



WRITTEN OBSERVATIONS

*submitted to the European Court of Human Rights
in the case*

Roman CHOCHOLÁČ v. Slovakia

(Case No. 81292/17)

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1. The application of an inmate complaining about the confiscation of his pornographic materials raises the following legal issue: Is access to pornography a human right guaranteed under the European Convention on Human Rights?

2. In its written submissions, the ECLJ wishes to explain that the Convention does not contain such a right. To this end, the ECLJ will demonstrate that pornography is wrong in every respect and immoral (I.); that the dissemination of pornographic material should not be guaranteed under the Convention (II.); and that the prohibition of possession of pornographic material is proportionate and necessary in the interests of the prisoner and in accordance with international standards (III.).

I. Pornography is unethical

3. Pornography is, in essence, contrary to morality and therefore cannot be guaranteed in a general way as part of privacy, freedom of thought, or freedom of expression since the Convention provides for all these rights that States may legitimately restrict them to protect “morality.”

4. The etymology reveals the immorality of pornography. The word comes from the Greek πορνογράφος [pornográphos], itself derived from πόρνη [pórnhê] meaning “prostitute” and γράφω [gráphô] meaning “to paint,” “write,” or “describe.” It is thus a question of depicting or illustrating prostitution, a practice where one sells the use of one's body and genitals to others. Contemporary definitions of the word always mention this contradiction of pornography with “good morals,” such as the one in the French Larousse dictionary: “(feminine) Presence of obscene details in certain literary or artistic works; publication, show, photo, etc., obscene.”¹

5. The Petit Robert gives a very close definition: “Representation of obscene things intended to be communicated to the public.” and gives the following words as synonyms: “obscenity, sex, porn (familiar), ass (very familiar), [Antiquity] rhyparography [sorts] cybersex, child pornography.”²

6. Pornographic actors may choose to produce pornographic content for a fee or free of charge. If this is done for a fee, the boundary between prostitution and pornography becomes very porous. Indeed, in both cases, whether a pornographic actress or a prostitute, it is a matter of renting for money the use of her body and sex for the pleasure of others.

7. In the case of pornography, the producer does not seek to satisfy the actors but to depict sexual actions to please an audience. These are always sexual acts, staged in a more or less fictitious manner, with several people making vulgar remarks and performing obscene acts. The main purpose of pornography is to stimulate the sexual arousal of the consumer.

8. Thus, as an activity aimed at arousing the sexual impulses of consumers and not their intellect through scenes containing vulgar, often violent, even masochistic, stereotypical, and offensive words and actions, pornography can only be considered immoral.

¹ Translated from the French Dictionary *Larousse en ligne*, « pornographie ».

² Translated from the French Dictionary *Le Robert Dico en ligne*, « pornographie ».

9. Pornography is also harmful to humans for the reasons briefly detailed below. As numerous studies show it negatively affects the sexual life of the person who uses it; it can harm his mental health and more particularly that of adolescents, make them addicted; it increases prejudice, harms family life, incites conjugal violence, and has no social or medical benefits.

10. The pleasure given to the user by pornography increases the release of dopamine, also known as the “pleasure hormone.” This generates a desire to continue or increase the consumption of pornography to stimulate this hormone.³ However, hormonal overstimulation reduces the effects of dopamine⁴ over time, causing some pornography users to want to watch more pornography or to look for more violent or scary contents in order to be further stimulated.⁵ This addiction will then mechanize sexuality, disconnect it from intimacy, lead to erectile dysfunction⁶ and harm the mental health of the consumer. A 2014 study of brain scans of 64 pornography users revealed that heavy use causes a decrease in brain matter in areas of the brain associated with motivation and decision making. This lack contributes to impaired impulse control and desensitization to sexual reward.⁷ These effects are even more deleterious for adolescents, and disrupt the final development of their frontal cortex, which has not yet reached full maturity.⁸

11. The World Health Organization, in its International Classification of Diseases, lists “Compulsive sexual behaviour” as an “*Impulse control disorder*.”⁹ In particular, it describes it as “*persistent pattern of failure to control intense, repetitive sexual impulses or urges resulting in repetitive sexual behaviour. Symptoms may include repetitive sexual activities becoming a central focus of the person’s life to the point of neglecting health and personal care or other interests, activities and responsibilities.*” It seems predictable and even likely that a prisoner, by definition isolated and with little outside stimuli, who is exposed to materials that are likely to elicit individual sexual arousal and practice, will be prompted to use them frequently. This encourages compulsive sexual behaviour, which can lead to difficulties in self-control.

