

The 'spy-cam porn' crisis - My Life Isn't Your Porn: Why South Korean Women Protest

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You might have heard the stories — of cameras that look like lighters, flashes of light inside nooks and crannies at a public restroom, subway upskirting — but they might have sounded like stories of other people. On June 9, some 22,000 women gathered in South Korea to say they're not. It could happen to anyone.

The demonstration in Hyehwa, Seoul, was the biggest women's rally thus far in South Korean history (seconded only by the same organizer's first rally on May 19).

Watch our video of the historic June 9 protests. (Youjin Do/Korea Exposé)
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"It was bound to happen," said Ha Yena, 21, referring to the massive protests.

One night in Seoul last year, Ha went to a motel after an evening of drinking with friends. In the middle of her sleep, she felt something on her legs. She woke up, opened her eyes, and in the dark, saw a man who looked to be in his twenties. His hands were on her legs, trying to part them. His face was illuminated by a glowing white light — emitted by a phone. Ha remembers her mind going blank. She was only able to stutter, "Who are you?"

Ha found herself a victim of 'spycam porn' in production, and she is hardly the only one. Recording others without consent, then circulating the images as pornographic materials, is a widespread problem in South Korea.

Mobile phones aren't the only tool; spy cameras, small enough to be hidden in everyday objects, are easy for anyone to buy, both on- and offline. By police estimates, there have been over 6,000 spycam cases each year between 2013 to 2017. But the actual number is probably much bigger. And an overwhelming majority of the assailants are men; most victims are women.

The participants at the Hyehwa protests — activists and ordinary citizens backed by a fierce Twitter army to boot — were condemning the continuing availability of spycam porn and the double standard on the part of the police. Spycam videos are often accepted by South Korean internet users, mostly male, as a 'natural' genre of porn (as opposed to the more contrived, studio-made variety). The protesters were also criticizing what they say is "structural sexism behind the justice system," according to a press release from the organizers, Women March for Justice.

They point to the recent spycam case at Hongik University: In May, a woman was arrested for secretly filming and distributing an image of a male nude model. The woman, surnamed Ahn, was made to stand in front of the media, albeit wearing a mask. This was perceived by many women as a case demonstrating police bias. Why was this case handled so swiftly, while so many others perpetrated by men aren't? Why did police parade the female perpetrator, while so many male perpetrators escape public scrutiny?

At the Hyehwa rallies, the police were subject to intense wrath. A life-size papier-mâché model of the police mascot was bashed to bits by protesters, who argue that judicial authorities are biased in favor of male victims.

"I was so shocked," said Ha, who now runs Digital Sexual Crime Out (DSO), an NGO that tracks spycam footages online and provides assistance to victims. "I've seen a spycam case where the woman was being blackmailed by a man, and the police still didn't arrest him."

Arrests do happen, though sparsely. Between 2012 and 2017, out of the nearly 20,924 male suspects, 2.6 percent — around 540 — were placed under detention. (To compare, out of the 523 female suspects in the same time period, four were detained.)

Statistically, it's hard to prove that police provide preferential treatment to male victims — whether in the number of arrests or the speed of reaction.

"It's unthinkable that police would slow down investigations depending on the gender," Lee Jumin, the head of the National Police Agency, said at a press conference.

But the protesters and critics point to something that's harder to quantify: the culture.

"You can't not have gender discrimination when it comes to spycam cases," said Chang Dahye, a researcher at the Korea Institute of Criminology. Chang studies the evolution of online sex crimes and the flaws in the current South Korean legal system in dealing with such cases.

"This isn't unique to South Korea: The way sex is consumed usually involves objectification of women. This is the norm. So when men are objectified, the judicial authorities react with greater sensitivity because the case is unique. There are just a lot more male sex criminals than women — so the latter are treated as the more special cases."

Ha Yena's case, statistically speaking, may not have been so special. She is a woman, and her attacker was a man. But those facts don't reflect the full extent of her trauma.

When she awoke to find the stranger in the motel room last year, "He just bolted outside the room," Ha said. "I ran after him, not even putting on my coat. When he escaped the motel, I grabbed a motel employee and called the police."

"I was waiting for the police in the motel room when it finally hit me," Ha said. "I started screaming, 'Aaaaaaaaarrrrrgh!' That's when I realized what had just happened to me. You know, my wallet and valuables were also in the motel room. He touched none of that. He just wanted to shoot my body."

When a policeman in his 40s arrived, she told him that she suspected the assailant of taking a photograph of her genitalia. "Uh, you should probably talk to a female officer," the embarrassed officer said, according to Ha. She said he repeatedly asked if she had left the door unlocked.

"Why the hell is that important?" Ha recalled.

Luckily, the assailant was caught immediately, thanks to the motel CCTV. But it took an agonizing seven months to come to a settlement. The man wrote her a three-page apology letter and pleaded with her not to pursue the case. "He told me, 'How can I show my face in public if the world finds out what I did?'"

Ha accepted his plea and dropped the criminal complaint. But the same regard for privacy is rarely on display among those who capture others with spy cameras and distribute the footage online.

"The fear that women feel toward spy cameras isn't out of proportion; it's rational," said researcher Chang. "It's not just footages of sexual intercourse. There are spycam footages of women relieving themselves in toilets; photos of women in bikinis, at home, walking on the street. On a website called Soranet, men would upload photographs of their girlfriends or wives, and ask others to rate the women's genitals."

