mindsets. While the correlation of porn use and sexual violence is not simple, porn use is regarded as one risk factor amongst others.²⁵ Users of violent and, according to some studies also non-violent, pornography²⁶ are more likely to support rape myths and feel less empathic with victims of sexual violence.²⁷ Watching porn frequently, is one important risk factor for sexual offenses, which can be traced back in the lives of convicted perpetrators.²⁸ Amongst high rate consumers of porn, sexual aggression is much more likely to occur.²⁹

17. "Viewing Child Pornography: Prevalence and Correlates in a Representative Community Sample of Young Swedish Men", Michael C. Seto, Chantal A. Hermann, Cecilia Kjellgren, Gisela Priebe, Carl Göran Svedin and Niklas Långström.

18. "Children's online activities, risks and safety: A literature review by the UKCCIS Evidence Group", *op. cit.*

19. *Ibid.*

20. Eran Shor, *op. cit.*

21. *Ibid.*

22. *Ibid.*

23. "The Association Between Exposure to Violent Pornography and Teen Dating Violence in Grade 10 High School Students", Whitney L. Rostad, Daniel Gittins-Stone, Charlie Huntington, Christie J. Rizzo, Deborah Pearlman and Lindsay Orchowski, Archives of sexual behaviour, 2019.

24. Zillmann, Dolf (2004): Pornografie. In: Mangold, Roland; Vorderer, Peter; Bente, Gary. (Hrsg.): Lehrbuch der Medienpsychologie. Göttingen: Hogrefe, S. 565-585.

25. "Pornography and teenagers: the importance of individual differences", Neil Malamuth 1, Mark Huppín, Adolescent Medicine Clinics, Volume 16, Issue 2, Pages 315-326.

26. Vanessa Vega, Neil M. Malamuth, "Predicting sexual aggression: the role of pornography in the context of general and specific risk factors", Aggressive Behaviour, Vol. 33, Issue 2, March/April 2007, pp 104-117; Gert Martin Hald, Neil M. Malamuth, Carlin Yuen, "Pornography and attitudes supporting violence against women: revisiting the relationship in nonexperimental studies", Aggressive Behaviour, Vol. 36, Issue 1, January/February 2010, pp 14-20.

27. Allen et. al.1995, Oddone-Paolucci et. al. 2000.

28. Malamuth et. al. 2000.

29. Svedin et al 2011: DOI: "Frequent users of pornography. A population based epidemiological study of Swedish male adolescents", Carl Göran Svedin, Ingrid Åkerman, Gisela Priebe, Journal of Adolescence, 2011.

25. Finally, German studies provide evidence that adolescent porn use increases the development of intrapsychic sexual scripts, which contain ambiguous communication (“No means yes”) or sexual aggression. Both erotic scripts are well known risk factors for both victimisation and offenses.³⁰ These findings are supported by studies regarding the connection of sexual dating violence and sexually explicit media exposure: excessive porn use contributes to victimisation, perpetration and bystander non-intervention.³¹ We know from the data that the prevalence of sexual dating victimisation is higher for girls than for boys, and is also higher for sexual and gender minorities than for their heterosexual counterparts.³²

26. Viewers of pornographic materials, particularly young ones, may internalise the sexual scripts they view, which in turn may influence their sexual fantasies and behaviours and shape new sexual norms. Thus, pornography featuring teenage performers having sexual interaction with older men may also be problematic because of its potential to contribute to seeing minors as legitimate targets for sexual encounters and sexual aggression. The sexualisation of very young women and girls may convey that these practices are not only acceptable but in fact, may also be normative and desirable. The Assembly has taken a stance against these phenomena in [Resolution 2119 \(2016\)](#) and [Recommendation 2092 \(2016\)](#) “Fighting the over-sexualisation of children”.³³

3.4. The impact of pornography on young people’s relationships and sexuality

27. Most scholars conceptualise sexuality as a multi-dimensional aspect of personality, which is influenced by biology, sexual and nonsexual experiences, current relations, upbringing and culture. Most researchers attest to pornography’s significant influence in shaping a person’s sexuality.³⁴ Some of those documented influences are worth considering: users of sexually explicit media are more likely to experience unprotected sexual intercourse and engage in other risky behaviours.³⁵

28. Some experts theorise a gender difference in erotic plasticity³⁶ and sexual fluidity³⁷. Erotic plasticity means the malleability of a person’s sexuality. There are some hints that female sexuality is more influenced by culture, experiences and relationships than that of men. While these concepts have not been extensively explored by human sciences, I considered them to be interesting and worth further research.