12. Pornography also distorts the perception of others, especially women. In addition to the quasi-systematic lack of mutual respect, exposure to pornography is strongly correlated with the belief that women are sexual objects¹⁰ and that male domination and female submission are expected and fulfilling gender roles. An analysis of the 50 most popular pornographic videos revealed that 88% of the scenes contain physical violence, 49% contain at least one verbal aggression; 87% of the aggressive acts perpetrated are against women, and in 95% of the cases,

³ Norman Doidge, “The Brain That Changes Itself” (2017).

⁴ P. Kenny, G. Voren and P. Johnson. “Dopamine D2 Receptors and Striatopallidal Transmission in Addiction and Obesity” *Current Opinion in Neurobiology* 23, no. 4 (2013): 535–538.

⁵ D. H. Angres, K. Bettinardi-Angres, “The Disease of Addiction: Origins, Treatment, and Recovery”. *Disease-a Month* 54 (2008): 696-721.

⁶ A Swiss study found that 30% of 18–25-year-olds suffered from erectile dysfunction: Mialon, A., A. Berchtold, P. A. Michaud, G. Gmel and J. C. Suris. “Sexual Dysfunction Among Young Men: Prevalence and Associated Factors,” *Journal of Adolescent Health* 51, no. 1 (2012): 25-31.

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

⁸ E. Le Roux, “Pornography: Human Right or Human Rights Violation?”, Open Journals Publishing (2009).

⁹ International Classification of Diseases-11 for Mortality and Morbidity Statistics, 6C72 Compulsive sexual behaviour disorder, Version: 09/2020.

¹⁰ Jochen Peter and Patti M. Valkenburg, “Adolescents’ exposure to a sexualized media environment and their notions of women as sex objects,” *Sex Roles* 56 (2007): 381-395.

their responses are either neutral or expressions of pleasure.¹¹ As a result, pornography contributes to the perpetuation of harmful gender stereotypes such as sexism, machismo, sadism, or masochism.

13. These hormonal stimuli and examples of violent behaviour are what will lead to a significant proportion of users to decrease empathy for victims of violence and increase aggressive and dominating behaviours.¹² This consequence must be particularly taken into account for a prisoner in a prison environment.

14. It should be mentioned that a significant part of the pornographic content accessible on the Internet includes child pornography. In this case, it is not the adult but the child who is "reified" and becomes a sexual object to satisfy the consumer's fantasies. The primary deleterious effect of this content is to promote the idea that sex with a prepubescent child is not abusive.¹³ As the UN Special Rapporteur on the Sale of Children has found: 92% of child sexual abusers had previously possessed child pornography.¹⁴

15. Finally, as part of a global approach, it should be mentioned that the pornography industry is destructive to its members (sexually transmitted diseases, depression, loss of opportunity to find employment after pornography, etc.) and that it fuels sexual exploitation internationally because of its links with prostitution and mafia organizations.¹⁵

16. On the other hand, no study has been able to establish proven medical benefits from regular consumption of pornographic content, as is the case, for example, for sports practice, or even for certain drugs that can have a therapeutic effect. Pornography has no medical interest and no proven benefit for its users. It harms relationships within couples, decreases mutual trust and increases the likelihood of divorce in married couples.¹⁶

17. For these reasons, the ECLJ is of the view that the Court should recognize the inherently harmful nature of pornography and hold it to be contrary to morality and health. Any state should be encouraged by the Court, as part of its positive obligation to prohibit degrading treatment and its need to protect morals in a democratic society, to restrict or prohibit access to pornographic material.

¹¹ Ana J. Bridges, Robert Wosnitzer, Erica Scharrer, Chyng Sun and Rachael Liberman, "Aggression and Sexual Behavior in Best-Selling Pornography Videos: A Content Analysis Update," *Violence against Women* 16, no. 10 (2010): 1065-1085.

¹² Paul J. Wright, Robert S. Tokunaga, and Ashley Kraus, "A Meta-Analysis of Pornography Consumption and Actual Acts of Sexual Aggression in General Population Studies" *Journal of Communication* 66, no. 1 (2016): 183-205.

¹³ Diana E. H. Russell, "Russell's Theory: Exposure to Child Pornography as a Cause of Child Sexual Victimization" *in* *Big Porn Inc.* (2011): 181-194.

