

Curbing Online Pornography

Lessons from the Nordics

About The Swedish Women's Lobby

The Swedish Women's Lobby, in Swedish Sveriges Kvinnoorganisationer, is a politically and religiously independent umbrella organization for the Swedish women's movement. We bring together over 50 member organizations representing various groups of women and girls. Together with our member organizations, we work for the liberation of women and girls, their full human rights, and a gender equal society.

Our work is rooted in feminist values and guided by the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and Sweden's national gender equality objectives. The Swedish Women's Lobby is the Swedish section of the European Women's Lobby (EWL), which unites over two thousand women's organizations across Europe. We hold consultative status with the UN Economic and Social Council (ECOSOC) and annually represent our member organizations at the UN Commission on the Status of Women (CSW). We advocate for a world free from all forms of prostitution, including pornography.

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Introduction

In recent decades, pornography has become increasingly accessible worldwide, particularly in the Nordic region, one of the most digitized regions in the world. Here, videos that sexualize abuse and the degradation of women are just a click away, available 24/7 on every mobile phone. As this report outlines, research shows that pornography influences men's and boys' behaviors and attitudes, as well as their sexuality and overall health. Also, the UN Special Rapporteur on Violence Against Women and Girls links the global increase in sexual violence among young people to pornography.¹

The major companies producing and distributing pornography are part of the group of tech giants wielding significant influence over our digital lives. Aylo (formerly MindGeek), the company behind some of the largest pornographic websites, ranks third among the technology companies that have had the greatest societal impact in our century.²

What, then, are Danish, Finnish, Icelandic and Swedish states doing to curb the spread of pornography online and mitigate the harm it causes? The Nordic countries are often at the forefront when it comes to women's and children's rights. Expansive welfare systems and comprehensive legislation, particularly regarding violence against women and children, have historically contributed to safe and gender-equal societies. But is Scandinavia prepared to tackle one of the greatest gender equality challenges of our time? Which side are Nordic governments on when the safety and health of women and children are pitted against other interests?

In this report, the Swedish Women's Lobby, in collaboration with Stígamót in Iceland and the Women's Front of Norway, map laws and other measures taken by the Nordic countries to prevent the harms of online pornography. A particular focus is placed on measures aimed at preventing children and youth from accessing or being exposed to pornography. We have also worked with women's organizations, researchers, and other experts across the Nordic region. The report has been produced within the project "*What are the Nordic countries doing to combat documented online sexual exploitation?*", funded by Nordic Information on Gender (NIKK), a co-operation body under the Nordic Council of Ministers, in 2024.

We hope our study demonstrates how both new and existing legal tools can be used to limit the spread of online pornography. This is essential for ensuring that people —women and men, girls and boys— can lead gender-equal, safe, and healthy digital lives in the future.

Definitions of Pornography

Most pornographic videos online depict violence against and degradation of women. Extensive research has shown that pornography consumption promotes sexually aggressive behavior and attitudes amongst men and desensitizes men to

1. Alsalem, R. (2024).
2. Ibid.

violence against women.³ Hence, pornography sexualizes male oppression of women and are at the same time depictions of actual violent acts committed by men against women.⁴

The renowned legal scholar, writer and feminist Catherine MacKinnon and author and pornography expert Andrea Dworkin has defined pornography as *“the sexually explicit subordination of women, graphically depicted, whether in pictures or in words, that also includes one or more of the following: (i) women are presented dehumanized as sexual objects, things or commodities; or (ii) women are presented as sexual objects who enjoy pain or humiliation; or (iii) women are presented as sexual objects who experience sexual pleasure in being raped; or (iv) women are presented as sexual objects tied up or cut up or mutilated or bruised or physically hurt; or (v) women are presented in postures of sexual submission; or (vi) women’s body parts—including but not limited to vaginas, breasts, and buttocks—are exhibited, such that women are reduced to those parts; or (vii) women are presented as whores by nature; or (viii) women are presented being penetrated by objects or animals; or (ix) women are presented in scenarios of degradation, injury, abasement, torture, shown as filthy or inferior, bleeding, bruised, or hurt in a context that makes these conditions sexual.”*⁵

This definition is coherent with the reality of pornography, what actually happens on screen, and recognizes how it is a systemically gendered form of oppression.⁶ It is this feminist and academically supported definition of pornography that we use in this report.

What is the Difference Between Pornography and Prostitution?

It is difficult, if not impossible, to separate pornography from other types of sexual violence and exploitation, especially prostitution. Prostitution occurs when individuals, almost exclusively men and boys, buy sexual acts, predominantly from women and girls. Third parties, such as pimps or brothels, organizing or profiting from prostituting women and girls, are also common in prostitution. Of the Nordic countries, Sweden, Iceland and Norway have legislation that recognizes the gendered imbalance of power in prostitution, and thus prohibits the purchase, but not the selling, of sexual acts.⁷

In a recent study from Sweden, the majority of the persons that were interviewed had had their prostitution filmed, photographed or livestreamed. This shows how prostitution and pornography are the same thing, except for the presence of a camera in one of the cases. In pornography, there is also additional suffering caused to the victim by the dissemination of the abuse material. Thus, in some ways pornography can do more harm to the victim than non-filmed prostitution.⁸

Pornography’s connection to prostitution can even be found in the word’s etymological roots. In ancient Greece, *Porne* were the most oppressed and socially marginalized women in prostitution. They were female sex slaves who were kept locked up and treated like dirt. The word *graphein* means to depict, either in writing or in pictures. Pornography, in the original sense of the word, thus refers to depictions of women as sexual objects that exist only for the pleasure of men. This description is just as accurate today, as women exploited in the pornography industry are often the same as the women exploited in other types of prostitution.⁹

3. Waltman, M. (2021).

4. Abalo Rodríguez, I. and Alario Gavilán, M. (2024)

5. Dworkin, A. & Mac Kinnon, C. (1988).

6. Waltman, M. (2021).

7. Fein, L. (2019).

8. Farley, M. et al. (2023).

9. Waltman, M. (2021).

Child Pornography or Child Sexual Abuse Material (CSAM)?

Recently it has become more common to refer to child pornography as child sexual abuse material (CSAM). However, in this report we will consciously use the term child pornography, since we acknowledge that all pornography constitutes documented sexual abuse, regardless of whether the person being exploited is over or under 18 years old.

In refraining from using the term pornography when talking about children, but retaining it when referring to adults, the violence that adult women are subjected to in pornography is painted out to be something inherently different than what children experience. It insinuates that adult women in pornography consent to being raped, abused and degraded and that this is ‘legal’ in comparison to if the persons involved were children. Thus, using the term child pornography does not mean that we think of it as any less of a crime; we simply acknowledge that pornography is a crime against women, too.

It is also worth noting that victims of prostitution and pornography are often *teen-age girls*, who are approaching or have just become adults in the legal sense.¹⁰ An increasingly popular category on porn sites is *Teen porn*, and it is also common that young women and girls in pornography are dressed and styled to appear younger or underage – hence, there is a blurred line between child and adult pornography.¹¹

A common argument for using the term CSAM is that children cannot consent to being used in pornography.¹² However, women exploited in pornography can hardly be said to have made a free choice either – women and girls exploited in pornography are often poor, from minority groups, and in other ways especially vulnerable to this kind of abuse. Many have suffered sexual abuse and trauma prior to entering or have been forced into the pornography industry.¹³ An international study interviewing 854 people in prostitution across nine countries showed that 89 percent of the respondents wanted to leave the industry, but did not have the means to do so. The link to pornography was clear; 49 percent of the respondents reported that pornography had been made of them. Almost half, 47 percent, reported that they had been under 18 when entering prostitution or pornography.¹⁴ Hence, girls exploited in child pornography often grow up to be women exploited in adult pornography.

Image-Based Sexual Abuse or “Revenge Porn”?

It is common for offenders to distribute nude photos or videos of women and girls they have been intimate with on porn sites, without the victim’s approval. This is often very traumatizing for the victim and is also illegal in several countries. It is also increasingly common for perpetrators to use AI to generate fake nudes, often called *deepfakes*, of women and girls, which they then distribute. This material is often referred to on porn sites and in public debate as “*revenge porn*”, but this expression can be problematic since the victim has not done anything that requires or justifies revenge. Using the term revenge porn is using the terminology abusers use to justify their crimes. This report therefore uses the term *image-based sexual abuse* (IBSA), which is another term often used for nonconsensual sharing or creating of intimate images.¹⁵ While doing so, we still want to stress that *all* pornography is sexual abuse material, but to be able to distinguish between different types, we choose to use this terminology.

10. Farley, M. et al. (2004).

11. Levy, D, and Dines, G. (2012).

12. see for example RAINN (Rape, Abuse & Incest National Network) and Keane, S. (2024).

13. Waltman, M. (2016).

14. Farley, M. et al. (2004).

15. Henry, N., & Beard, G. (2024).

Priorities and Delimitations

Here, we outline the themes we have prioritized while working with this report and the reasons behind these choices.

Consumption and Distribution of Pornography

To effectively combat pornography, it must be addressed from a holistic perspective, considering production, distribution, consumption and the impact of pornography on culture and society. In this report, however, we focus on the distribution and consumption of pornography. More specifically, the report zooms in on national measures to combat the distribution and consumption of pornography. Thus, it does not cover measures to protect children and adults against being harmed in the production of pornography.