29. If adults use pornography as a source of pleasure and an inspiration for their personal experiences, this should be considered an expression of sexual self-determination, even if it puts their sexual health in danger. When it comes to minors, regulatory bodies have the duty to protect immature persons, as they are unable to give consent.

30. One of the best documented outcomes of porn use is its negative association with sexual satisfaction. Porn users tend to be less satisfied with their own sexuality, with their partners’ sexual performance and with their own or their intimate partners’ attractiveness. This connection has been documented in several studies.³⁸ This happens when porn is viewed often and has a greater effect on men.³⁹ There could be a

30. “Changing Cognitive Risk Factors for Sexual Aggression: Risky Sexual Scripts, Low Sexual Self-Esteem, Perception of Pornography, and Acceptance of Sexual Coercion”, Isabell Schuster, Paulina Tomaszewska, Barbara Krahé, *Journal of Interpersonal Violence*, 2020.

31. “The Impacts of Sexual Media Exposure on Adolescent and Emerging Adults’ Dating and Sexual Violence Attitudes and Behaviors: A Critical Review of the Literature”, Kara Anne E. Rodenhizer, Katie M. Edwards, *Trauma, Violence & Abuse*, 2019 ; “Sorority Women’s and Fraternity Men’s Rape Myth Acceptance and Bystander Intervention Attitudes”, R. Sean Bannon, Matthew W. Brosi and John D. Foubert, *Journal of Student Affairs Research and Practice*, 2017.

32. Updates on adolescent dating and sexual violence prevention and intervention, Elizabeth Miller 1, Kelley A Jones 1, Heather L McCauley 2, *Current Opinion in Pediatrics*, 2018.

33. [Resolution 2119 \(2016\)](#) and [Recommendation 2092 \(2016\)](#).

34. “Pornography as a Public Health Issue: Promoting Violence and Exploitation of Children, Youth, and Adults”, Elisabeth Taylor, *Dignity*, 2018.

35. “Is sexual content in new media linked to sexual risk behaviour in young people? A systematic review and meta-analysis”, Lucy Watchirs Smith 1, Bette Liu 2, Louisa Degenhardt 3, Juliet Richters 2, George Patton 4, Handan Wand 1, Donna Cross 5, Jane S Hocking 6, S Rachel Skinner 7, Spring Cooper 8, Catharine Lumby 1, John M Kaldor 1, Rebecca Guy 1, *Sexual Health*, 2016.

36. Baumeister, R. F. and Stillman, T. F. (2006). “Nature, culture, and sex: Gender and erotic plasticity”. In R.D. McAnulty and M.M. Burnette, *Sex and Sexuality* (Vol. 3). Westport, CT: Praeger Press.

37. “Sexual Fluidity in Male and Females”, Lisa M. Diamond, *Current Sexual Health Reports*, 2016.

