

May 5, 2020

Ajaypal Singh Banga
Chief Executive Officer
Mastercard, Inc. & Maestro Debit
2000 Purchase St
Purchase, NY 10577

Dear Mr. Ajaypal Singh Banga:

RE: International Concern Over Your Company's Involvement in Sexual Exploitation

We are writing to you from our respective countries (Australia, Belgium, Bolivia, Canada, Denmark, England, India, Ireland, Liberia, Scotland, Sweden, Uganda, United States of America) as experts and organizations dedicated to combating sexual exploitation and abuse, to request that your company stop processing payments for the pornography industry given its extensive promotion of nonconsensual content—including child sexual abuse, sex trafficking videos, rape, and more—and of content eroticizing sexual violence, incest, and racism.

We believe this decision would be in line with your corporate ethical commitment to processing legal purchases, and that it will advance your reputation by refusing to aid human rights violations.

It is first vital to recognize that **the pornography industry does not judge or verify consent** in any videos on their site, let alone live webcam videos. Some sites, such as Pornhub, which is one of the largest and most mainstream pornography sites, do not require age verification for any person to upload pornographic videos—let alone any metric to measure consent.ⁱ This inherently makes pornography websites a target for sex traffickers, child abusers, and others sharing predatory non-consensual videos. Further, it is impossible to assume the pornography industry is ever capable of producing a real metric to measure consent in any pornography on its site, aside from complaints from victims of non-consensually shared porn (which is insufficient since an estimated 1/25 Americans are victims of this kind of abuse & many never know about non-consensually-shared porn of themselves.)ⁱⁱ

While there are some court cases involving these examples, we also ask you to consider the totality of evidence given the reality that most victims of sexual abuse whose videos have been posted on pornography sites are highly traumatized and therefore few are empowered to pursue legal remedies.

Mainstream Pornography Website Admits to Hosting Child Sexual Abuse Videos, and Continues to Host Known Sex Trafficking Videos:

One example of these exploitive trends in the pornography industry includes the fact that Pornhub, again one of the largest and therefore likely most regulated pornography sites, admitted to hosting child sexual abuse videos. Pornhub told a 10Daily reporter that the Internet Watch Foundation's discovery of 100 videos of children being sexually abused on Pornhub only amounted to less than one percent of its content.ⁱⁱⁱ Firstly, there is cause for serious doubt that child sexual abuse videos are only one percent of Pornhub's content due to the fact that there is zero age or ID verification required to upload a video. Secondly, because Pornhub had over 6.83

million new videos uploaded in 2019, that means Pornhub is admitting to hosting a minimum of 68,300 videos of children being sexually abused - these are real-life children and teens raped over and over again on this website. And again, it is virtually guaranteed that Pornhub has more than this number.

Further, this does not take into account sex trafficking or non-consensually shared pornography (i.e. revenge porn).

For example, over twenty women have filed sex trafficking civil and criminal charges against a mainstream pornography company for coercing and deceiving them in the production of those videos. The decision for this case is described as a “187-page account of the brutal and harrowing ordeals the women targeted by [the pornography company] went through.”^{iv}

These pornographic videos of known sex trafficking victims are still being hosted on mainstream pornography websites at the time of this letter, according to lawyers familiar with the case.

Growing International Concern Among Bipartisan Government Officials:

American Rep. Jackie Speier, D-Calif, Sen. Ben Sasse, R-Neb, Sen. Rob Portman, R-Ohio have spoken out with concerns about sex trafficking and non-consensual content on Pornhub, and some have called for DOJ investigation into Pornhub.^v Similarly, Canadian multi-party parliamentarians have called on their government to investigate MindGeek, the parent company of Pornhub.^{vi}

Further, in America, all commercial distribution of **obscenity is illegal under a federal law** that has been upheld twice by the Supreme Court. While this law has not been enforced for a few years, there is growing national interest in enforcement, including four U.S. representatives who have recently called on the U.S. attorney general to begin enforcements promptly.^{vii}

Canadian laws also prohibit the distribution of adult pornography and defines pornography that is portraying performers as if they are under 18 years old as child pornography.^{viii}

Further, in relation to these concerns, PayPal recently stopped processing payments for the pornography industry^{ix} and Unilever and KraftHeinz have committed to no longer sell advertisements on pornography websites.^x

Further Cases of Child Sexual Abuse and Non-Consensually Shared Videos on Pornography Websites

- A missing, sex trafficked, teenage girl's videos were found on a mainstream pornography website.^{xi}
- A sex trafficker/child abuser created an account on a streaming pornographic website and uploaded the video to his account to share videos of his 14-year-old victim.^{xii}
- A video of the rape of a 14-year-old girl appeared on Pornhub, she notes that since she began speaking publicly a few months ago she's been contacted by many other young girls who have experienced the same thing.^{xiii}
- Another minor's illegal sexual abuse videos were uploaded to Pornhub.^{xiv}
- Derek Hay, one of the pornography industry-leading agents, has been credibly accused by several women “of fraud, sexual abuse and links to an illegal escort business —

accusations including coercing performers to pay off ‘unconscionable’ fees and penalties either in cash or by performing sexual acts on him.” NOTE: these accusations fall under the definition of sex trafficking.^{xv}