Sometimes there is not a clear line separating distribution and consumption measures from measures aimed at production, since the distribution, consumption and production of pornography is always interlinked. For example, abusers are known to expose girls to pornography as a method for grooming and desensitizing them to violent sexual activities and to groom them into pornography production¹⁶.

One reason for this focus is that most of today's online pornography is being produced outside of the Nordic countries, which means that it is harder for our countries to combat production at a national level¹⁷. However, states can tackle the pornography industry by stifling the demand for it, and since there are plenty of Nordic consumers of pornography, distribution and consumption can be addressed directly at the national level. Also, it is our responsibility to ensure that Nordic citizens are not complicit in violence against women and girls abroad.

Primarily Adult Pornography

An additional priority in our work has been to focus on pornography featuring adults. The reason for this is that child pornography is strictly prohibited in all Nordic countries, and systems are already in place to combat its distribution and consumption. These measures are also often well-known and has been evaluated in various ways.

The same, however, does not apply to adult pornography, which Nordic citizens in practice are free to view and distribute despite legal restrictions in some countries. There is therefore a need to shed light on what the laws regarding adult pornography looks like in Scandinavian countries and to discuss what Nordic lawmakers can do to prevent the serious harm caused by the consumption of adult pornography.

That said, certain parts of this report will also touch on pornography featuring children, as it is impossible and unnecessary to entirely separate it from other types of pornography. This is particularly relevant when, for example, discussing AI-generated nude images shared on social media, which often depict girls and young women.

Safeguarding Children from Pornography

We will, however, examine the measures Nordic countries have taken to protect children and youth from pornography. This issue has been increasingly discussed in the Nordic countries and globally over the past decades as pornography has become more accessible. Nowadays, videos depicting violence and abuse against women are just a few clicks away on every child's smartphone.

16. Herrington, R. and McEachern, P. (2018).

17. Anand, C. (2021).

According to the Convention on the Rights of the Child, which all Nordic countries except Denmark¹⁸ have incorporated into national law, states are obligated to protect children from content that may harm them¹⁹. Similar commitments can also be found in the EU's Digital Services Act (DSA)²⁰. We aim to hold the Nordic governments accountable for these commitments.

New Forms of Pornography

Finally, this report also focuses on how the Scandinavian countries address the constantly evolving forms of pornography. For each Nordic country, we have examined the legislation concerning the offensive distribution of sexual videos and images, often referred to as "revenge pornography", but in this report referred to as *image-based sexual abuse* (see why above). We have also looked into whether there are any bans on distributing sexual videos created using artificial intelligence (AI), commonly known as 'deepfakes'.

Methodology and Collaboration Partners

This report has been produced by the Swedish Women's Lobby in collaboration with Stígamót and Kvinnefronten. Stígamót is an Icelandic organization that offers support and counseling to women who have experienced sexual violence. Kvinnefronten is a politically and religiously independent women's organization in Norway that advocates for the full liberation of women and girls.

We also collaborated with women's and children's rights organizations, as well as researchers, across all Nordic countries.

The Swedish Women's Lobby and its partner organizations compiled knowledge from government reports, Nordic and international research, and surveys conducted by authorities and civil society organizations regarding online pornography. We then compared the current legislation across the Nordic countries.

Researchers and other experts in our expert group assisted in identifying relevant research and other key knowledge sources, as well as in quality-assuring the texts.

The work has been carried out with funding from NIKK, the Nordic Information on Gender institute.

18. Frandsen, K. (Year unknown).

19. Art. 17, Convention on the Rights of the Child.

20. Art. 28, chap. 3, Directive 2000/31/EC (Digital Services Act).

A Brief Introduction to Pornography

Before we get into the results of our mapping, we would like to present some important facts about pornography. We present statistics below on the use of pornography in the Nordic countries. We then describe what research and other accumulated knowledge say about how viewers are affected by pornography. Throughout, we return to the clear links between pornography consumption and sexual violence.

Pornography Consumption in the Nordics

Overall, young men are the most frequent consumers of pornography, and often start at a young age. Be aware that figures are not directly comparable due to differences in measurement methods, timing, and target groups.

As can be seen, it has not been possible to find statistics on pornography consumption in Finland. An important recommendation for relevant Finnish authorities and researchers is thus to compile such statistics, disaggregated by sex and age.

Men Watch More Pornography than Women

In all Nordic countries, it is common for men to consume pornography, while it is relatively uncommon for women. In Norway, for instance, 97 percent of men (18-85 years) have watched pornography at least a couple of times in the last year, and 58.3 percent watch pornography frequently (at least once per week). Conversely, only 14.6 percent of Norwegian women report frequent use.²¹ In Sweden, 70 percent of men (aged 16-64) use pornography, whereas 70 percent of women in the same age group do not.²² In Denmark, 93 percent of men and 67 percent of women have watched pornography at some point. However, over half of men (55 percent) but only a small fraction of women (9 percent) watch it frequently (once a week or more).²³

Many Young Men Watch a Lot of Pornography

Young men often constitute a group with very high pornography consumption. According to a population survey by the Swedish Public Health Agency, 41 percent of young Swedish men (aged 16-29) watch pornography daily or almost daily.²⁴ Another survey shows that half (49-50 percent) of young men aged 15-18 and 19-22 watch pornography weekly to several times a day. This study also indicates that men who watch frequently are more likely to report having seen violent and coercive content.²⁵ In Iceland, 70 percent of male students (18-30 years) watch pornography

21. Van Duin, E. (2023).

22. Folkhälsomyndigheten (The Public Health Agency of Sweden). (2019).

23. Frisch, M. (2019).

24. Folkhälsomyndigheten (The Public Health Agency of Sweden). (2019).

25. MÄN/Kantar Sifo. (2021).

several times a week compared to 12.5 percent female students.²⁶ In Denmark, almost all (96 percent) young males (15–24 years) have watched pornography at some point, with 84 percent viewing it at least once a week in the past year.²⁷ In Norway, 68 percent of boys (13–18 years) have watched online pornography.²⁸

Attitudes Toward Pornography

In some Nordic countries, surveys have examined men’s and women’s attitudes toward pornography. These consistently show that men have a more positive attitude toward pornography than women. One Icelandic study, for example, found that it is far more common for women than men to find pornography disgusting and to think that it promotes violent messages about sex.²⁹ Among Swedish internet users over 18, 40 percent of men but only 8 percent of women have a positive view of pornography.³⁰

However, some studies reveal that boys often have a negative attitude toward pornography. According to one Swedish survey, half of boys aged 13–14 are negatively inclined toward pornography, though many mistakenly believe that their peers like it.³¹ The trend appears to show that boys are becoming more negative toward pornography over time, while girls are becoming slightly more positive.³²

Boys Are Exposed to Pornography at an Early Age

In all Nordic countries, boys encounter pornography at an early age. In Iceland, 84 percent of boys in upper secondary school have watched pornography online, compared to 56 percent of girls of the same age.³³

A 2014 study found that Swedish boys actively seek out pornography for the first time at about the age of 12, although many may have been exposed to it involuntarily before then.³⁴ With children’s internet access increasing over time, it is possible that the average age of first exposure has decreased since the study. However, some studies indicate a decline in young people’s pornography use, especially among girls.³⁵ According to one Swedish survey, 13 percent of Swedish boys aged 13–14 watch pornography weekly or more often.³⁶

Accessibility of Online Pornography and New Technologies

During the last decades of ever more rapid technological development, pornography has moved almost fully into the digital arena. Every second, over 28 000 users are estimated to watch pornography, and of all Internet downloads 35 percent are related to pornography.³⁷

Scandinavia is one of the most digitized regions in the world³⁸ and Nordic children and adults live large parts of their lives online. For instance, most 15-year-olds spend more than two hours every weekday on recreational screen time.³⁹ Meanwhile, online pornography is easily accessible, just a click away on any smartphone, tablet or computer.

26. Kolbeins, G.H. (2016).

27. Frisch, M. (2019).

28. Medietillsynet (The Norwegian Media Authority). (2022).

29. Kolbeins, G.H. (2016).

30. Internetstiftelsen (The Swedish Internet Foundation). (2021).

31. MÄN/Kantar Sifo. (2021).

32. Donevan, M. et. al. (2024b)

33. Kjartansdóttir, I. (2022).

34. Mattebo, M. (2014).

35. Svedin, C.G. et. al. (2021)

36. MÄN/Kantar Sifo. (2021).

37. Alsalem, R. (2024).

38. Hellingwerf, K. (2021)

39. Nordic Council of Ministers, (2021).

Digitalization inevitably leads to children encountering pornography at an ever earlier age, and those who want to can spend a considerable amount of time watching it.

Digitalization and new emerging technologies also introduce new issues concerning pornography and violence against women and girls. For example, the ever-evolving ways of creating realistic fake images or videos of people, often called ‘deepfakes’, are mainly used for creating pornography; 98 percent of online deepfake videos are pornographic. In almost all pornographic deepfakes (99 percent) the targets were women or girls.⁴⁰ Many victims of deepfake pornography and AI-generated nude images have spoken out about the trauma this has brought about⁴¹.

It is of utmost importance that states act against the misuse of new technologies. When people, especially children, spend more and more time online, states must ensure that the Internet is not a lawless land.