¹⁴ Najat M'jid Maalla, « Rapport du Rapporteur spécial sur la vente d'enfants, la prostitution d'enfants et la pornographie impliquant des enfants », A/HRC/12/23, Conseil des droits de l'homme, 2009.

¹⁵ Katariina Rosenblatt, *Trafficking in America : La violation des droits de l'homme la plus méconnue de notre époque* (2014).

¹⁶ Samuel L. Perry, "Does Viewing Pornography Reduce Marital Quality Over Time? Evidence from Longitudinal Data" *Archives of Sexual Behavior* (2016).

II. Should pornography be protected under the right to privacy and freedom of expression?

A. Privacy

18. Are the possession and use of pornographic material a matter of privacy? The Court has already held that “*sexual life fall within the personal sphere protected by Article 8.*”¹⁷ Therefore, viewing and reading pornographic material with or without an individual's sexual practice can be considered private. Moreover, this practice is in the vast majority of cases carried out in an individual and “hidden” manner, even from those close to the consumer.¹⁸ It is therefore hardly questionable that the consumption of pornography is part of an individual's private life.

19. However, in the case in point, it follows from the prisoner's situation that his “sexual life” is hindered by the prison sentence. As the Court recognized: “*Imprisonment deprives a person of his liberty and also – unavoidably or by implication – of some civil rights and privileges. This does not, however, mean that persons in detention cannot, or can only very exceptionally, exercise their right to marry. As the Court has repeatedly held, a prisoner continues to enjoy fundamental human rights and freedoms that are not contrary to the sense of deprivation of liberty, and every additional limitation should be justified by the authorities.*”¹⁹ For example, a prisoner has the right to maintain contact with his close family,²⁰ but cannot in any case have a normal sexual life with his spouse. There can therefore be no right to a “*fulfilling sexual life*” in prison as part of his right to privacy. The Court recognized the exercise of the right to marry in prison because it is enshrined in an article of the Convention; it is a fundamental right. Conversely, pornography is not.

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B. Freedom of Expression

20. The question is more delicate regarding freedom of expression. Section 10 makes it clear that freedom of expression includes “*freedom to hold opinions and to receive and impart information and ideas.*” For example, in a case in which a prisoner requested the right to read a daily newspaper and was denied it by prison authorities, the court found an interference with the right to receive information or ideas under this section.²¹

21. However, it seems difficult to consider that sexual excitement through photos, videos or explicit texts can be considered as a real “idea” since it does not provoke reflection, but arousal. In other words, are “pornographic ideas” worthy of the protection of the Convention? Two arguments call for a negative answer.

¹⁷ *Beizaras and Levickas v. Lithuania*, No. 41288/15, 14 January 2020, §109.

¹⁸ Public sexual activity and exhibitionism are repressed in all states party to the European Convention on Human Rights. Nudism is exceptionally allowed in certain places.

¹⁹ *Frasik v. Poland*, No. 22933/02, 5 January 2010, §91.

²⁰ *Khoroshenko v. Russia* [GC], No. 41418/04, 30 June 2015, §111.

²¹ *Mesut Yurtsever and others v. Turkey*, No. 14946/08, 20 January 2015, §102.

1. The protection of morals

22. It is legitimate to think that the drafters of the Convention wanted to guarantee the right to propagate intellectual ideas, which lead to reflection, and not “obscene expressions” which induce only instinctive reactions.²²

23. In support of this conclusion that content may or may not merit the protection of Article 10, we can rely on the Court's jurisprudence regarding access to the Internet and the media in prison. In two different cases, the Court made it clear that there was no right for prisoners to have access to the Internet in general or to specific sites and that it took into account the nature of the information to which the applicant wished to have access. If the information is useful for one's social reintegration, the Court is obviously in favour of one's access to it. In the *Kalda* case,²³ the Court stated that: “*imprisonment inevitably involves a number of restrictions on prisoners' communications with the outside world, including on their ability to receive information. It considers that Article 10 cannot be interpreted as imposing a general obligation to provide access to the Internet, or to specific Internet sites, for prisoners.*” The Court then considered that limiting access to the Internet to only two sites containing important legal information for prisoners was unsatisfactory, especially since the petitioner was requesting access to only three additional Internet sites also containing legal information. However, the Court did take into account the security risk of general internet access for prisoners. This question is particularly acute in the field of pornography: these are the websites that are considered to be the most exposed to the risk of computer viruses.²⁴

24. In another case the prisoner complained that he was unable to access a site generated by the Lithuanian Ministry of Education for a course of study. The Court considered that: “*such information was directly relevant to the applicant's interest in obtaining education, which is in turn of relevance for his rehabilitation and subsequent reintegration into society.*”²⁵ A similar conclusion as to the usefulness of accessing a pornographic website or magazine in prison is impossible. Given what is said above about the harmful consequences of pornography, it is of no use to a prisoner, either during or after his sentence. There is no general right to be able to access or keep specific publications in prison, and even less so if the content does not contribute in any way to the social reintegration of the individual, but on the contrary, puts him at risk of addiction.

