



“I Learned How to Say No”

Labor Abuses & Sexual Exploitation in Colombian Webcam Studios

HUMAN
RIGHTS
WATCH





“I Learned How to Say No”

**Labor Abuses & Sexual Exploitation in
Colombian Webcam Studios**

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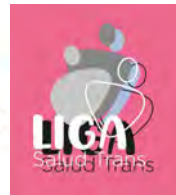
Corporación Calle 7 Colombia is a community-based organization, promoter and defender of human rights with a diverse and feminist approach. The organization works for the rights of people who practice sex work and their families, especially their children, and seeks the recognition of sex work as work along with labor and human rights guarantees, so that those who practice sex work can lead a dignified life.

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La Liga de Salud Trans is a network of trans and non-binary people united to demand better access and quality in health, trained to accompany their peers and dialogue with the actors of the system for the improvement of differential care for trans people. We are born thanks to the support of the Embassy of the Netherlands and from the Trans Community Network in Bogota. La Liga's community navigators have been trained to help other trans people to navigate different systems including academia, health, and the private sector. We want to generate spaces for dialogue in which trans people can speak directly with the health sector, to discuss care protocols, barriers and present needs, breaking down the stigmas and distances that have historically formed between the trans population and the health sector. Our goal is for La Liga to be the reference in trans health in the country. That is why our logo symbolizes the Ursa Major: one of the most used constellations since ancient times for navigation. We want to be that star, that guide to which every trans person can turn to in order to navigate the waters of their own transition.

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Content Warning: This report contains descriptions and first-person testimony related to sexual violence, sexual assault, and sexual exploitation.

Summary

A client was being really violent and the studio just told me to continue. I kept saying ‘I don’t want to’ and they kept saying ‘you have to stay connected.’ I pointed the camera to my lap so I could cry.

– Maria¹, a webcam model in Bogotá, February 2024

Maria is a 33-year-old webcam model. She works 12-hour shifts streaming adult performances for viewers around the world from her 1-meter x 2-meter cubicle in Bogotá, Colombia. The owners of the studio where she works hung up curtains as cubicle dividers.

Maria decided to work as a webcam model five years ago, after a schoolmate told her about the flexible hours. She now works in one of potentially thousands of webcam studios in Colombia, where models who want to make money – but lack the privacy, equipment, or internet connection to stream from home – can work.² On average, the multinational webcam platforms that host the streaming sessions retain between 50 and 65 percent of the income generated by webcam models. Then, in exchange for providing a computer, camera, and WiFi, the studio keeps 60 percent of what the platform pays out. Workers like Maria get paid whatever is left over.

Maria told Human Rights Watch that she appears on at least 11 different adult webcam platforms but has never seen nor personally signed the Terms of Service for any of them. An account cannot be created without signing the terms, so Maria believes the studio owners must have accepted the terms on her behalf when they created her accounts.

¹ Not her real name.

² Karen Parrado Beltrán, “El negocio de las modelos ‘webcam’ se dispara con la pandemia,” *El Tiempo*, May 2, 2020, <https://www.eltiempo.com/cultura/modelos-webcam-en-la-pandemia-491058> (accessed November 25, 2024); Kevin Steven Bohórquez, “Modelos webcam en Colombia: un negocio de US\$40 millones al año,” *Forbes Colombia*, May 10, 2021, <https://forbes.co/2021/05/10/negocios/modelos-webcam-en-colombia-un-negocio-de-us40-millones-al-ano> (accessed November 25, 2024); Lucía Franco, “Colombia’s ‘camgirls’ slowly start to break taboos,” *El País*, May 17, 2022, <https://english.elpais.com/society/2022-05-18/profession-webcammer.html#:~:text=After%20Romania%2C%20the%20second%2Dhighest,the%20country%2CE2%80%9D%20he%20says> (accessed November 25, 2024).

She said that she regularly enters her cubicle at the start of a shift to find bodily fluids, hair, and cigarette ash from the last performer. Her studio doesn't hire cleaners. Maria said last year there was an outbreak of "rashes on our hands and fingers because of the dirty keyboards and it just kept spreading."³ She insisted that despite the abysmal sanitary and physical conditions, "really the mental health issues are the worst," due in part to the constant surveillance by the studio's owners. Maria told Human Rights Watch that in addition to her streaming camera, management also installed surveillance cameras in the restrooms, locker room where models change clothes, and in the staircase. "They know when you are using the bathroom," she said.