38. “Pornography’s Impact on Sexual Satisfaction”, Dolf Zillmann Jennings Bryant, *Journal of Applied Social Psychology*, 1988; “Pornography, preference for porn-like sex, masturbation, and men’s sexual and relationship satisfaction”, Dan J. Miller Kerry A. McBain Wendy W. Li Peter T. F. Raggatt, *Personal Relationships*, 2019; “The Potential Associations of Pornography Use with Sexual Dysfunctions: An Integrative Literature Review of Observational Studies”, by Aleksandra Diana Dwulit and Piotr Rzymiski, *Journal of Clinical Medicine*, 2019.

connection between the increase of porn use and the growing number of cases of erectile dysfunction amongst men under the age of 30⁴⁰ and the demand for non-medical aesthetic genital surgery, especially the growing number of labiaplasty amongst women and even girls of a very young age.⁴¹

31. Porn use is associated with several attitudes which are described as *instrumental sex* (“Sex as a source of pleasure”) and sex detached from any relational background.⁴² This well documented phenomenon contradicts the values and aims in life, which are stated by most boys and girls: having a faithful relationship and a stable family.⁴³

32. Sadly, sexually explicit media scripting does not only shape sexuality. Different studies with very different and valid exploration designs have documented differences in the levels of empathy in communication. For example, men who watch more porn on their own speak less affectionately with their female partners in experimental conditions, are less committed to their partners and state infidelity more often.⁴⁴

33. A link between frequent use of pornography or watching violent pornographic content and sexually aggressive attitudes among teenage boys was identified and later confirmed by an Italian survey of 14-19-year-olds, which illustrated that young people who used pornography were likely to establish relationships with their peers characterised by greater tolerance towards unwanted sexual behaviour.

34. Mainstream pornography depicts violence on a regular basis: in a study on 50 best-selling porn films, 88% of the scenes showed physical aggression and 49% showed verbal aggression. The victims of these aggressions are in most cases female performers (94%) who respond neutrally or express pleasure towards these forms of aggression (95%).⁴⁵ Some articles analysing popular pornographic videos on the internet found that young performers appeared to enjoy aggressive acts much more than older ones. This is likely to influence the young public’s attitudes about the acceptability or desirability of aggression in sexual and romantic relationships. Such attitudes have been shown to be associated with actual dating and sexual violence among teenagers and young adults.⁴⁶

35. The recurrent association of pleasure with sexual aggression in pornographic videos where performers are young adults may also lead to negative psychological effects for both women and men. When young women watch videos of their peers, in which aggressive and degrading acts are mostly associated with pleasure, they may feel pressured to also enjoy (or pretend to enjoy) such acts. Young men may also find such scripts limiting and distressing as these seem to demand that they act aggressively against their romantic and sexual partners if they wish to satisfy their partners’ sexual fantasies.

3.5. Pornography and sexual objectification of women

36. Sexual objectification of women may be defined as “the reduction of women to their sexual appeal in terms of their outer appearance and a focus on their body (parts)”. It also entails a strong concern with women’s sexual activities as the main criterion of their attractiveness and the depiction of women as sexual playthings waiting to please men’s sexual desires”.⁴⁷ This process is widely observed in the media and very noticeable in advertising. It is particularly acute in pornography as it constitutes a crucial element of its content.

39. “Personal Pornography Viewing and Sexual Satisfaction: A Quadratic Analysis”, Paul J. Wright, Ana J. Bridges, Chyng Sun, Matthew B. Ezzell and Jennifer A. Johnson, *Journal of Sex and Marital Therapy*, 2018.

40. “The public health harms of pornography: the brain, erectile dysfunction, and sexual violence”, John D. Foubert, Dignity, 2017.

41. “What Factors Are Driving the Trend in Female Genital Cosmetic Surgery?”, OBP Medical Corporation, 27 June 2018; “Rising rates of genital cosmetic surgery subject of new research”, Newsroom, University of Melbourne, 29 June 2018; Liao L M, Creighton S M., “Requests for cosmetic genitoplasty: how should healthcare providers respond?” *BMJ* 2007; 334:1090.

42. Peter, J. and Valkenburg, P.M. (2007). “Adolescents’ exposure to sexual explicit internet material and recreational attitudes towards sex”, *Journal of Communication* 56: 639-660. See also later publications of those authors (2008, 2010).

43. 18. Shell Jugendstudie (2019).