Harm of Pornography to the Individual Consumer

Pornography influences people’s attitudes, behaviors, and health in various ways. For instance, it shapes men’s and boys’ as well as women’s and girls’ perceptions of themselves and each other, their relationships, and ultimately gender equality in society. Pornography often leaves a deeper impression compared to other media consumption because users frequently masturbate while interacting with and deriving pleasure from the material.⁴²

Pornography Makes Men More Sexually Aggressive

As described earlier, most contemporary pornography contains elements of violence, oppression, and degradation directed toward women.⁴³ Men and boys who watch it become accustomed to and aroused by such content. Experimental studies show that men who use pornography are more likely to trivialize violence against women and become more sexually aggressive themselves.⁴⁴ Both directly and indirectly, pornography influences men’s expectations and perceptions of sex, with some men attempting to replicate acts seen in pornography. Research indicates that violent men who consume pornography are more violent than those who do not.⁴⁵ Women’s shelters and police corroborate these findings, often encountering women subjected to violence inspired by pornography.⁴⁶

Pornography Limits Men’s Sexuality

Advocates of pornography often argue that it helps develop consumer’s sexual expression. But in reality, pornography tends to restrict it. Like other digital platforms, pornography sites are designed to continually feed users more of the same content⁴⁷, leading many men to seek increasingly extreme content as they become desensitized.⁴⁸ Some men lose interest in real sexual relationships due to excessive pornography consumption.

40. Alsalem, R. (2024).

41. See for example Koebler, J. and Maiberg, E. (2024), Jargon, J. (2023) and Swigonski, M. (2024).

42. Abalo Rodríguez, I. and Alario Gavilán, M. (2024)

43. Already 14 years ago, 90 percent of the scenes in the most popular American pornographic films contained physical aggression, according to Bridges et al. (2010).

44. Many studies demonstrate the link between pornography consumption and sexual aggression. For meta-analyses, see Wright P.J. et al. (2016), Allen M. et al. (1995a and 1995b), or Hald G.M. et al. (2010). For analytical literature reviews and large survey studies, see, for example, Malamuth, N.M. et al. (2000).

45. See Simmons, C.A. et al. (2008), Shope, J.H. (2004) and Cramer E. et al. (1998).

46. Unizon. (2020).

47. Adler, A. (2024).

48. Zillman, D. och Bryant, J. (1986).

In several countries, including in Scandinavia, erectile dysfunction among young men is rising, with many experts suggesting that high pornography consumption is a contributing factor⁴⁹. The Swedish Public Health Agency’s population survey found a correlation between frequent pornography use (three times a week or more) and poorer sexual health.⁵⁰

Is Pornography Addictive?

Evidence suggests that pornography can be addictive, especially for boys and young men. A survey conducted by the organization MÄN revealed that 43 percent of Swedish young males aged 15–25 wish they consumed less pornography. In open responses, many described wanting to stop watching but being unable to.⁵¹ Therapists in Norway and other Nordic countries also report receiving requests for help from individuals exhibiting addiction-like symptoms related to pornography⁵².

Children Are Especially Vulnerable to the Effects of Pornography

There is no reason to believe that the harmful effects of pornography identified in research on adults would not also apply to children and adolescents. On the contrary, young people are likely more susceptible to the messages of pornography and more vulnerable to its associated risks.⁵³

According to UNICEF, children exposed to pornography are at higher risk of mental health problems, and their attitudes toward women and sex are negatively influenced.⁵⁴ As previously discussed, male dominance and activity, as well as female subordination and passivity, are recurring themes in pornography. This affects both boys and girls who consume pornography. While boys learn to associate sexual arousal with power over women, girls learn to accept and even find arousal in being objectified, dominated, or degraded by men.⁵⁵

Links Between Pornography and Men’s Violence Against Women

In several countries, there has been a sharp increase in boys’ violence against girls, which the UN Special Rapporteur on Violence Against Women and Girls links to pornography.⁵⁶ In the UK more than half of sexual offenders (52 percent) are now boys under 17, with police identifying pornography as a contributing factor.⁵⁷

In Sweden, 22 percent of young women (aged 16–19) report experiencing sexual violence in the past year.⁵⁸ Youth clinics and support centres for girls report that young women seek help for injuries caused by so-called “rough sex.” More young women are also speaking out in the media, describing how pornography-inspired acts such as choking, spitting, and hitting – resulting in bruises and bleeding – have become recurring elements of their sexual experiences.⁵⁹ Icelandic experts have reported a clear link between pornography and child sexual abuse.⁶⁰

49. Park, Y.B. et. al. (2016).

50. Folkhälsomyndigheten (The Public Health Agency of Sweden). (2019).

51. MÄN/Kantar Sifo. (2021).

52. Mack, M. (2023).

53. Waltman, (M). (2021b).

54. UNICEF. (Year unknown).

55. Abalo Rodríguez, I. and Alario Gavilán, M. (2024)

56. Alsalem, R. (2024).

57. Dodd, V. (2024).

58. BRÅ (Swedish National Council for Crime Prevention). (2023).

59. Se for example Uppdrag Granskning: Hårt Sex (SVT/ Swedish public service television, 2023) and P1 dokumentär miniserie: Våldsam ung kärlek (Sveriges Radio/Swedish public service radio, 2022).

60. Sveinsdóttir, Þ. (2012).

Women Are Harmed in Pornography Production

While this report primarily focuses on preventing the harmful consequences of pornography consumption and distribution, it is equally important to highlight the exploitation of women and children – often girls – in pornography production. These issues are interconnected. For instance, recorded pornography is often used to groom women and girls into prostitution and further pornography production⁶¹.

Educating men who consume pornography about the exploitation behind the scenes – for example, that many of the women they watch were abused in childhood, come from impoverished backgrounds⁶², and suffer long-term trauma such as post-traumatic stress disorder (PTSD)⁶³– may help reduce demand.

Results: Actions Against Pornography in the Nordic Countries

There are, as already described, many reasons for states to take action against pornography. It promotes gender inequality and violence against women and girls, has harmful effects on individual consumers, and exerts damaging impacts on culture and society. What measures have then been taken in Denmark, Finland, Iceland and Sweden to combat the harmful effects of pornography? In this section of the report, we provide a brief overview of relevant legislation and other measures in each country.

Denmark

The Danish legal system has long been characterized by a much more liberal view on all forms of prostitution, including pornography, than the other Scandinavian countries. It is legal to buy and sell sexual acts in the country, as long as those that are prostituted are adults. In theory, procuring, pimping and soliciting prostitution is prohibited⁶⁴, but in practice brothels continue to operate without any real repercussions.

Denmark was also the first country in the world to legalize pornography in 1969.⁶⁵ It still remains today that there are no bans or restrictions in Denmark when it comes to the distribution of pornography, with at least three exceptions. Firstly, it is, as in the other Nordic countries, illegal to possess, disseminate and sell sexual images and films depicting children in Denmark.⁶⁶ Secondly, there is a law that prohibits the selling of indecent images to minors, but this law is no longer used in practice.⁶⁷ Thirdly, it is prohibited to distribute sexual images of someone without consent (more about this in the next section).

61. Herrington, R. and McEachern, P. (2018).

62. Grudzen, C.R. et. al. (2011).

63. Farley, M. (2007).

64. §233, ch. 24, Straffeloven (The Danish Penal Code).

65. Larsdotter, A. (2011).

66. §235, ch. 24, Straffeloven (The Danish Penal Code).

67. §234, ch. 24, Straffeloven (The Danish Penal Code).

Recently, the terminology surrounding pornography has been updated in the Danish penal code. The word ‘pornographic’ has been replaced with “sexual” when referring to pornography that depicts children or victims of trafficking, hence descriptions that previously read “pornographic material” now read “sexual material”. The reasoning behind the edits was that the term “pornographic” may downplay the seriousness of the material, since pornography in the Danish context often is interpreted as films that are fully legal and recorded with the consent of the persons involved.⁶⁸ The government has also clarified that sexual images and films of children under 15 should be considered “abusive material”.⁶⁹

Image-Based Sexual Abuse and Deepfake Pornography

Denmark is one of the countries in the world that has criminalized the abusive dissemination of sexual films and images, so-called image-based sexual abuse. The Danish Penal Code states that anyone who unlawfully discloses messages or images concerning another person’s private matters shall be fined or imprisoned for up to six months. The crime is not considered a sexual crime per se but rather a violation of personal integrity.⁷⁰

The Danish Penal Code also includes a broad “indecenty offense” (blufærdighedsskrænkelse) aimed at covering sexual offenses that fall outside other legislation. This provision is for example used to prosecute cases of sexual harassment and indecent exposure. In recent years, this law has also been used to address unauthorized distribution of sexual images online, which has then been classified as digital indecenty offenses.⁷¹

There are thus two laws that can be used to hold men that share offensive sexual images of women online accountable for their actions. An indecenty offence is considered a more severe crime than the unlawful distribution of private images, and perpetrators can be fined or sentenced to imprisonment for up to two years, or four years if the films or images feature a child.⁷²

Both laws can be used if the material in question has been generated by artificial intelligence. To create and distribute deepfake pornography is also seen as a form of identity theft in Denmark. The Danish criminal code clearly states that it is illegal to disseminate images that have been manipulated to look like a certain person.⁷³ Over the last few years, several Danish men have been convicted for sharing fake nude pictures of women on social media platforms, but many more continue to do so, often hiding behind anonymous accounts.⁷⁴

Safeguarding Children from Online Pornography

Protecting children from pornography and other harmful content online has been a priority for the Danish government⁷⁵ and a recurring topic in the national political debate in recent years⁷⁶.