25. In another case, the Court applied the principle of protection of the health and morals of the prisoner by endorsing the confiscation of his manuscript by the prison authorities. The Court first recalled that: “*some control over the content of prisoners' communication outside the prison is part of the ordinary and reasonable requirements of imprisonment and is not, in principle, incompatible with Article 10 of the Convention*”²⁶ It then considered the unhealthy nature of the autobiographical manuscript, which detailed the prisoner's crimes, in concluding

²² European Commission of Human Rights, Travaux préparatoires on article 10 of the European Convention on Human Rights, DH (56) 15, 17 August 1956, Extract from the proposal submitted by the United Nations Conference on Freedom of Information, p. 4.

²³ *Kalda v. Estonia*, No. 17429/10, 19 January 2016, §45.

²⁴ « 40 % des Français ont déjà été contaminés par un virus informatique en visitant des sites pornographiques », Opinion column by Kaspersky France, *Génération Nouvelles Technologies*, 4 March 2018.

²⁵ *Jankovskis v. Lithuania*, No. 21575/08, 17 January 2017, §59.

²⁶ *Nilsen v. The United-Kingdom (dec.)*, No. 36882/05, 2008, §51.

that the request was inadmissible: the authorities were justified in confiscating the manuscript to prevent its publication in order to protect health and morals, particularly to avoid public outrage to the victims and surviving families.²⁷

26. The ECLJ argues that pornography is not worthy of protection under the Convention.

2. An abuse of right

27. Under Article 17 of the Convention on the Prohibition of Abuse of Rights and under the Court's jurisprudence on Holocaust Denial,²⁸ the Court could very legitimately deny protection to pornography as it infringes the rights guaranteed in Articles 3 and 4. As we have seen in the first part, pornography is intrinsically degrading, sometimes inhuman, and encourages an international traffic of forced labour through prostitution networks. Therefore, under Article 17 of the Convention, it should not be possible to invoke Article 8 or 10 to access pornography, as long as pornography infringes on the rights guaranteed in Articles 3 and 4.

28. If the Court were to consider that pornography and access to it could be protected under Articles 8 and 10, the fact remains that not only can States restrict its access under the Convention, but they even have a duty to do so under other international documents.

III. The Legitimacy of Restricting Access to Pornography

A. A proportionate restriction pursuing legitimate objectives

29. The Court has already had the occasion to rule on numerous occasions on the practice of checks and searches in prisons which, for obvious security reasons, are necessary for the inmate, fellow inmates and security personnel alike. All States Parties to the Convention monitor and control their prisoners in order to combat suicide attempts, escapes, the trafficking that often takes place in places of detention, and attacks with potentially dangerous objects.²⁹ The confiscation of objects in a prison can therefore be appropriate and proportionate.³⁰

30. In one decision,³¹ the Court held that searches must be conducted with respect for the dignity and decency of the detainee. The Court found a violation of Article 3 for the following reason: “*Obliging the applicant to strip naked in the presence of a woman, and then touching his sexual organs and food with bare hands showed a clear lack of respect for the applicant, and diminished in effect his human dignity.*”³²

31. In the present case, it was the prisoner who possessed obscene material, violating decency and dignity; and it was the prison staff who protected morals and dignity by removing this

²⁷ Justification made by the Governor on 23 October 2002, §8 of the above-mentioned decision.

²⁸ *Inter alia: Pastörs v. Germany*, No. 55225/14, 3 October 2019.

²⁹ *Inter alia: Dejneq v. Poland*, No. 9635/13, 1 June 2017, §60; *Wainwright v. The United-Kingdom*, No. 12350/04, 26 September 2006, §43.

³⁰ *Nilsen v. The United-Kingdom (dec.)*, *op. cit.*, §58.

³¹ *Valašinas v. Lithuania*, No. 44558/98, 24 July 2001.