44. Lambert et. al 2012: 10.1521/jscp.2012.31.4.preg410, Maddox et. al: 10.1007/s10508-009-9585-4.

45. “Aggression and Sexual Behavior in Best-Selling Pornography Videos: A Content Analysis Update”, Ana J. Bridges, Robert Wosnitzer, Erica Scharrer, Chyng Sun, Rachael Liberman, Impact Factor, 2010.

46. Ibid.

47. Peter, J. and Valkenburg, P.M. (2007). “Adolescents’ exposure to a sexualized media environment and notions of women as sex objects”. *Sex Roles*, 56, 381-395.

37. Research⁴⁸ has found that the exposure to sexually explicit content on the internet is significantly related to the notion of women as sexual objects. This pattern applies to both boys and girls with as many as 18% of young men and 37% of young women strongly agreeing that pornography encourages society to view women as sex objects. It was also observed that adolescents who believe that women are sex objects feel especially attracted to pornographic material and may thus turn frequently to this content.

3.6. Same-sex pornography

38. While same-sex pornography is considered by some⁴⁹ as a tool of liberation and emancipation of gay sexuality,⁵⁰ long considered obscene and deviant,⁵¹ it is not exempt from criticism.

39. Gay (male) pornography has been criticised for conveying ethnic stereotypes: Asian men are often seen as having "low libido"⁵², while Black and Latino men are presented as hypersexualised. In addition, Black and Arab men usually play stereotypical or even stigmatising roles⁵³ such as rappers, thugs, etc. The other criticism is that pornography contributes to the anxiety of homosexual men as regards socialising and physical appearance.⁵⁴ Indeed, physical appearance plays a very important role in the gay community and the image generally conveyed by this type pornography is that of the young, fit and muscular man.

40. Regarding lesbian pornography, a predominant criticism is that it is seen as borrowing from heterosexual patterns. Penetration remains predominant in lesbian pornography, which therefore lacks authenticity and is not indicative of lesbian sexuality. Lesbian pornography appears to be mostly made by men and aimed at a heterosexual male audience⁵⁵. The image of lesbian women conveyed by mainstream pornography is that of women fulfilling fantasies for men.

3.7. Pornography use and behavioural addiction

41. A German study⁵⁶ showed that the intense consumption of pornography could negatively affect the brain and that excessive consumption of pornography presents similarities with behavioural addiction to substances or gambling.

42. The frequent use of pornography can lead to potential excitatory habituation with desensitisation to less explicit sexual content. Thus, there may be a greater need for the external stimulation of the reward system leading to a tendency to search for novel and more extreme sexual material in order to experience pleasure.⁵⁷

4. Is there a link between pornography and trafficking in human beings?

43. Expert studies and research have established a close link between prostitution and trafficking in human beings. The United Nations Office on Drugs and Crime (UNODC) Global Report on Trafficking in Persons 2016 shows that 79 % of all detected victims of trafficking are women and children (although this share is gradually decreasing) and that sexual exploitation and forced labour are the most prominent types of trafficking. A 2017 report prepared jointly by the International Labour Organization (ILO), the Walk Free Foundation and the International Organization for Migration (IOM)⁵⁸ estimated that women and girls were disproportionately affected by modern slavery, accounting for almost 29 million, or 71 % of the overall total, and that they represented 99 % of the victims of forced labour in the commercial sex industry.

48. Ibid.

49. Conner Habib, "Why are we afraid to talk about gay porn?", 2013.

50. Green.L, "Pornographie", *The Journal of Political Philosophy*. 2000.

51. Corneau.S, Rail.G and Holmes.D, "Entre libération et représentation réductrice: la pornographie gaie masculine comme véhicule des stéréotypes", 2010.

52. Fung, R, "Looking for my penis", 1991.

53. "Les couilles sur la table, En regardant du porno" [Podcast], 2018.

54. Duggan and McCreary, Body Image, "Eating Disorders, and the Drive for Masculinity in Gay and Heterosexual Men: The Influence of Media Images", 2004.