In 2023, the Danish government’s expert group on big tech published a report with 13 recommendations regarding big tech business models. One of the recommendations was to introduce age verification requirements for apps and online

68. Vestergaard, J. (2024).

69. Justitsministeriet (The Danish Ministry of Justice). (2022).

70. §264, ch. 27, Straffeloven (The Danish Penal Code).

71. Stortingets utredningsseksjon (the Investigation Department of the Norwegian Parliament). (2024).

72. Retsinformation. (2020).

73. §264 e, ch. 27, Straffeloven (The Danish criminal code).

74. Holst Bach, A., Bøgeholt Baltsen, L and Skov Snedker, V. (2023).

75. See for example Langberg, M. and Louise Nesheim, S. (2023) and Fazliu, Q. (2023).

76. See for example Vind, B, (2023) and Bødskov, M. (2023).

platforms, thus forcing the providers to make sure that minors do not have access to services that they are not old enough to use.⁷⁷ The government welcomed the recommendations and promised that they would “get to work immediately”.⁷⁸

Later the same year the Danish Media Council for Children and Youth, an independent council appointed by the Minister of Culture, published ethical guidelines for digital services that once again stated that online platform providers must establish and maintain “effective, user-friendly, and privacy-protective systems for age verification”⁷⁹. The government welcomed these guidelines and particularly underlined the importance of preventing children’s exposure to harmful content, such as pornography⁸⁰. The guidelines are, however, not mandatory for companies to follow.

The government lived up to its promises and drafted an act on age verification. According to the act, providers of age-inappropriate content platforms are required to ensure that effective age verification measures are in place, so that children under 16 cannot access harmful material.⁸¹ The bill received unanimous support in the Danish parliament but has not been implemented, as it is considered to conflict with EU law, a concern also raised against similar laws in France and Germany. Currently, the Danish government is working together with like-minded countries to introduce joint age verification measures at the EU level.⁸²

Despite broad political support for actions aimed at protecting children from online pornography and several official reports on the matter, few or no actions have been taken to strengthen Danish children’s resilience against pornography or support children that have been traumatized by it. The non-governmental organization *Mediesundhed for børn og unge* testifies to how a liberal view of pornography still seems to dominate public authorities in Denmark. No agency or other organization has been tasked to work on pornography prevention, there are no national information campaigns about the harmful effects of pornography, and teachers are not required to educate children about pornography in a critical manner. As a result, *Mediesundhed for børn og unge* and other child and women’s rights organizations with limited resources are left with the responsibility to educate professionals and general public about today’s pornography.

Is Age Verification Compatible with EU Legislation?

EU’s Digital Services Act (DSA) requires online platform providers to implement measures that protect minors from harmful content, while also safeguarding users’ personal privacy.⁸³ Very large online platforms, such as Facebook and Instagram, as well as major pornographic websites, are required under the directive to assess whether their services pose risks related to, among other things, gender-based violence, public health, and the protection of minors. Article 35 mentions age verification as a measure that platforms can take to mitigate these risks.⁸⁴ However, according to the European Commission, this does not mean that individual states can, through legislation, mandate that platforms implement age verification.⁸⁵ Furthermo-

77. Regeringens ekspertgruppe tech-giganter (The Danish Government’s Expert Group on Tech Giants). (2023).

78. Erhvervsministeriet (the Danish Ministry of Industry, Business and Financial Affairs). (2023.)

79. Medierådet for Børn og Unge (the Danish Media Council for Children and Youth). (2023).

80. Rådet for Digital Sikkerhed (The Danish Council for Digital Security). (2023).

81. Statsministeriet (The Danish Prime Minister’s Office). 2023.

82. Erhvervsministeriet (The Danish Ministry of Industry, Business, and Financial Affairs). (2023).

83. Art. 28, ch. 3, Directive 2000/31/EC (Digital Services Act).

84. Art. 34–35, ch. 5, Directive 2000/31/EC (Digital Services Act).

85. Erhvervsministeriet (The Danish Ministry of Industry, Business, and Financial Affairs). (2023).

re, the EU directive on electronic commerce (2000/31/EC) does not permit a member state to introduce general regulations for communication platforms operated by companies based in other member states.⁸⁶

The French government and parliament have declared a “war on online pornography” and are determined to introduce age verification and limit the reach of pornographic websites and other tech companies.⁸⁷ Considering the European Commission’s legal objections, France has adapted its age verification legislation so that it applies only to pornographic websites operated by French and non-European companies. These companies are required to verify the age of visitors before granting access to their content, or else face fines of up to €300,000 or 4 percent of their annual turnover. The police can also request internet service providers to block the affected websites.⁸⁸ In October 2024, the French Court of Appeal issued its first decision to block four pornographic websites that failed to comply with the law. The decision prevents these websites from accessing French internet users until they implement proper age verification systems.⁸⁹ According to the latest version of the French law, the blocking of non-compliant pornographic websites can now be carried out without a court order.⁹⁰

However, platform companies based in other EU countries are exempt from the French legal requirements. To address these companies, France wants its digital communication authority, Arcom, to contact other member states and encourage them to require platform companies based in their countries to take measures to protect children from pornography and other harmful content.⁹¹

At the same time, French pornographic producers are working to delay and prevent the implementation of age verification in France. This has sparked a debate over whether authorities or private companies should provide the tools for age verification, as well as what requirements should be placed on these tools.⁹² Even before the debate gained momentum, companies had developed fully operational tools to verify internet users’ ages while preserving their anonymity, thereby protecting their privacy in accordance with the Digital Services Act⁹³.

Finland

As in Denmark it is legal to buy and sell sexual acts in Finland, though not in public places and only if the persons being sold are adults and not victims of trafficking. Procuring prostitution is illegal.⁹⁴

According to Finnish criminal law it is illegal to produce, market or in any other way distribute pornography that contains real or realistic pictures or videos that, in a morally offensive way, depict violence. The provision *Dissemination of pornographic images* also prohibits material showing sexual relations with animals and is punishable by

86. Court of Justice of the European Union. (2023).

87. Le Figaro. (2019).

88. Rees, M. (2024).

89. Kroet, C. (2024).

90. Rees, M. (2024).

91. Erhvervsministeriet (The Danish Ministry of Industry, Business, and Financial Affairs). (2023).

92. Rees, M. (2024).

93. Olivier Dussutour, CEO of Nexus, Lecture at the conference Forum Jämställdhet in Karlstad, February 8, 2024.

94. §8, ch. 20, Strafflagen (The Finish Penal Code).

fine or imprisonment for two years maximum.⁹⁵ However, the law is rarely used. Finnish media have reported some convictions, but these high-profile cases almost always concern child pornography⁹⁶, which until 2022 was included in the same offense⁹⁷.

It is worth noting that there are some differences in how the law is formulated in Finnish versus Swedish (since Swedish is an official language in Finland, all legislation is available in Swedish as well as in Finnish). In Swedish, the term '*pornographic image*' is used, whereas in Finnish, the term '*obscene image*' is applied instead.⁹⁸ It could thus be interpreted that pornography is equated with obscene images in Finnish law.

The prohibition against disseminating pornographic images was introduced in 2004, before pornography moved from magazines and DVDs to the internet on a large scale. However, the Finnish legislators have made some efforts to make sure that it can be applied online. The Act on Electronic Communication Services for example states that providers of video-sharing platforms must have terms of use that prohibit the uploading of programmes, user-generated videos or audiovisual commercial messages that contain pornographic images punishable according to the law. The providers are also obliged to take necessary measures to ensure that users can report such content if they still encounter it. However, the law also states that all measures taken by providers shall be proportionate and consider the rights of the video-sharing platform itself as well as the rights of the users who created or downloaded the content. Measures may not result in pre-checking or filtering of the content. Furthermore, the law only applies to providers based in Finland.⁹⁹

Safeguarding Children from Pornography

The Finnish Act on Image Programmes aims to protect children from films and TV shows that can be harmful, including material that contains violent or sexual elements. The law regulates when and how age limits should be set for videos and if, how and when these videos can be broadcasted. It was originally drafted to apply to TV channels, but has been updated so that it also applies to providers of video-sharing platforms. According to the law, providers must ensure that children do not access content that is inappropriate for their age, for example by enabling ways for parents to block harmful content or methods to verify the user's age.¹⁰⁰ These are, however, just two examples of measures that the law says can be taken and should not be confused with legal requirements for age verification systems or general filters that block out pornography, both of which are not yet in place in Finland.

If a video-sharing platform provider fails to fulfil its obligations, it can receive a reprimand that may include a fine. However, the Act on Image Programmes includes similar reservations as in the previously mentioned Act on Electronic Communication Services, explicitly stating that measures taken shall be proportionate, and yet again this only applies to providers that are based in Finland.¹⁰¹

Image-Based Sexual Abuse and Deepfake Pornography

Finland, as all Nordic countries, has prohibited non-consensual distribution of sexual images, often called image-based sexual abuse. The law against unauthorized

95. §18, ch. 17, Strafflagen (The Finnish Penal Code).

