

SUBMISSION TO THE ETHICS COMMITTEE RE PORNHUB / MINDGEEK

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To the committee: Thank you for this opportunity to submit this brief to you.

The “sexploitation” of children is so prevalent in the digital society of today.

It is understood that being able to control this type of exposure is a challenge, for governments, Internet service providers, and families. Internet Sense First and the AICET Council speak to children, adults, and professionals about the Theory of Digital Supervision in this regard, with the objective of parents being able to digitize their supervision skills in this digitized society.

Mindgeek (a Luxembourg-based conglomerate), and their subsidiary of Pornhub have to begin to take on the changes required to protect children and avoid exploitation of children, their privacy, and future emotional challenges throughout their lives. The trauma of being exploited at a young age, and having pictures and/or videos circulated online, contributes to a challenge never before known in the history of the world. Children having their pictures and/or videos circulated globally via Internet, causes new types of emotional tragedy, and requires highly specialized therapy. There are now centres specializing in counselling for this type of trauma, with the recognition that it is a growing issue, and one that requires specific kinds of specialists.

According to the Department of Justice, Canada, there are gaps in services for victims of Child Sexual Exploitation and Abuse (CSEA). In their study, the Department of Justice recognized the treatment of victims of Internet CSEA needs to be highly specialized. They have stated the specialized treatment is minimal in Canada.

The sexual exploitation of our children worldwide is compounded with Mindgeek and Pornhub providing a platform for the distribution of such abusive material, without consent, and against the Canadian Criminal Code, child pornography definition. Children have little defence with predator demands online, including peer victimizers. Their responses and sharing of inappropriate material is often caused by their lack of maturity, life skills, and need to be accepted, either with unknowns or knowns. The requests often include nudes, masturbation videos, child on child sex videos and the like. In addition, pictures/videos produced as predators abuse children.

In their research paper, “The effects of pornography on children and young people”, Quadara, El-Murr and Latham (published December 2017), stated “Both male and female consumers of pornography had increased levels of self-objectification and body surveillance.” Too much exposure to pornography, is only enhancing the lack of self protection regarding victimization online. The availability of such material, has, according to Quadara, El-Murr and Latham, objectified sexuality and caused young people to make decisions about sharing inappropriate material that is self damaging.

According to Thorn, USA, child sexual abuse content has increased by 10,000% in the past few years, after studying countless pictures and videos. According to journalist Olivia Sohon,

“Reports to the National Center for Missing and Exploited Children, including from all of the Silicon Valley technology platforms, have more than doubled, from 983,734 reports in March 2019 to 2,027,520 reports.. in March 2020”.

Pornhub has recently created a presence on the Dark Web, which provides users with anonymity and privacy through blocking the IP address of digital devices. “Pornhub has created a Tor mirror site, which is accessible at <http://pornhubthbh7ap3u.onion/>. Visiting the link will require the Tor browser, which can help anonymize your web traffic and prevent internet service providers and government snoops from tracking your activities.”, according to PC Magazine January 23, 2020. Unfortunately, this provides even more protection for the Pornhub platform, increased anonymity for users, and a platform to possibly share more inappropriate content.

“Onion Browsers”, such as Tor, are used to access the Dark Web. Bitcoins, crypto currencies are used to make purchases. It is excellent credit card companies have abandoned their support to Pornhub, however, the majority of purchases are made through anonymous, Dark Web browsers using anonymous types of currency. The Dark Web and onion browsers are inseparable, which makes penetration to the various environments challenging. Child abuse photos and videos hold the greatest percentage of the Dark Web content. In such environments, it is difficult to separate criminal from average user. Legislation that would apply to the Dark Web, is challenging at best. Governments are trying to apply old legislation but it is difficult considering the global nature of the Internet and users.

Some countries have attempted to block the Tor and other onion browsers in their countries, while other countries have supported the Tor browser, which causes concern attempting to regulate activities within a country, and internationally. Some countries have enforced the collection of encryption keys for Internet Service Providers, with heavy fines if there is no compliance. Other countries have charged providers with accessory to crime

Is the Dark Web/Dark Net monitored by Canadian and other law enforcement agencies?
Yes, sort of...

November 20, 2020, Lukings and Lashkari in the publication for IT World Canada are quoted as saying, “Canadian law enforcement does try to monitor Dark Web content and activity, however there is no currently available law enforcement software (based on our Surface Web search) that can adequately detect and monitor illegal access, communications, activities, and encrypted content transmitted over the Dark Web.” Using an onion browser is legal. Some activities using the browser may not be legal.

Because of jurisdictional issues, enforcing legislation against MindGeek and PornHub will be a challenging task because of their involvement in the Dark Web. There are other known websites that are involved with onion browsers on the Dark Web, including Facebook. This is becoming more common, but Pornhub is an uploading platform that allows multiple users to share pictures/videos onto their platform. They have changed their policy to have only “verified” users to upload to their platform. However, the Dark Web availability is cause for concern. This is a problem for the committee in controlling what would be taking place within the Pornhub Dark Web platform, law enforcement intervention, and legislation being pursued. At this point, requests would be fulfilled on moral judgement and conscience on the part of Mindgeek and Pornhub, with legislation being possible at some time in the future, if at all.

The book "The Internet: Are Children In Charge?" explains methods for parents to practice the Theory of Digital Supervision for the online protection of children. The whole concept of Digital Supervision, provides information and methods for parents to operate with Digital Supervision in the home. It is important for the Committee, government, Internet service providers and others to realize we must view society holistically, as a whole unit. Without the perseverance and dedication of ALL people in society working toward the online protection of ALL children, this generation will continue to be victimized digitally.

Pornhub presence on the Dark Web, provides a clue as to their objective - anonymity which should raise concern. The work of this committee is very important and should be seen as coordinating online protection for the elimination of Pornhub material for the protection and privacy of all citizens, including our children. Canadian laws are clear regarding child pornography and the sexual exploitation of children. In my opinion, at great issue, are jurisdictional concerns and legislation related to the international activities on the Dark Web, Mindgeek, and Pornhub, as they relate to Canadians.

Thank you.

Respectfully submitted,

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