55. Puhl K, "The eroticization of lesbianism by heterosexual men" [Thesis], 2010.

56. Simone Kühn and Jürgen Gallinat. "Brain Structure and Functional Connectivity Associated with Pornography Consumption: The Brain on Porn", *JAMA Psychiatry* 71, no. 7 (2014): 827-834.

57. Mateusz Gola, et al., "Can Pornography be Addictive? An fMRI Study of Men Seeking Treatment for Problematic Pornography Use." *Neuropsychopharmacology* 42, no. 10 (2017): 2021–2031.

58. "Global estimates of modern slavery: Forced labour and forced marriage", International Labour Organization (ILO) Walk Free Foundation, International Organisation for Migrations (IOM), 2017.

44. The Assembly [Resolution 1983 \(2014\)](#) “Prostitution, trafficking and modern slavery in Europe”, also highlighted that the largest proportion of victims were trafficked for purposes of sexual exploitation, especially prostitution. This is further confirmed by the case law of the European Court of Human Rights. Several judgments in this regard apply Article 4 (prohibition of slavery and forced labour) to cases of victims of trafficking that have been forced to prostitution.

45. While pornography and prostitution are conceptually different, they are both part of the sex industry and it is important to establish whether a link can also be found between pornography and trafficking. As the largest share of victims are trafficked for purposes of sexual exploitation, the crucial question is whether some of them are forced to work in the pornography industry. It is also worth investigating whether any economic actor is simultaneously involved in these two parts of the sex industry. Some observers even suggest that there is a link with the production side. Cases of porn stars who are paid to interact directly with their viewers are reported by some popular media.⁵⁹ They should, however, be substantiated by more reliable sources.

46. On 4 May 2020, I participated in a webinar on “Cross-Linkages between Human Trafficking and Pornography: Myth or Reality?” organised by the OSCE Office for Democratic Institutions and Human Rights (ODIHR). The panel included highly qualified speakers such as Per-Anders Sunesson, Swedish Ambassador at Large for Combating Trafficking in Persons; Anastasiya Dzyakava, Adviser on child safety online at the office of the Vice-Prime-Minister of Ukraine; Shandra Woworuntu, trafficking survivor and survivor leader; Chris Smith, member of the United States Congress and Special Representative on Human Trafficking Issues of the Parliamentary Assembly of the OSCE; and Kevin Hyland, former United Kingdom Independent Anti-Slavery Commissioner and currently member of the Council of Europe’s Group of Experts on Action against Trafficking in Human Beings (GRETA).

47. Ambassador Sunesson expressed his strong belief that a link between pornography and trafficking indeed exists and it manifests itself in various ways. He considered pornography dangerous on many levels, as it was increasingly based on violent contents, was addictive for its users and led to an increased demand for prostitution. This is supported by empirical evidence.⁶⁰ Despite claims from people involved in prostitution that they did so willingly, this was not the case for everyone. Ambassador Sunesson considered that the interconnection between pornography and trafficking in human beings was not mentioned often enough and needed to be further investigated and exposed. He recommended preventive work, awareness-raising on the risks of pornography, and action to reduce demand. On the other hand, he was adamant that policies against trafficking needed to be respectful of all human rights, on and off-line, including freedom of expression and the right to privacy. GRETA member Kevin Hyland underlined that all forms of trafficking of human beings are done for financial profit and he considered that the link with pornography was economic, as the two phenomena fed each other and exchanged customers.

48. This debate was a timely cry for help on behalf of victims of trafficking for the purpose of sexual exploitation, highlighting that most of them are women and girls but that boys and men may also be affected. It also attempted to provide an answer to the question contained in its title.