Soranet was shut down in 2016, but there are plenty of other online platforms profiting from spycam traffic — social media, webhard services and countless websites, whose servers are often based abroad (and therefore harder for South Korean police to investigate).

According to a 2018 study by the Korean Women Lawyers Association (KWLA), some 89 percent of spycam crimes were perpetrated by strangers. Out of the 11 percent that involved acquaintances, nearly 44 percent took place in the context of a relationship. Subway stations saw the largest number of spy cameras, but a wide range of other public spaces were also vulnerable, including buses and taxis, banks, swimming pools, supermarkets and even bookstores.

"You can become a victim without even knowing," Chang said. "I've seen cases where women quit their jobs, consider getting plastic surgery, change their names and even commit suicide" when they find out they have been portrayed as sex objects online.

Unfortunately, even if the primary suspect is punished, the responsibility often falls on the victim to bear. Ha knows all too well the shaming that many victims experience. "People would say, 'Why didn't you lock the door? Why did you drink so much?' Even my parents reprimanded me," for behaving so "rashly" as a girl, Ha said.

But the deeper fear comes from the power of technology. The perpetrator isn't just the man who first shot the photo or video: It's the digital world that allows such imagery to be replicated and distributed endlessly in a country with one of the fastest internet speeds and best-connected populations in the world.

"It never ends," said Ha. "Even after the case is closed by the police, even if the assailant is caught, the footage continues to be distributed online." It's nearly impossible for anyone — including the police — to monitor all cases of redistribution, also punishable by law.

"If we can't identify a victim, we can't crack down on the footage," said an official at the Cyber Investigation Department at the National Police agency, who refused to be named. "There's a limit to what we can do. We can't contact individuals [in the videos] one by one to check if they're victims. If we get specific reports about victims, we investigate, of course. But if not, we can't investigate all those footages online and determine whether they're illegal spycam cases."

Black Mirror isn't just a Netflix show — it's already happening all over the world. Human relationships are changing dramatically with technology, and crimes involving sex are no exception.

Unfortunately, that's often worse news for women than men, particularly in a country like South Korea where gender-sensitivity is still in its infancy. Spycam pornography is an accepted genre. Male-dominated university chatrooms make headlines for misogynistic attitudes and comments, made as if it were just a game. In the actual game industry, female gamers face harassment through voice chats while playing online.

In 2006, crimes involving cameras made up for 3.6 percent of the total number of sex crimes in South Korea. In 2015, 24.9 percent of the total involved cameras, according to the KWLA study.

"The ways people inflict sexual violence is changing in diverse ways," said Chang. "Can law

enforcement catch up to these changes?”

Chang, along with many others, is skeptical. One fundamental problem lies in the way spycam crimes are defined by the law. The critical section is Article 14 of the Sexual Violence Punishment Act: Under this article, criminal content is defined as shooting/distributing/etc. “that part of another person’s body which can induce sexual desire or humiliation.”

“The legal interpretation of what causes sexual desire or humiliation is inconsistent,” criticized the KWLA study, which was submitted to the National Assembly in 2017.

“Article 14 is basically describing porn,” said Chang. “The judicial policy toward spycam fails because authorities continue to approach the contents with the idea of pornography.”

Chang says many spycam cases are rejected by police — another reason why police statistics may not reflect the actual scope of spycam crimes — because the reported footages often don’t qualify as the sort of obscene material as described in Article 14. “If the image is a full-body shot of the victim wearing clothes, that doesn’t qualify as pornographic content. But the problem is, even images like that can be edited to highlight certain body parts,” and be consumed as porn online.

“We need to start from the perspective of whether certain content infringes on an individual’s rights, not whether it qualifies as an obscene material,” said Chang. “The current approach doesn’t allow for the kind of legal interpretation or punishment that aligns with the damages that victims actually feel.”

“I was shaking in fear for months,” said Ha, recalling the initial period after that night at the motel. “I very often see spycam footages of drunk people,” she said, referring to her NGO work, where she monitors around a hundred websites for illegal spycam content. “Every time I saw them, I would see myself. I couldn’t look at those websites for a while. Those footages are preserved forever. That is so cruel. They remain eternally in the digital realm.”

The Hyehwa protest on June 9 is called “The Courage to Be Uncomfortable.” None of the participants are publicizing their names or faces, partly as a symbolic stance against the overexposure caused by spy cameras. In an email to Korea Exposé, an anonymous organizer said these women will no longer shy away from raising questions that are uncomfortable for South Korean society to hear.

“Korean women are often told that they are simply too sensitive when they question the status quo, and that they are making themselves uncomfortable to be around,” wrote the organizer. “We are reclaiming our right to challenge existing conditions that aggravate sexual discrimination. We are raising uncomfortable issues.”

Haeryun Kang

P.S.

• Korea Exposé, June 9, 2018:

<https://www.koreaexpose.com/south-koreas-biggest-womens-protest-in-history-is-against-spycam-porn/>

- Correction: Previously, we stated that there were “some 30,000” participants in the June 9 rally. Some organizers say 30,000; police say 15,000; the organizer’s official website says 22,000. We will go with 22,000 since the counting method seems most reliable (they count line by line). We apologize for adding to the confusion. | Update: This article was updated on June 16, 2018.
- Haeryun Kang is Korea Exposé’s managing editor.
- All photos were taken by Youjin Do for Korea Exposé [Not reproduced here].