- A UK advocacy campaign, NotYourPorn, which is focused on non-consensually shared porn reported that they've heard of ten Snapchat users aged 13 to 15 finding their nude pics on Pornhub.^{xvi}
- An ex-producer for Hustler has spoken out about how the ubiquitous use of drugs on mainstream pornography sets.^{xvii} Note: drugs are often used to facilitate sex trafficking or to push past a woman’s initial sexual boundaries (i.e. sexual abuse.)
- A case of sex trafficking victims being used in online pornography: “[the man] videotaped and otherwise documented the BDSM he engaged in with [the woman], forced her to maintain an online website, and kept all the profits from the website.”^{xviii}
- An investigation by The Sunday Times and NotYourPorn found that Pornhub is flooded with secretly filmed “creepshots” of UK schoolgirls, hosting clips of men performing sex acts in front of teenagers on buses and indecent images of children as young as three.^{xix}
- In this case, a man would tape himself drugging and raping women, and then sell the footage to online pornography sites.^{xx}
- The FBI reports that in another case of sex trafficking “Between February 2004 and February 2009, the indictment says, [the sex trafficker/abuser] tortured [the victim] on live webcasts on the Internet.” Note: most mainstream pornography websites today include live webcam videos, which can easily be featuring coerced and abused victims because there is no fool-proof way to authenticate their consent.^{xxi}
- Several women discovered that non-consensual videos were secretly taken of them and uploaded to Pornhub.^{xxii}
- The FBI reports a case of a man sexually assaulting women and selling the videos to Internet pornography websites.^{xxiii}

Please note that while a number of these cases specifically involve Pornhub, many do not, and therefore show that these trends are consistent across the pornography industry.

The Harms of Mainstream Trends in the Pornography Industry

Right now, on websites that your credit card company processes payments for, there is pornography featuring themes including:

- incest
- homeless teens
- assaulting drunk women/girls
- racial degradation
- kidnapping
- forced sex (i.e. rape)
- and more.

These themes are damaging to worldwide culture because they eroticize and encourage violence against women and girls, rape, incest, racism, and more. **Are these the themes you want your brand associated with?**

We also assert that pornography itself is a form of sexual exploitation, causing physical and mental trauma. A 2011 study found, “Female adult film performers have significantly worse mental health

and higher rates of depression than other California women of similar ages.”^{xxiv}
Another study reported that pornography performers experience physical trauma on the film set, often leave the industry with financial insecurity and mental health problems, and also experience health risks that aren’t limited to sexually transmitted infections.^{xxv}

It is for these reasons that we call on your company to stop processing payments for the pornography industry. The global human rights community would commend you for doing so and would herald your brand as a leader in social responsibility. If you would like to discuss these matters further, please reach out to public@ncose.com.

Sincerely,

Haley McNamara
International Centre on Sexual Exploitation
UNITED KINGDOM

Patrick A. Trueman
National Center on Sexual Exploitation
UNITED STATES OF AMERICA

Melinda Tankard Reist
Collective Shout
AUSTRALIA

Ruchira Gupta
Apne Aap
INDIA

Anna Zobnina
European Network of Migrant Women
BELGIUM

Rachel Moran
Survivor Advocate
IRELAND

Andrea Baker
Word Made Flesh Bolivia
BOLIVIA

A. Alvin Winford
African Network for the Prevention and
Protection against Child Abuse and Neglect
LIBERIA

Glendyne Gerrard
Defend Dignity
CANADA

Dr Darryl Mead
The Reward Foundation
SCOTLAND

Heidi Als Ringheim
Media Health for Children and Youth
DENMARK

Meghan Donevan,
Talita
SWEDEN

Lisa-Marie Taylor
FiLiA
ENGLAND

Godfrey Kuteesa,
The Boys' Mentorship Programme
UGANDA

ⁱ Mickelwait, Laila, “Time to shut Pornhub down” Washington Examiner, February 2020, <https://www.washingtonexaminer.com/opinion/time-to-shut-pornhub-down>

ⁱⁱ Nonconsensual Image Sharing: One In 25 Americans Has Been A Victim Of “Revenge Porn” Data and Society Research Institute, 2016, https://datasociety.net/pubs/oh/Nonconsensual_Image_Sharing_2016.pdf

ⁱⁱⁱ Lattouf, Antoinette, “The Global Push To Shut Down Pornhub Gains Traction” 10Daily, March 2020, <https://10daily.com.au/news/world/a200227jrdt/the-new-global-push-to-shut-down-pornhub-20200313>

^{iv} Ngahu, Martin, “PornHub Pratt faces sex trafficking raps and a petition to close down the site” Cryptopolitan, <https://www.cryptopolitan.com/pornhub-pratt-sex-trafficking-close-site/amp/>