³² *Ibid.*, §117.

obscene material from the petitioner in accordance with the prison regulations. In the court's summary statement of facts, there is no mention of problematic circumstances in the discovery and seizure of the pornographic material.³³ This is not what the petitioner complains about. He complained only that he had been removed from materials whose possession was prohibited in prison and that he had been disciplined specifically for this offence. If the possession of pornographic material is prohibited by prison rules or a higher standard, it is only natural that a penalty would apply to offenders. No information is provided as to the nature of the penalty, nor is it alleged that excessive severity, humiliation, error or unfairness was involved in the confiscation or in the application of the penalty.

32. It is not for the ECLJ to assess in the present case whether a proportionality test has been applied by the Slovak authorities, but to state that the very principle of a prohibition is justified. This is indeed the only possible and effective means that the State can implement to protect prisoners and avoid further difficulties. Some prisoners may be former sex offenders, treated for a related pathology. Pornographic material is obviously contraindicated for people who have raped, assaulted or abused others, since they have shown that they cannot resist a violent sexual impulse. However, if some inmates have pornographic material in their cells, trafficking or violence can quickly occur to obtain this material, leading to other security problems for the prison: blackmailing, threats, theft, violence, etc.

33. Furthermore: “*it has been the Court’s constant approach that Article 3 imposes on States a duty to protect the physical well-being of persons who find themselves in a vulnerable position by virtue of being within the control of the authorities, such as, for instance, detainees.*”³⁴

34. Prisoners, because of this situation of control but also because of the confinement that necessarily affects their mental health, are in a situation of particular vulnerability. Physical and moral violence as well as sexual abuse in prisons is a common reality.³⁵ The perverse effects of pornography can therefore be more serious, which justifies and explains its prohibition in prison.

35. Finally, the Court recognized the rehabilitative role of prison, which is indeed a legitimate objective and even, according to the Court, a principle of sentencing.³⁶ This objective of rehabilitation and education in prison³⁷ cannot be properly achieved if states do not take preventive measures to prevent prisoners from becoming addicted to pornography, from losing their will and from an increased risk of impulsive violence in prison and after their release.

36. For all these reasons, it follows from the margin of appreciation of the state that it is justified in removing pornographic material from prisoners.³⁸

³³ Was the pornographic material obtained legally or illegally? Was it respectful of property rights or was it "pirated"? Was the content “merely erotic” or did it contain child pornography? We are not aware of these elements that are important to the Court.

³⁴ *Premininy v. Russia*, No. 44973/04, 10 February 2011, §73.

³⁵ Antoinette Chauvenet, « Privation de liberté et violence : le despotisme ordinaire en prison », *Déviance et Société*, 2006/3 (Vol. 30), p. 373-388.

³⁶ *Murray v. The Netherlands*, No. 10511/10, 26 April 2016, §103.

³⁷ Committee of Ministers, « *Éducation en prison* », Recommendation No. R (89) 12, 13 October 1989.

³⁸ *Wetjen and others v. Germany*, Nos. 68125/14 and 72204/14, 22 March 2018, §74 : “*in cases relating to both Articles 3 and 8 the Court has stressed the relevance of the age of the minors concerned and the need, where their physical and moral welfare is threatened, for children and other vulnerable members of society to benefit from State protection.*”

B. A Necessary Restriction to Protect the Morals of Democratic Society

37. The protection of health and morals is a restriction provided for by the Convention in Articles 8, 9, 10, 11 and 21, Article 1 of the 1st Protocol and Article 2 of Protocol No. 4. This redundancy of possible restrictions to several fundamental freedoms indicates the importance that the drafters of the Convention intended to give to morals and “public morals” (Article 9).

38. In the famous *Handyside* case, the Court recognized as a legitimate aim to “wage war on “obscene” publications, defined by their tendency to “deprave and corrupt”.” This “is linked far more closely to the protection of morals than to any of the further purposes permitted by Article 10 para. 2.”³⁹ Indeed, pornography is contrary to morality, human dignity and morals.

39. It must be noted, however, that in its case law the Court has made only a very parsimonious use of “morality” as a justification for restrictions.⁴⁰ The Court mentions more often “*physical and moral health*,”⁴¹ giving “morals” the meaning of “*mental*”, good mental health, but not of morals in the sense of “*good morals*.”