49. The conclusions drawn at the webinar confirmed the existence of an interconnection between trafficking in human beings and pornography, with multiple manifestations: production of pornographic material both offline and online is part of the sexual exploitation for which victims are trafficked; pornography generates or increases demand for trafficking; pornography is used to groom victims of trafficking and normalise their abuse; pornographic material is produced by traffickers with the dual objective of controlling victims and continuing to profit from the trafficking even after the victims have been physically removed from the traffickers control. Incidents of coerced participation in pornography are far from rare. Trafficking for sexual exploitation, including to produce pornography, has become particularly profitable and widespread over the last years due to the use of the “dark web”, “cryptocurrency” and encrypted messaging platforms, which enable traffickers to evade detection by law enforcement agencies. In connection with this finding, I would like to highlight that user generated websites and “camsex” allow to monetarise domestic sexual violence more easily. Several participants, including Kevin Hyland and Congressman Chris Smith, highlighted that while national and international law provide regulations to counter trafficking, actual implementation is insufficient and adequate funding is needed.

59. “What’s the difference between porn and prostitution?”, *Vice*, 7 November 2014.

60. “Internet pornography exposure and risky sexual behaviour among adult males in the United States”, Paul J. Wright a, Ashley K. Randall, *Science Direct* 2012.

5. Alternative types and possible usage of pornography

5.1. The question of ethical pornography

50. During the preparation of this report, several fellow members of the Committee on Equality and Non-Discrimination expressed the opinion that pornography should not be viewed merely as a negative phenomenon, as it is part of the multi-layered reality that is human sexuality and can contribute to the enjoyment of this sphere of life in ways that are acceptable and positive. It is also worth noting that pornography is protected by freedom of expression. While I intend to focus this report on the problematic aspects of pornography with a view to addressing them, the task I was given as rapporteur in line with the motion from which the report stems, I will mention some elements and developments that some consider positive. So-called ethical pornography is one of them.

51. Ethical pornography can be defined as pornography “made in a legal manner, respecting the rights of the “performers”. It is characterised by good working conditions, it shows both fantasy and real sex, and it celebrates sexual diversity”.⁶¹

52. First appearing under the name “feminist pornography”, ethical pornography began to develop in the United States in the 1980s, arising from the opposition between so-called “anti-pornography”⁶² and “pro-sex”⁶³ feminists. Anti-pornography feminists defend the idea that pornography is a form of sexual coercion and it plays a fundamental role in gender inequality.⁶⁴ In contrast, “pro-porn” feminists argue that the industry is not necessarily harmful and that it allows, among other things, women to be sexually liberated. From this perspective, women should take an active part in the production of pornographic content, in order to get out of the sexist and phallogocentric framework of the mainstream industry.⁶⁵

53. The aim of this type of pornography is therefore to ensure a healthy production environment for performers. This requires, in particular, proper remuneration, strict hygiene rules on the sets, and the portrayal of both male and female pleasure. Particular attention is paid to consent: the wishes of all individuals involved are taken into account in the making of the films. Some will defend an artistic side, in the sense that particular attention is paid to the script, the dialogues, the plot.⁶⁶ One of the directors adopting this pornographic style, Erika Lust, gives some key elements to ensure that pornography is ethical,⁶⁷ such as making sure that the artists have all the information about the profession of “performer” and its implications.

54. As explained by Denis Ramond, a French political science researcher, these directors, mostly women, defend a set of specifications that focus on three essential points: production, representation and reception.⁶⁸ As far as production is concerned, it is the set of ideas developed above and generally speaking they are aimed at working conditions. Representation pays attention to the image of women and men that is conveyed. Thus, the priority of these directors is to move away from the heteronormative, stereotyped, sexist framework of most mainstream pornography. Different types of bodies are represented. This is the case, for example, of Emilie Jouvett's documentary film, *My Body, my Rules*, winner of the 2017 jury prize at the LGBT+ Chéries-Chéris festival,⁶⁹ which focuses on bodies that are often neglected: those of elderly, thin, disabled, black, overweight women, and so on. Finally, in terms of reception, the aim is to promote a different view on sexuality and gender. Ultimately the idea is that if pornography in general has an impact on the relations between women and men, mostly contributing to establishing male domination, then the production of a new type of pornography can have a different impact, and influence the relations between men and women positively, while promoting equality.