96. See for example Hufvudstadsbladet. (2020), Svartström, A. (2021) and Hufvudstadsbladet. (2021).

97. Lag om ändring av strafflagen 723/2022 (Act on the Amendment of the Criminal Code 723/2022).

98. § 18 Ch. 17 Strafflagen (The Finnish Penal Code)

99. §226 c, ch. 26 a, Lag om tjänster inom elektronisk kommunikation 7.11.2014/917 (Act on Electronic Communications Services 7.11.2014/917).

100. §7a, ch. 2, Lag om bildprogram 30.12.2020/1209 (Law on Image Programmes).

101. Ibid.

dissemination of sexual images was introduced as recently as 2023 and is placed in the chapter on sexual offenses in the penal code. The law states that anyone who, without permission, displays or shares real or realistic images of someone in a sexual situation, in a manner that violates their sexual autonomy, shall be sentenced to pay a fine or imprisonment for up to two years.¹⁰² If the person in the film or picture is under 18, a similar provision that does not mention consent or sexual autonomy applies instead.¹⁰³ Since the text of the law specifically mentions not only real but also realistic images, it can be said to cover deepfake videos generated by AI, though it must be possible to identify the woman or girl in the video for it to be punishable.¹⁰⁴

Iceland

In an international comparison, Iceland has extensive legislation aimed at protecting women and girls from sexual violence perpetrated by men and boys. All aspects of prostitution, except for selling sexual services, are prohibited, as are strip clubs.¹⁰⁵

Article 210 in the Icelandic penal code states that a person responsible for publishing pornography in print shall be subjected to fine or imprisonment up to six months. The same penalty scale applies to all forms of distribution of pornography and to exhibiting pornography in a public place, as well as to disseminate pornography to children under the age of 18.¹⁰⁶ There is, however, limited case law on Article 210, and the law was introduced in 1998 before the emergence of internet pornography.¹⁰⁷ Overall, verdicts about pornography are few, but case law on exposing children to pornography has been developed under the relevant clauses in the Penal Code and the Child Protection Act.¹⁰⁸

The penalty scale is higher for producing or distributing child pornography (as is the case in all Nordic countries), but it is also higher for producing or distributing pornography where adults are either depicted as or acting as children in a pornographic manner. This is punishable by a fine or imprisonment for up to two years in the case of a serious violation.¹⁰⁹

In 2013, there was a large public debate in Iceland on the pros, cons, and possibilities of technically restricting pornography online, some phrasing it as “the debate on banning online pornography”.¹¹⁰ The debate was instigated by the Minister of the Interior, and amongst the plans being discussed were blocking pornographic sites and making it a criminal offence to use an Icelandic credit card to access commercial pornography.¹¹¹ The debate quickly became polarized when accusations arose about restrictions on freedom of speech. After being accused of wanting to restrict freedom of expression, the Minister of the Interior published an official response where he clearly stated that this was not the aim, and emphasized the importance of a democratic discussion on this topic and political willingness to combat the distribution of sexual violence by the porn industry.¹¹² This was followed by an open letter of support, signed by feminist writers and academics, amongst others.¹¹³ In the end the debate did not result in any concrete actions on behalf of the state and no bill or proposal was ever tabled in parliament. Nevertheless, it was a groundbreaking

102. §7, ch. 20, Strafflagen (The Finish Penal Code).

103. §19, ch. 20, Strafflagen (The Finish Penal Code).

104. Someturva. (2023).

105. National Center on Sexual Exploitation (NCOSE). 2020.

106. Art. 210, ch. 22, Almenn hegningarlög (The Icelandic Penal Code)

107. The Reykjavík Grapevine. (2013).

108. Bragadóttir, R. (2019).

109. Art. 210, ch. 22, Almenn hegningarlög (The Icelandic Penal Code).

110. Murphy, M. (2013).

111. McVeig, T. (2013).

112. Jónasson, Ó, (2013).

113. Aghatise, E., et al. (2013).

initiative, in that it was clearly formulated as an action to combat pornography as a violation of women's civil rights. It was also clearly stated that the intent behind restricting pornography was not anti-sex or -nudity, but was about combating an industry rife with violence.¹¹⁴

Safeguarding Children from Pornography

The previously mentioned debate on banning online pornography also highlighted children's exposure to films produced by the sex industry. The Minister of the Interior as well as many parents and professionals within education and health care expressed their concern about the harm of pornography to children. As described above, however, the debate did not result in any legal changes.

Hence, the responsibility to protect children from harmful pornographic material in practice rests on parents and guardians, not the state. The Icelandic Child Protection Act states that, among the other duties of parents and guardians, they shall, as far as they are able, protect their children against violent and pornographic material by preventing their access to it.¹¹⁵

More recently, new initiatives have been taken to protect children from online pornography. Based on the national strategy on cyber security, a national unit within the Icelandic Police department has been tasked with developing technical measures to restrict children's access to pornography.¹¹⁶ In November 2023 the Police also hosted a conference on the issue with participation from national and international stakeholders including representatives from the tech and pornography industry, the UK Government, and civil society organizations.

In addition to legislation, some efforts are being made to strengthen Icelandic children's and young people's resilience against pornography. Although there are no formal requirements on how pornography should be addressed in sex education, a new secondary school textbook highlights the negative aspects of pornography. Among other things, the book describes how pornography is connected to and contains violence, as well as the harmful effects its consumption can cause.¹¹⁷ The Reykjavík Equality School also educates educators as well as children about a range of equality issues, including the harms of pornography.¹¹⁸

The Icelandic Ministry of Equality also funds an annual violence prevention campaign, *Sjúkást*, organized by civil society organization *Stígamót* in co-operation with youth centres and schools. The campaign focuses on raising awareness amongst youth on violence in intimate relationships, and includes information about pornography and on how one can seek help if one has been subjected to sexual violence.¹¹⁹

Furthermore, Icelandic authorities continue to collect statistics and support some research on pornography. As part of the The National Strategy for Prevention of Sexual and Gender-based Violence, the Icelandic Directorate of Health has been tasked with mapping research and literature on the harmful effects of pornography on children and young people and proposing necessary measures.¹²⁰ Over the past two years, the Icelandic Media Commission has conducted annual surveys on children's and young people's access to and use of pornography, as well as its impact on

114. See for example Sayej, N. (2013) and McVeig, T. (2013).

115. Barnaverndarlaga 80/2002 (The Icelandic Child Protection Act).

116. Stjórnarráð Íslands (The Icelandic Government). (2023).

117. Kristinsson, Þ och Þorgeirsdóttir, B. (2024).

118. See the webpage of Bæjarstjórn Reykjavíkur (Reykjavik municipality) <https://reykjavik.is/jafnrettisskolinn> and <https://reykjavik.is/ibuar-born-unglingar-og-ungt-folk-jafnrettisskolinn/kynfraedsla> as well as collected information from Miðstöð menntunar og skóláþjónustu (Center for Education and School Services) at <https://stoppofbeldi.namsefni.is/>.

119. See the campaign site <https://sjukast.is/english/>

120. Ingudóttir, J. (2023).

their health. The survey is inspired by a similar mapping conducted in Norway by the corresponding authority.¹²¹

Image-Based Sexual Abuse and Deepfake Pornography

Under the Icelandic criminal code, there are clauses similar to the Danish framework protecting individuals' integrity and on indecency that were applied in cases of image based sexual abuse up until 2021.¹²²

Since 2021, Iceland also has a criminal clause that explicitly bans publishing or distributing nude or sexual depictions of another person without her consent. This includes threatening to publish or distribute such content, provided that the threat is likely to cause fear or anxiety to the victim. It also extends to 'fake material', as in nude or sexual pictures that are not real such as pornographic images created by artificial intelligence (deepfake pornography). Depending on the severity of the crime, it is punishable by a fine or imprisonment of up to four years. If the offense is committed negligently, it is punishable by a fine or imprisonment of up to one year. The provisions were aimed at framing the interest of sexual privacy under the criminal code in a way that acknowledges the twofold nature of such violations as both a manifestation of sexual violence that disproportionately affects women and as a violation of privacy. By placing the relevant clause in the sexual violations section of the general penal code, it was ensured that victims enjoy access to all support available to victims of sexual violence.¹²³

Norway

As in most Nordic countries, it is legal to sell but illegal to buy or procure sexual services in Norway.¹²⁴ The Norwegian Penal Code defines pornography as "sexual depictions that are offensive or otherwise likely to degrade or dehumanize individuals, including sexual depictions involving corpses, animals, violence, and coercion". Depictions that can be considered justifiable for artistic, scientific, or informational purposes should however not be seen as pornographic, according to the law.¹²⁵

Based on this definition, the Penal Code prohibits all forms of pornography distribution, including publishing, selling, importing with the intent to distribute, distributing to persons under the age of 18, and displaying it publicly. Those found guilty of distributing pornography can be sentenced to fines or imprisonment for up to three years. Similar to Sweden, it is also punishable to distribute pornography unintentionally.