40. The ECLJ considers that the Court should not avoid making a moral judgment on pornography and reiterate its condemnation of this phenomenon, which the Internet has dramatically aggravated. It would be a step forward for the Court to recognize, with its authority as an international institution, pornography as contrary to morality, because, on the one hand, pornography is intrinsically so and, on the other hand, the fight against this phenomenon and all its corollaries would be all the stronger for it. Failure to recognize the right of a State to restrict or prohibit the dissemination of pornography in the name of protecting morals would be tantamount to refusing to implement a stipulation of the Convention. For if this legitimate ground for restriction provided for in 5 articles of the Convention does not apply to a serious, obscene, unworthy, harmful, etc. phenomenon, then it would become a true dead letter, against the spirit of the drafters of the Convention.

C. A restriction in conformity with international standards

41. In international law, under article 5 (a) of the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the United Nations General Assembly in its resolution 34/180 of 18 December 1979, States parties must “*all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.*” Pornography falls squarely into the category of models who not only stereotype women but are generally humiliating to them.

³⁹ *Handyside v. The United-Kingdom* (plenary), No. 5493/72, 7 December 1976, §46.

⁴⁰ *K.A. and A.D. v. Belgium*, Nos 42758/98 and 45558/99, 17 February 2005, where the notions of “dignity” and “morality” are totally absent, despite sadomasochistic facts.

⁴¹ *Inter alia: Muršić v. Croatia*, No. 7334/13, 20 October 2016.

42. The Convention on the Rights of the Child, adopted by the United Nations General Assembly on November 20, 1989, requires States Parties in its Article 19 to take: “*appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.*” This stipulation is relevant to child pornography as it refers only to children. The United Nations General Assembly has since adopted a Resolution in 2013 against trafficking in persons, including sexual exploitation, regardless of age.⁴²

43. According to the Council of the European Union Framework Decision on combating trafficking in human beings⁴³ in its Article 1(d) on offences concerning trafficking in human beings for the purpose of labour exploitation or sexual exploitation, member states are required to take “*the necessary measures to ensure that the following acts are punishable "payments or benefits are given or received to achieve the consent of a person having control over another person for the purpose of exploitation of that person's labour or services, including at least forced or compulsory labour or services, slavery or practices similar to slavery or servitude, or for the purpose of the exploitation of the prostitution of others or other forms of sexual exploitation, including in pornography."*”

44. The European Parliament has adopted several specific directives along the same lines, notably the one of 12 March 2013 on the elimination of gender stereotypes in the European Union: ⁴⁴ “*considering that the new cultural status of pornography affects mainly young women and men; and considering also that the ‘dissemination of pornography’, i.e. the current cultural trend whereby pornography creeps into our daily lives as an increasingly accepted and often idealized cultural element,*” it invites Member States to fight against the development of this industry and these practices, among others :

“12. ... to develop awareness campaigns on zero-tolerance across the EU for sexist insults or degrading images of women and girls in the media...;

16. Calls on the Commission to assist Member States in combating the sexualisation of girls by providing financial support for measures taken in the Member States;

21. Emphasises the need for education programmes/curricula focusing on equality between men and women, respect for others, respect amongst young people, respectful sexuality and rejection of all forms of violence, as well as the importance of training teachers in this subject;

59. Calls on the EU and its Member States to carry out awareness-raising, education and training campaigns to combat discriminatory cultural norms and tackle the prevalent sexist stereotypes and social stigmatisation, which legitimise and perpetuate violence against women, and to ensure that there

⁴² United Nations, General Assembly, Resolution A/RES/68/192, 18 December 2013.

⁴³ Council of the European Union, Framework Decision on combating trafficking in human beings (2002/629/JHA), 19 July 2002, Article 1.

⁴⁴ European Parliament, Directive on the elimination of gender stereotypes in the European Union, (2012/2116(INI)), 12 March 2013.

is no justification of violence on the grounds of customs, traditions or religious considerations.”

45. Finally, two draft resolutions are currently being debated in the Parliamentary Assembly of the Council of Europe to combat the dissemination of pornography.⁴⁵ This is an illustration of a trans-partisan political awareness that one cannot claim to fight against sexist stereotypes, inequalities and violence between men and women or against children without fighting against pornography. Reading these international texts, it is hard to imagine how Slovakia could be blamed for having removed pornographic material from a prisoner, when this state acted in accordance with the European Convention and international recommendations.

⁴⁵ PACE, Motions for resolutions: “Gender dimension and the effects of pornography on human rights”, Doc. 14864, 9 April 2019 and “For an assessment of the means and mechanisms to combat the exposure of children to pornographic content,” Doc. 15077, 5 February 2020.