-
- ^v Dorman, Sam, “Pornhub faces bipartisan scrutiny, calls for investigation amid trafficking concerns” Fox News, March 2020, <https://www.foxnews.com/media/pornhub-doj-investigation-bipartisan-scrutiny>
- ^{vi} Viersen, Arnold, Canadian MP, <https://twitter.com/ArnoldViersen/status/1237489509673164800>
- ^{vii} DeSanctis, Alexandra, “Exclusive: U.S. Representatives Call On Barr to Prosecute Obscene Pornography” Fox News, December 2019, <https://www.nationalreview.com/corner/exclusive-u-s-representatives-call-on-barr-to-prosecute-obscene-pornography/>
- ^{viii} Criminal Code (R.S.C., 1985, c. C-46), found at: <https://laws-lois.justice.gc.ca/eng/acts/C-46/section-163.html>; Criminal Code (R.S.C., 1985, c. C-46), found at: <https://laws-lois.justice.gc.ca/eng/acts/c-46/page-37.html>
- ^{ix} “PayPal cuts ties with major pornography site” Life Site News, November 2019, <https://www.lifesitenews.com/news/paypal-cuts-ties-with-major-pornography-site>
- ^x Das, Shanti, “Unilever and Heinz pay for ads on Pornhub, the world’s biggest porn site,” The Sunday Times, November, 2019, <https://www.thetimes.co.uk/article/unilever-and-heinz-pay-for-ads-on-pornhub-the-worlds-biggest-porn-site-knjzlmwzv>
- ^{xi} McDonald, Scott, “Florida Man Arrested After 58 Porn Videos, Photos Link Him to Missing Underage Teen Girl,” Newsweek, October 2019, <https://www.newsweek.com/florida-man-arrested-after-58-porn-videos-photos-link-him-missing-underage-teen-girl-1467413>
- ^{xii} “Prince George’s County Man Sentenced to 22 Years in Federal Prison for Sex Trafficking of a Minor,” Southern Maryland News Net, February 2020, <https://smnewsnet.com/archives/454044/update-prince-georges-county-man-sentenced-to-22-years-in-federal-prison-for-sex-trafficking-of-a-minor/>
- ^{xiii} Mohan, Megha, “I was raped at 14, and the video ended up on a porn site” BBC News, February 2020, <https://www.bbc.com/news/stories-51391981>
- ^{xiv} Salo, Jackie, “Videos on Pornhub showed female teacher having sex with teen girl: cops” New York Post, October 2018, <https://nypost.com/2018/10/26/videos-on-pornhub-showed-female-teacher-having-sex-with-teen-girl-cops/>
- ^{xv} Przygoda, Dan, “Porn Actresses Accuse Powerful Industry Agent of Fraud, Sex Abuse,” NBC Connecticut, May 2019, <https://www.nbcconnecticut.com/news/national-international/porn-actresses-accuse-top-agent-of-fraud-sex-abuse/2050671/>
- ^{xvi} Sharpe, Amy, “Parents beg Pornhub to remove explicit sex photos of underage teenagers more quickly,” Mirror, March 2020, <https://www.mirror.co.uk/news/uk-news/brit-parents-beg-worlds-biggest-21604938>
- ^{xvii} “Ex-Producer for Hustler Speaks Out About the Damage of the Porn Industry,” National Center on Sexual Exploitation, April 2017, <https://endsexualexploitation.org/articles/ex-producer-for-hustler-christopher-gregory-interview/>
- ^{xviii} “United States v. Glenn Marcus” United Nations Office on Drugs and Crime, 2007, https://sherloc.unodc.org/cld/case-lawdoc/traffickingpersons/crimetype/usa/2007/united_states_v._glenn_marcus.html
- ^{xix} Das, Shanti, *Ibid.*
- ^{xx} Munzenrieder, Kyle, “Emerson Callum and Lavont Flanders Convicted of Making Rape Porn” Miami New Times, December, 2011, <https://www.miaminewtimes.com/news/emerson-callum-and-lavont-flanders-convicted-of-making-rape-porn-6559908>
- ^{xxi} “Lebanon Woman Indicted, More Charges Filed in Sex Trafficking and Murder-for-Hire Scheme” FBI Archives, 2011, <https://archives.fbi.gov/archives/kansascity/press-releases/2011/kc033011a.htm>
- ^{xxii} Moro, Teviah, “Hamilton man charged after videos of women at GoodLife posted to porn website,” The Hamilton Spectator, March 2020, <https://www.thespec.com/news/hamilton-region/2020/03/13/hamilton-man-charged-after-videos-of-women-at-goodlife-posted-to-porn-website.html>
- ^{xxiii} “Sex Trafficking,” FBI Audio Archives, March 2012, <https://www.fbi.gov/audio-repository/news-podcasts-gotcha-sex-trafficking/view>
- ^{xxiv} “Comparison of the Mental Health of Female Adult Film Performers and Other Young Women in California,” ps.psychiatryonline.org, 2011, https://ps.psychiatryonline.org/doi/pdf/10.1176/ps.62.6.pss6206_0639
- ^{xxv} “Pathways to health risk exposure in adult film performers.” PubMed, 2009, <https://www.ncbi.nlm.nih.gov/pubmed/18709554>