However, the penal code has several gaps, and the provisions on pornography are basically never used, according to the non-governmental organization *Kvinnefronten*, which has worked with the issue for many years. In practice, the law does not take into account the existence of internet pornography, even though it is not stated that pornography has to be in physical forms such as magazines or DVDs in order for the law to apply.

Safeguarding Children from Pornography

The Norwegian constitution states that it is allowed to infringe on the freedom of expression to protect children from "the harmful influence of moving images"¹²⁶.

121. Kjartansdóttir, I. (2022).

122. Bjarnadóttir, M. R. (2020).

123. Art. 199 a, ch. 22, *Almenn hegningarlög* (The Icelandic Penal Code).

124. §315–316, ch. 26, *Straffeloven* (The Norwegian Penal Code).

125. §317, ch. 26, *Straffeloven* (The Norwegian Penal Code).

126. Art. 100, ch. E, *Kongeriket Noregs grunnlov* (The Norwegian Constitution)

But there are still no national laws or requirements about age verification on or the blocking of pornographic sites or other technological measures to protect minors from online pornography.

The National Criminal Investigation Service (*Kripos*) of the Norwegian Police have created a list of websites that they consider harmful to children and youth and therefore should be blocked in Wi-Fi-networks and digital devices such as computers, iPads or mobile phones used by children. In 2023, the Norwegian Minister of Education sent a letter to all Norwegian municipalities urging them to make sure that the Kripos blocking list is used in all primary schools.¹²⁷ The letter was sent after a heated debate in the parliament that demanded action from the government. Several parliamentarians also requested that municipalities should stop handing out iPads or other devices until proper safety walls against pornography or other harmful content are in place.¹²⁸ Currently, after the letter and the debate in the parliament, about two thirds of Norwegian municipalities (67 percent) use Kripos' list¹²⁹. This means that many Norwegian children can still be exposed to pornography in their classrooms. Politicians from various parties have submitted motions in parliament proposing that municipalities should be legally required to protect children from pornography in their schools and other facilities for children, for example, by using Kripos' list.¹³⁰

Norwegian authorities have also developed various resources and recommendations regarding pornography in relation to children and youth. The Norwegian Directorate for Education has, for example, published the guide "How do we protect children from harmful content online?" aimed at schools and preschools.¹³¹ The Ministry of Children and Families has developed a national strategy for a safe digital childhood that establishes key principles for other authorities' continued work on the issue.¹³²

Pornography in Norwegian Sex Education

The Norwegian curriculum does not mention pornography explicitly, neither for sex education nor for any another subject. However, some of the teaching objectives can be linked to pornography, for example when it comes to gender roles, critical thinking, human rights, and human dignity.¹³³ Norwegian schools are also encouraged to follow the recommendations of the UN Committee on the Rights of the Child.¹³⁴ The Committee has specifically recommended that teachers educating on sexual and reproductive health should be prepared to address children's digital environments¹³⁵, which inevitably includes pornography. This means that it is possible but not mandatory for Norwegian teachers to bring up pornography in the classroom.

In 2024, a governmental inquiry on rape, focusing both on prevention and prosecution, clearly linked sexual violence to pornography consumption. The so-called Rape Committee called for more research on the effects of pornography on young people, but also underlined the importance of improving the quality of sex education and specifically including criticism of pornography in the curricula and teacher training.¹³⁶

Another fairly recent governmental inquiry on gender equality challenges among children and youth also brought up pornography. It too calls for more research, whilst also emphasizing that children want more discussions about pornography and

127. Søndeland, G., (2024).

128. Stortinget (The Norwegian Parliament). (2023).

129. Søndeland, G., (2024).

130. Nyholt, H.B. et. al. (2024).

131. Utdanningsdirektoratet (The Norwegian Directorate for Education and Training). (2024).

132. Barne- og familiedepartementet (Ministry of Children and Families). (2021).

133. Goldschmidt-Gjerløw, B., Kalmar Frøvik, J. och Lindahl Torstensen, R. (2022).

134. Regjeringen (The Norwegian Government). (2023).

135. UN Committee on the Rights of the Child. (2021).

136. Norges offentlige utredninger (NOU) 2024: 4. (Official Norwegian Report 2024:4).

that teachers, parents, and other adults should be more informed and engaged in the topic.¹³⁷

In addition to government investigations addressing pornography in recent years, the Norwegian Media Authority continues to regularly measure children's and young people's pornography consumption and attitudes toward pornography.¹³⁸

Image-Based Sexual Abuse and Deepfake Pornography

Norway, like other Nordic countries, has prohibited the non-consensual distribution of sexual images and videos. This is addressed through a provision in the chapter on personal liberty and privacy in the Penal Code, falling under a broader offense that not only includes sexual material. Anyone who unlawfully makes available sexual, nude, or in other ways offensive images or videos without consent can be sentenced to a fine or imprisonment for up to one year. If the offense is committed unintentionally, the maximum prison sentence is six months.¹³⁹

When it comes to sexual films produced using artificial intelligence, the legal situation in Norway is unclear. The aforementioned provision on the unlawful distribution of sexual images does not explicitly state that fabricated material is included. According to an investigation by the Investigation Department of the Norwegian Parliament, it is particularly unclear whether the law applies to material digitally constructed using information from various sources. This could be seen as a form of electronic animation and thus fall outside the scope of the provision.¹⁴⁰

In the Norwegian Penal Code's chapter on the protection of privacy and personal integrity, there is also an offense called reckless behavior that criminalizes stalking and similar violations of personal peace.¹⁴¹ There is also a specific criminalization of so-called public communications that invade privacy.¹⁴² In the latter case, the dissemination must have been relatively widespread—according to the law's preparatory works, more than 20-30 people must have been reached. If the images or films depict children a more extensive criminalization applies, covering both production and distribution, under §311 that criminalizes depictions that sexualize children.¹⁴³ In many cases, this provision could also apply to deepfakes.¹⁴⁴

Beyond the Penal Code, Norwegian and European regulations on how personal data, including images, may be processed and distributed could apply to deepfake pornography in certain circumstances. However, the General Data Protection Regulation (GDPR) does not apply when relatives share images on social media, which is often the case with sexually explicit deepfake images. In some cases, the distribution of AI-generated sexual and nude images could also be prosecuted under Norwegian copyright legislation, but only if a specific photo used in the creation process is involved.¹⁴⁵

Additionally, the Investigation Department of the Norwegian Parliament notes that AI-generated images and videos distributed with the intent to damage someone's reputation could, in some cases, be considered defamation, allowing the perpetrator to be ordered to pay damages through a civil lawsuit. However, there are no known examples such cases, the right to freedom of speech must also be taken into account.¹⁴⁶

137. Norges offentlige utredninger (NOU) 2019:19. (Official Norwegian Report 2019:19).

138. Medietilsynet (The Norwegian Media Authority). (2021).

139. §267 a, ch. 24, Straffeloven (The Norwegian Penal Code).

140. Stortingets utredningsseksjon (the Investigation Department of the Norwegian Parliament. (2024).

141. §266, ch. 24, Straffeloven (The Norwegian Penal Code).

142. §267, ch. 24, Straffeloven (The Norwegian Penal Code).

143. § 311, ch. 26, Straffeloven (The Norwegian Penal Code).

144. Ibid.

145. Ibid.

146. Ibid.

Sweden

In 1999 Sweden was the first country to introduce a law that prohibits buying and procuring, but not selling, of sexual acts.¹⁴⁷ Similar laws have since been introduced in most Nordic countries, as well as Ireland, France, Canada and Israel.^{148 149} Prostitution as well as pornography is recognized within the national gender equality policy objective on ending male violence against women, which includes commercialization and exploitation of women's bodies¹⁵⁰. Also, violent pornography is by law considered unlawful depiction of violence.¹⁵¹ However, as in several other Nordic countries these laws are not enforced, which has enabled other interpretations of pornography. Thus, there are differing definitions of pornography being used in practice in Sweden, one common definition being pornography as depictions of explicit sexual activities intended to arouse the audience – i.e., similar to erotica.¹⁵² This definition, however, is not actually supported by any legislation.

Swedish law clearly bans the distribution of unlawful depictions of violence (olaga våldsskildring), making it a crime both in the Penal Code and against the Freedom of Expression Act. This means that depicting sexual violence or coercion with the intention of distributing it, or actually distributing it, is punishable by a fine or imprisonment for two years maximum – though, this does not apply if the act is deemed justifiable in the particular circumstance. The same scale of penalties applies if a person negligently disseminates such a depiction or if the distribution takes place in an enterprise or for profit.^{153 154} The law was passed in 1989, but has hardly been used, especially not on online pornography, even though women's organizations have repeatedly¹⁵⁵ A governmental inquiry published in 2023 was tasked with analyzing why there are so few prosecutions, and they suggested informational campaigns to raise awareness and then perhaps the willingness to report amongst people in Sweden. They also concluded that the current law should apply to online pornography.¹⁵⁶

Besides banning distribution of violent pornography, the Penal Code also prohibits displaying pornographic images in public spaces or sending a pornographic image to someone without them having requested it.¹⁵⁷ Thus, exposing the public or an individual to pornography without their consent is prohibited. Though the law reads in such a way that it primarily seems to refer to physical copies of pornography, and though there is little case law on this, it seems to also be applicable to online material.¹⁵⁸

A Swedish governmental inquiry published at the end of 2023 was tasked with reviewing the legal framework on digitally facilitated prostitution. The inquiry tried to draw a line between pornography and remote prostitution and concluded that the distinction can be made on the basis of the perpetrator's intention; if the purpose of the film is personal use, the prostitution laws should apply, but if the purpose is to distribute the film to others, it should be seen as pornography and be allowed. This suggestion does not take into account the fact that sex purchases being filmed and distributed should be an aggravating circumstance, not a free pass to avoid prosecution.