Maria willingly sought out and consented to work in a webcam studio. She did not consent, however, to some of the performances that studio management coerced her to do.

One viewer wanted me to enact rape, and I didn't like it but needed the tokens. Others ask me to do things with [bodily fluids]. Normally, if a client wants something that I don't, I just say 'no' and he leaves my chat room. But owners constantly harassed me and came into my room [when they saw me say no to client requests]. And the platforms only let us report abusive users. In terms of violence from the studio, there is no way to report this.⁴

Working in collaboration with two sex worker-led organizations in Colombia, Human Rights Watch researchers spent 18 months investigating labor rights violations and reports of sexual exploitation in webcam studios in Bogotá, Cali, Medellín, and Palmira. In interviews with Human Rights Watch, workers reported a range of studio-based abuses to which multinational adult webcam platforms' policies and practices contribute.

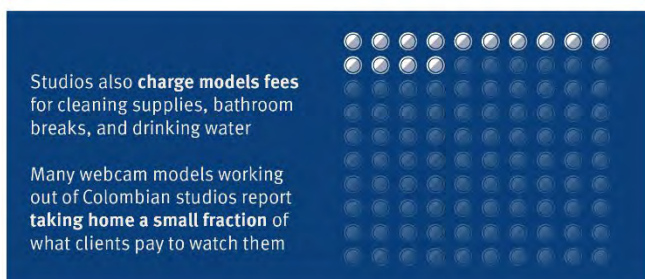
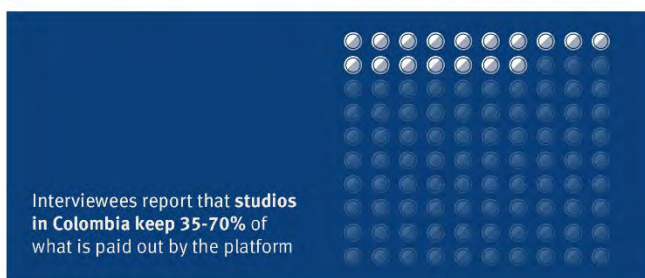
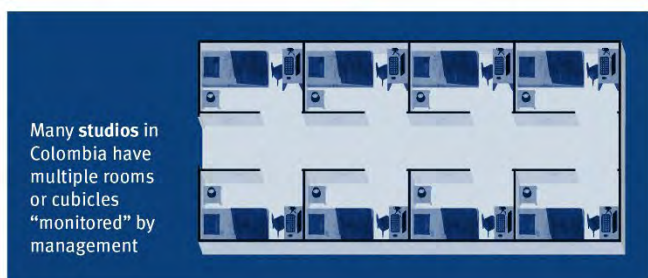
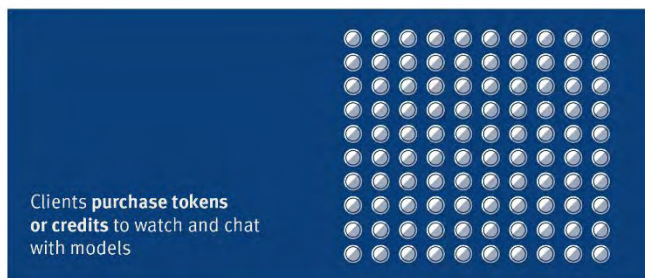
The investigation included in-person interviews with 55 studio-based webcammers; Colombian authorities from six government ministries; US State Department officials; and anti-trafficking experts, as well as research into the policies and protocols of BongaCams, Chaturbate, LiveJasmin, and Stripchat, four of the webcam platforms most commonly used by interviewees. All of the platforms named in this report were contacted for comment. The responses for which Human Rights Watch has permission are included as an annex to this report.

³ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

⁴ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

Studio Webcam Model Take Home Pay

Exploitation in the Adult Webcam Industry in Colombia



Source for platform percentages: Bleakley, Paul. (2014). "500 Tokens to Go Private": Camgirls, Cybersex and Feminist Entrepreneurship. *Sexuality & Culture*. 18. 892-910. 10.1007/s12119-014-9228-3; van Doorn, N., & Velthuis, O. (2018). A good hustle: the moral economy of market competition in adult webcam modeling. *Journal of Cultural Economy*, 11(3), 177-192. <https://doi.org/10.1080/17530350.2018.1446183> (accessed November 25, 2024).

Source for studio percentages: Human Rights Watch interviews with 50 webcam models in Colombia.