55. Defending such pornography helps to ensure proper treatment of male and female actors and to promote gender equality. In view of this, in 2009 the Swedish Film Institute provided funding of SEK 500 000 for Mia Engberg's work *Dirty Diaries*, consisting of 12 short films.⁷⁰ The aim of the Swedish director was to

61. Kellie Scott, “Ethical porn – does it exist and who makes it?”, *ABC News*, 20 December 2016.

62. Catharina MacKinnon, Andrea Dworkin, Gail Dines etc.

63. Lynne Segal, Williams Linda, Laura Kipnis etc.

64. Julie Fournier Tremblay (2016), “La pornographie féministe selon la réalisatrice Tristan Taormino: une étude de cas” (thesis).

65. Ibid.

66. E.Cerqueira, L.Le Calvez et A.Rougier, “Ethique et porno l’alliance improbable”, *magazin.epjt.fr*.

67. E.Lust, “How to be an ethical porn consumer in nine easy steps”, *The Independent*, 2015.

68. Denis Ramond, “La pornographie alternative comme outil de revendications”. “La pornographie et le droit”, directed by R.E.R.D.H. Mare and Martin, 2020.

69. E.Cerqueira, L.Le Calvez, A.Rougier, Ibid.

70. AFP, “‘Feminist’ porn film funded by taxpayers opens in Sweden”, *The Sydney Morning Herald*, September 2009.

show sexuality from a woman's point of view, in order to change pornography made "by and for men". By financing this project, the Swedish Film Institute wanted to promote a new approach and representation of women's sexuality.

5.2. Pornography, education, awareness

56. Pornography contributes to shaping young people's views on sexuality, as mentioned earlier. But if mainstream pornography can be violent and have a negative impact on their mindsets, as has been shown, it is essential to educate children in order to prevent the harmful effects of exposure to such content. In view of the quantity of pornographic videos on the web, and the difficulty of imposing a legal framework on distribution platforms, the most appropriate solutions are based on education and information.

57. In 2012, in order to combat sexual offences against children, the Icelandic Government (Ministry of the Interior, Ministry of Education, Science and Culture and Ministry of Social Welfare) set up a project entitled "Awareness Raising".⁷¹ Various initiatives were taken within the framework of this project, one of which was a short film entitled "Get a Yes" for secondary school students. One of the topics it dealt with was the harmful effects of pornography. The film was shown in all Icelandic schools for pupils aged 15-18, as well as on prime-time television. A guide was also prepared for parents and teachers to discuss with young people the various topics covered in the short film.

58. The platform "C'est pas pour moi, c'est pour un ami"⁷² ("It's not for me, it's for a friend") also offers information tools on pornography, but it is aimed directly at the youngest population. It was created in 2018 by five female students from Brussels. Short videos (1'27) deal in a playful way with topics related to sexuality and pornography. The idea is to deconstruct the stereotypes conveyed by the porn industry, such as the complete hair removal for girls. On this platform, young people can get information on specific topics, but they can also send their questions to health professionals via an online form.

6. Conclusions

59. Pornography is today ubiquitous and easily accessible, particularly online, and is used by a large proportion of the population. Moral and legal attitudes about it, however, vary. This explains the diversity of opinion I observed during the exchanges with fellow members of the Committee on Equality and Non-Discrimination. Some emphasised that pornography should be considered as one of the various elements of sexuality and its expression, and that it should not be condemned, much less banned. They recommended underlining the difference between mainstream pornography and other forms of pornography which are more respectful of the rights of performers and of its impact on women's rights, among other things. I have endeavoured to make this distinction clear in the chapter on "alternative types of pornography".

60. On the other hand, in line with my mission as rapporteur (as defined by the motion from which this report originates), I have paid more attention to the problematic aspects of pornography, particularly as concerns the potential harm to people's mindsets and the risk that traditional gender stereotypes are perpetuated and even exacerbated by the message pornography conveys to its users.