147. § 11, ch. 6, Brottsbalken (The Swedish Penal Code)

148. BRÅ (Swedish National Council for Crime Prevention). (2000).

149. Nordic Model Now! (n.d.)

150. Jämställdhetsmyndigheten (Swedish Gender Equality Agency) (2021).

151. § 10 c, ch. 16 Brottsbalken (The Swedish Penal Code)

152. see for example; Folkhälsomyndigheten (the Public Health Agency of Sweden) (2019); Arbetsmarknadsdepartementet (The Swedish Ministry of Employment) (2023). SOU 2023:98

153. § 10 c, ch 16 Brottsbalken (The Swedish Penal Code)

154. § 2 ch. 5 Yttrandefrihetsgrundlagen (The Swedish Freedom of Expression Act)

155. Westerstrand, Jenny et.al. (2021).

156. Arbetsmarknadsdepartementet (The Swedish Ministry of Employment). (2023).

157. §11 ch. 16, Brottsbalken (The Swedish Penal Code)

158. see for example Lindberg, K. (2016)

The link between pornography consumption and increased sexual violence has garnered growing attention in Sweden in recent years. One violent act that's been normalized by pornography is strangulation (often called choking), with Swedish teenagers reporting that it has become the new norm for sex.¹⁵⁹ The Swedish police have also reported concerns about an increase in strangulation during sex among young people.¹⁶⁰ Strangulation is now the second most common way of killing in cases of deadly intimate partner violence against young women and girls in Sweden.¹⁶¹ Because of this, the Swedish government have recently commissioned the National Board of Forensic Medicine to compile statistics and research on strangulation, including when it occurs in a sexual context. The Board is to publish this compilation in 2025.¹⁶²

Safeguarding Children from Pornography

The Swedish Radio and Television Act contains regulations that require TV and Radio channels to protect children from pornographic images. TV channels are not to broadcast or provide programs that includes pornographic images in a such a way that children easily can be exposed to it. Also, media service providers that broadcast or provide programs with pornographic images must issue a warning that such content is featured.¹⁶³ The Media Authority supervises these provisions, and if they are not complied with The Chancellor of Justice may order the broadcaster not to rebroadcast or provide such programs, and this may be accompanied by a fine.^{164 165}

The Swedish Radio and Television Act also applies to national video-sharing platform providers, requiring them to take appropriate measures to ensure that videos, programs and audiovisual commercial messages containing pornographic images are not provided in a way that poses a significant risk of children viewing them.¹⁶⁶ ¹⁶⁷ They must also take appropriate measures to ensure that the platform does not contain content referred to in the law against *Unlawful depictions of violence*, which prohibits distribution of violent pornography (see more above).¹⁶⁸

There are at time being no legal requirements in Sweden for age verification systems, digital safety walls that block out pornography, or other technological measures to protect minors from being exposed to online pornography. Despite this, a large majority (83 percent) of Swedish municipalities reported in 2022 that they have some kind of technical solution in place that limits children's exposure to pornographic content in school environments – either on technical devices or in Wi-Fi networks.¹⁶⁹ This is a major increase since 2017, when only 46 percent had introduced such technological measures.¹⁷⁰ However, this means that many Swedish children still attend schools that completely lack such protective measures.

Pornography in Swedish Sex Education

Since 2022, the Swedish curricula for sex education in both primary and secondary schools include “developing students’ critical approach to representations of

159. Svensson, L. and Lindman, A. (2023).

160. Hjertén, L. and Aprea, M. (2024).

161. Jämställdhetsmyndigheten (Swedish Gender Equality Agency). (2023)

162. Justitiedepartementet (The Swedish Ministry of Justice). (2024).

163. § 2–3 ch. 5 Radio- och tv-lagen (The Swedish Radio and Television Act)

164. § 3 ch. 16 Radio- och tv-lagen (The Swedish Radio and Television Act)

165. § 17 ch. 13 Radio- och TV-lagen (The Swedish Radio and Television Act)

166. § 1 ch. 9 a Radio- och TV-lagen (The Swedish Radio and Television Act)

167. § 3 a ch. 1 Radio- och tv-lagen (The Swedish Radio and Television Act)

168. § 3 ch. 9 a Radio- och tv-lagen (The Swedish Radio and Television Act)

169. *Porrfri Barndom* (2022).

170. *Porrfri Barndom* (2023).

sexuality in different types of media, including pornography”.¹⁷¹ One year prior to this, 2021, sex education became a mandatory objective in all primary and subject teacher programs, requiring newly graduated teachers to be qualified to teach the subject.¹⁷² Currently the Swedish Schools Inspectorate is conducting a quality review of the updated sex education in secondary schools (students aged 13 to 19 years), which will be published in 2025.¹⁷³ There has been critique from the Swedish women’s movement that no efforts have been made to ensure compliance with these curriculum changes.¹⁷⁴ Previous evaluations by the Swedish Schools Inspectorate have shown that teachers generally lack knowledge and resources to adequately teach sex education.¹⁷⁵

Image-Based Sexual Abuse and Deepfake Pornography

Since 2018 Sweden has a law that prohibits violating another person’s privacy by disseminating explicit or intrusive pictures of someone else with malicious intent, called unlawful invasion of privacy. More specifically, it prohibits disseminating pictures or other information about someone’s sex life, of someone in a very vulnerable situation, or of someone’s fully or partially naked body, if the dissemination is likely to cause serious harm to the person depicted. This offense is punishable by a fine or imprisonment for up to two years. Aggravated invasion of privacy can lead to a higher penalty of imprisonment for a maximum of four years.¹⁷⁶ As the offense is relatively new, case law is limited.¹⁷⁷ However, few seem to be convicted of this crime. During the first year after the law came into effect, the police received more than 1,100 reports, but only nine verdicts were delivered in court, of which three were acquitted.¹⁷⁸ Later statistics from 2021 showed that only just over one percent of those reported for this crime are prosecuted.¹⁷⁹ The law does not include provisions about fake images, such as AI generated pornography. However, Sweden’s Minister for Justice stated in an interpellation debate in March 2024 that the dissemination of images can constitute an invasion of privacy even if they are altered or otherwise manipulated. The Minister also mentioned that the EU Directive on Combating Violence Against Women and Domestic Violence, which came into force in April 2024, includes a provision that by 14 June 2027 it should be a criminal offence in all EU Member States to disseminate deepfakes without consent.^{180 181}

171. Skolverket (the Swedish National Agency for Education). (2024).

172. Af Sandeberg, J. (2021).

173. Skolinspektionen (The Swedish Schools Inspectorate). (2024).

174. Berglund, C. et.al. (2023).

175. Skolinspektionen (The Swedish Schools Inspectorate). (2018).

176. § 6 c-d ch. 4 Brottsbalken (The Swedish Penal Code)

177. Brottsoffermyndigheten (The Swedish Crime Victim Authority). (nd.).

178. Sommerstein, M. (2018).

179. Westling, F. (2023).

180. Strømmer, G. (2024)

181. Directive (EU) 2024/1385

Discussion and Conclusions

What are the differences and similarities between the Nordic countries' legislation on pornography? Here we present the patterns that emerged from our survey. We start by summarizing our key findings. After this we discuss our most significant conclusions.

Key Findings

- All Nordic countries except Denmark have laws aimed at restricting the distribution of pornography. The Norwegian and Icelandic distribution bans are general, whilst the Swedish and Finnish laws specifically target depictions of sexual violence. Common to all these laws is that they were introduced before the rise of online pornography and are rarely or never used today.
- The Swedish, Finnish, and Icelandic regulations regarding age restrictions for media have been updated in various ways to include video-sharing platforms if these are based in the country.
- Denmark is the only country in the Nordic region that has attempted to protect children from online pornography through age verification. In 2023, a bill was proposed requiring digital platforms providing material potentially unsuitable for children to verify that visitors are over 16 years old. The law had broad support in Parliament but was considered to conflict with the EU's Digital Services Act and has therefore not been implemented.
- Sweden is the only Nordic country to include in its curricula that schools should contribute to students developing a critical approach to pornography.
- The Norwegian police have compiled a list of websites with content potentially harmful to children, including pornography. Two-thirds of all municipalities in Norway have blocked the listed sites on their Wi-Fi networks as well as on tablets and computers. No Nordic country has laws or regulations that require students to be protected from pornography in schools or pre-schools.
- Only Iceland and Denmark have laws expressly prohibiting the harmful distribution of sexual images or videos generated by AI (so-called 'deepfakes'). All Nordic countries have laws prohibiting abusive distribution of intimate images and videos, but in Sweden, Norway and Finland it is unclear whether these laws also apply to deepfake pornography.

	Legislation that restricts distributing pornography?	Has started the introduction of age verification?	Ensures that pornography is critically addressed in schools?	Has banned image based sexual abuse (often called "revenge porn")?	Has banned distributing deepfake pornography?
SWEDEN	Yes. (But not used)	No.	Yes. (Have changed curricula.)	Yes.	No.
ICELAND	Yes. (But not used)	No.	No.	Yes.	Yes.
NORWAY	Yes. (But not used)	No.	No.	Yes.	No.
DENMARK	No.	Yes. (But no law is yet introduced)	No.	Yes.	Yes.
FINLAND	Yes. (But not used)	No.	No.	Yes.	Yes. (But the law is somewhat unclear)

Existing Laws Prohibiting the Distribution of Pornography Are Not Enforced

All Nordic countries with the exception of Denmark have laws aimed at restricting the distribution of pornography in some manner. In Norway, it is illegal to publish, distribute, or sell pornography¹⁸². In Sweden, the Penal Code provision on unlawful depictions of violence prohibits the distribution of pornography with violent content, which in practice constitutes most of the pornography consumed today¹⁸³. A similar law targeting pornography containing violence also exists in Finland¹⁸⁴. Additionally, both Sweden and Norway, as well as Iceland and Finland, have so-called obscenity laws, which make it illegal to display pornography in public places¹⁸⁵.

These laws were introduced before pornography moved online. Neither the Swedish, Finnish, nor Norwegian bans on distribution are applied to online pornography today, even though there is no explicit barrier to doing so. In Sweden, the police have closed preliminary investigations into pornography reported by women's organizations, citing that the material was produced abroad, despite the fact that the provision on unlawful depictions of violence primarily targets distribution rather than production.¹⁸⁶

Lawmakers in Norway, Sweden, Finland, and Iceland face a choice: to make sure that existing legislation also apply on the internet, either as is or with certain amendments, or to introduce new laws specifically targeting online pornography. Allowing the internet to remain a free zone where current laws do not apply should not be an option. Given what is known about the harmful effects of pornography and the commitments these countries have made to protect women's and children's rights, legalizing the distribution of online pornography should also not be an alternative.

182. § 317, ch. 26, Straffeloven (The Norwegian Penal Code).

183. § 10 c, ch. 16, Brottsbalken (The Swedish Penal Code).

184. § 18 ch. 17, Strafflagen (The Finnish Penal Code).

185. Sweden: §11, ch. 16, Brottsbalken; Norway: §317, ch. 26, Straffeloven; Iceland: art. 210, ch. 22, Almenn hegningarlög; Finland: §20, ch. 17, Strafflagen.

186. Olby, T. (2023).

Some countries, such as Finland, have attempted to take steps to modernize current legislation so that it explicitly addresses new distribution channels. In their legislation on electronic communication services, it is clarified that video-sharing platforms must not allow content that could fall under the offence of distributing pornographic images.¹⁸⁷ However, these provisions are highly limited, and apply only to platforms based in Finland, whereas most platforms that Finnish adults and children actually use to view films on are not. The same can be said about similar provisions in other Nordic countries.

Different Initiatives to Protect Children from Pornography

According to Article 17 of the UN Convention on the Rights of the Child, children have the right to be protected from content that may harm their well-being¹⁸⁸. Based on this principle, UNICEF calls on states to protect children from harmful online content, including pornography¹⁸⁹. This obligation applies across the Nordic region, where all countries are committed to following the Convention on the Rights of the Child. Furthermore, Sweden, Norway, Finland, and Iceland have incorporated the convention into their national laws¹⁹⁰.

All Nordic countries have specific regulations governing when and how films containing material that may be harmful to children can be shown on television and in cinemas. In some cases, these rules also apply to national video-sharing platforms and similar media.¹⁹¹ However, as with distribution bans, these regulations were often created in a different era. Today, children primarily consume media through social media and online streaming platforms, where they risk encountering pornography and other harmful content. This means that while the rules designed to protect children from pornography are still in effect, they are not being applied to the platforms where children actually consume media.

Denmark, historically and culturally associated with a more permissive attitude toward pornography. Unlike the rest of the Nordic countries, Denmark does not have distribution bans on pornography. Nevertheless, it is Denmark that has taken the lead in initiating measures to protect children from online pornography. Following recommendations from an expert group, which advised that apps and digital platforms providing material unsuitable for children should verify users' ages¹⁹², the Danish government developed a legislative proposal. The bill received unanimous support in the Danish parliament but has not been implemented, as it is considered to conflict with EU law – a concern also raised about similar laws in France and Germany.¹⁹³

187. §26, ch. 26 a, Lag om tjänster inom elektronisk kommunikation 7.11.2014/917 (Act on Electronic Communications Services 7.11.2014/917).

188. Art. 17, Convention on the Rights of the Child.

189. UNICEF. (Year unknown).

190. Frandsen, K. (Year unknown).

191. Sweden: Lag om åldersgränser för film som ska visas offentligt (2010:1882)

(Law on age limits for films to be shown in public) and Radio- och tv-lagen (2010:696) (The radio and television act; Norway: Lov om beskyttelse av mindreårige mot skadelige bildeprogram mv. (2015-02-06-7) (Act on the protection of minors against harmful image programs etc); Finland: Lag om bildprogram (17.6.2011/710) (Law on image programmes); Iceland: Act on children's access to films and video games (2006 No 62 13 June); Denmark: §20-21, ch. 6, Filmloven (The film act).

192. Regeringens ekspertgruppe tech-giganter (The Danish Government's Expert Group on Tech Giants). (2023).

193. Erhvervsministeriet (The Danish Ministry of Industry, Business, and Financial Affairs). (2023).

Currently, the Danish government, which has made online safety and security for children one of its highest priorities, is working with like-minded countries to advocate for unified age verification measures at the EU level¹⁹⁴. We encourage all other Nordic states that are also members of the EU to join Denmark in this struggle.

In addition to age verification, all Nordic countries offer various technical solutions for parents and schools aiming to protect children from pornography. These include, for example, safety walls that can be installed on digital devices or Wi-Fi networks used by children. Some companies even provide these solutions free of charge. However, these voluntary measures inevitably result in unequal protection, as some parents utilize these services, whilst others do not. In Iceland, this parental responsibility has been enshrined in law. The Icelandic Child Protection Act stipulates that it is a parental duty to shield children from violent and pornographic material¹⁹⁵.

In Sweden and Norway, there are ongoing political debates about requiring schools to install walls against pornography. However, despite clear recommendations and guidelines, there are still schools in both countries that lack any protection against pornography. We argue that it should be mandatory for all public institutions, not just schools, to implement safeguards against pornography. Neither children nor adults should be able to use taxpayer-funded computers for accessing pornographic content.

Apart from these technical measures aimed at protecting children from pornography, Sweden is the only Nordic country that has tasked schools with developing students' critical approach to pornography in sex education.

Legislative Gaps Regarding Image-Based Sexual Abuse and Deepfake Pornography

All Nordic countries have laws explicitly prohibiting the non-consensual dissemination of sexual images or videos.¹⁹⁶ These laws are all relatively recent, and the associated penalties are generally comparable across countries.

However, the legislation differs in several ways. In Iceland, the dissemination of sexual images and videos without consent is regulated under the chapter on sexual offenses. The same can be said about the Finnish version of the law. In Sweden and Norway, however, disseminating sexual images of someone is classified as a form of unlawful intrusion, regulated under the chapter on crimes against personal freedom and integrity. In Denmark, various legal provisions can be applied.¹⁹⁷

While Icelandic law emphasizes that the dissemination must occur without the consent of the individual depicted, Swedish legislation focuses instead on the perpetrator's intent. Dissemination is illegal if it is "intended to cause serious harm to the person depicted." This approach shifts the focus from the victim's consent to the perpetrator's intent and actions. From a women's rights and equality perspective, this shift is welcome but may be harder to prove in court. Finnish legislation occupies a middle ground between these two approaches.

Icelandic law also stands out by criminalizing threats to publish or disseminate sexual or nude images or videos that cause fear. This is an important addition that could be adopted by other countries to create a more comprehensive and effective

194. *Ibid.*

195. Barnaverndarlaga 80/2002 (The Icelandic Child Protection Act).

196. Sweden: §6 c, ch. 4 Brottsbalken (the Swedish Penal Code); Finland: §7, ch. 20, Strafflagen (the Finnish Penal Code); Norway: §267 a, ch. 24, Straffeloven (the Norwegian Penal Code); Iceland: art. 199. a, ch. 22, Almenn hegningarlög (the Icelandic Penal Code). (For Denmark see footnote 153.)

197. See §232 and 235 ch. 24 as well §264 d in Straffeloven (the Danish Penal Code).

legal protection for women and girls. Iceland has also criminalized the *accidental* dissemination of sexual images and videos, further strengthening protections.

However, the enforcement of laws against image-based sexual abuse appears insufficient in several countries. For example, in Sweden, very few individuals are convicted for committing these offenses.¹⁹⁸

In many cases, laws against image-based sexual abuse also clearly include fake material created using artificial intelligence. Yet in countries such as Norway, Sweden, and to some extent Finland, this is not fully addressed.¹⁹⁹ It will be crucial for these countries to update or clarify their legislation to meet the requirements of the EU Directive on Violence Against Women, which mandates the criminalization of deepfake pornography dissemination.

198. Westling, F. (2023).

199. Stortingets utredningsseksjon (the Investigation Department of the Norwegian Parliament. (2024).

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