61. Based on the research carried out in the preparation of this report and the findings of the hearing, several reasons arise for suggesting that the access to pornography, and in particular the access of minors, be limited, even though this may be viewed by some as a challenge to the neutrality of the web and of the right to freedom of expression and information. The balance between a State's obligation to protect citizens from harmful activities and criminal acts on one hand, and the obligation to ensure freedom of expression and access to information on the other, has, until now, generally tilted in favour of freedom. The current situation, however, should be challenged for the sake of transgenerational ethics and gender equality.

62. At the hearing of 15 March 2021, Professor Clare McGlynn of the Durham University Law School (United Kingdom) provided an interesting theoretical justification for regulating access to pornography by means of legal provisions, including criminal sanctions, in a human rights perspective. Her theory is that since some forms of pornography are harmful to women's human rights, banning them to prevent such harm must be considered acceptable and not in conflict with other human rights such as freedom of expression. Violent pornography, in particular, appears to condone gender-based violence and leads some women to withdraw

71. Consideration of the Reports Submitted by States Parties under Article 18 of the Convention on the Elimination of All Forms of Discrimination, CEDAW, Iceland, 2014.

72. <http://cestpaspourmoi.be/>.

from social and public life, thus severely breaching human rights. On the other hand, Professor McGlynn believes that limiting the access to pornography is only part of a wider range of measures that are needed to protect women's rights and freedoms.

63. I can only agree with these conclusions, both as regards limitations in access to pornography insofar as these are required to protect human rights, and the need to include such limitations in a wider framework of measures that include education, information, awareness-raising and protection of victims.

64. In most countries, it is forbidden to produce and distribute any display of sexual acts presenting minors. Nude or sexual imagery is used by underage people for arousal or for illegal activities such as harassment, revenge porn and blackmail. Such material is also sought after by adult perpetrators of child abuse and sexual exploitation. The intentional or unintentional diffusion of it causes traumatic consequences and may literally destroy a young person's life. Some victims are publicly shamed, with dramatic effect on their family relationships, contacts with peers and education achievements. Some sources hint at cases of both boys and girls attempting suicide as a result. Evidence also shows that girls are more in danger of being victims of these forms of cyberbullying⁷³ compared to boys.

65. It is therefore crucial to strengthen criminal sanctions for non-consensual recording and distribution of sexual images and to raise awareness of the danger of it among potential victims and perpetrators.

66. Alongside pornography, problematic online content amounting to pure violence is made widely available by major pornography providers. This includes gang rape, torture, humiliation, choking, beating and physical violence, depictions of slavery and forced prostitution, hate speech, sexual harassment, incest, bestiality and child abuse.⁷⁴

67. In the United Kingdom, the law bans the production of pornography which shows and glorifies criminal acts – whether real or fictitious. It is not always easy for experts, site owners or consumers to understand whether such content was produced consensually. Often victims do not know that their sexual victimisation has been filmed, and only by chance become aware of the circulation of the videos.

68. On another note, age verification methods aiming to protect minors from exposure to pornography have been introduced in the legislation of countries including France, Germany and the United Kingdom, either in the framework of protection of minors in the media or from domestic violence.

69. The impact of pornography on behaviours, health, sexual pleasure, gender issues, criminality and transgenerational ethics within some societies should not be neglected. It is important to highlight such effects and raise awareness among producers, distributors, legislators, pedagogues, parents, teenagers, and adult consumers.

70. I endeavoured to translate these findings and conclusions into the measures recommended in the draft resolution attached to this report. I would like to reiterate my gratitude to the experts that contributed to its preparation and to fellow members of the Committee on Equality and Non-Discrimination. I hope that I will have their support, and that of the Assembly as a whole, in passing a text that I consider particularly timely and needed.

73. Zsila, Á., Urbán, R., Griffiths, M.D. *et al.* "Gender Differences in the Association Between Cyberbullying Victimization and Perpetration: The Role of Anger Rumination and Traditional Bullying Experiences", *International Journal of Mental Health and Addiction* 17, 1252–1267 (2019).

74. Para. 201a Verletzung des höchstpersönlichen Lebensbereichs durch Bildaufnahmen.