Webcamming exists at the intersection of feminized labor, anti-sex work stigma, the informal economy, and the platform-mediated gig-economy. This combination makes it a ready site of multiple forms of labor exploitation. Webcamming is largely unregulated around the world, with webcam platforms holding immense power over what content is streamed and by whom.⁵ Sex work is decriminalized in Colombia, but sex worker activists have increasingly called for research, advocacy, and reform in the webcam industry. Most reform efforts thus far have focused on studios themselves, which range in size and structure from small apartments managed by individuals to large and complex enterprises. Platforms, meanwhile, have largely failed to develop sufficient due diligence protocols related to occupational health, safety, sanitation, and working conditions for the studios with which they work.

Unsanitary Conditions & Infections

Models work shifts of up to 24 hours in small, confined spaces, some without windows or adequate ventilation. In Bogotá, Cali, Medellín, and Palmira, all webcammers interviewed by Human Rights Watch reported extremely poor sanitation in at least one studio in which they had been employed in that city. Workers recounted piles of hair, food, and garbage on beds; bedbug and cockroach infestations; blood, semen, vomit, feces, breastmilk, and other bodily fluids on the bed, chair, keyboard, mouse, floor, and/or walls; sheets and pillows stained with oil and make-up; used condoms, lingerie, food wrappers, and dirty drinking glasses on the desk, floor, and/or bed; and camming equipment that had not been sterilized before the start of their shift.

Most models worked in studios without cleaning staff and some studios charge models for soap, sanitizer, and tissues, despite requiring them to clean the studio themselves.

Several reported outbreaks of rashes and infections among workers due to unsanitary conditions and “fines” imposed by management for missing shifts because of illness from these outbreaks. Workers also told Human Rights Watch that these conditions stood in stark contrast to what they had been led to expect during the recruitment and hiring process. A 23-year-old transgender woman who worked at a studio in Cali said, “They used

⁵ Stegeman, H. M. (2024). Regulating and representing camming: Strict limits on acceptable content on webcam sex platforms. *New Media & Society*, 26(1), 329-345. <https://doi.org/10.1177/14614448211059117> (accessed November 25, 2024).

fake photos on social media to publicize the studio, but when you get there, you realize it's not true at all.”⁶

Lack of Transparency Leading to Exploitation

Like Maria, a staggering 49 of 50 models told Human Rights Watch researchers that they had never seen nor signed the Terms of Service from any platform on which they streamed. Most said the studio created their account for them, which they believed included “accepting” the Terms of Service on their behalf. In many of these cases, this lack of informed consent left the models without essential information they needed to ensure they were paid fairly and could make effective decisions about their work hours, breaks, and what client requests to accept. In some cases, this led to wage theft, coercion, sexual exploitation, and labor exploitation.

Several models had been told by their studio employers that saying no to a client request or taking a break, even to drink water, would impact their earnings or result in automatic deactivation of their account. Few models interviewed by Human Rights Watch said they understood how taking a break or saying no to a client request impacted the amount of traffic directed to their pages, nor if this process was entirely automated or involved some degree of human decision-making. Three of the four platforms analyzed by Human Rights Watch (BongaCams, Livejasmin, and Stripchat) have published policies detailing strict limits on time models can be away from the screen, ranging from zero tolerance for time away from the screen to 15 minutes if a model puts up an away message first. In an email to Human Rights Watch annexed to this report, Chaturbate said that they have a 30-minute off-screen policy. Human Rights Watch was unable to locate this policy and Chaturbate did not provide a copy of the policy when Human Rights Watch requested to review it. None of these four companies’ policies or protocols seem to protect models’ right to take adequate breaks during their shift. Additionally, though some of this information is available in Spanish, no model interviewed by Human Rights Watch had been provided with this information when beginning work in a studio, and no platforms require studios to inform models about breaks and off-screen rules, as a matter of policy.

⁶ Human Rights Watch interview with a webcam model in Cali, October 2023.

Many models interviewed by Human Rights Watch also feared that the decision to cut their feed was automated and did not understand appeal processes. No platform analyzed by Human Rights Watch has publicly available information related to the use of automation in cutting a broadcast stream, resolving a disagreement between a performer and client, or suspending or banning an account. In communications with Human Rights Watch annexed to this report, BongaCams confirmed the use of automation and Artificial Intelligence (AI) tools to monitor broadcasts for models who have left camera view, while Chaturbate said it was a manual decision made by a team member. In its written response to Human Rights Watch annexed to this report, Stripchat did not answer our questions related to models taking breaks and the use of automation in cutting a broadcast stream if models leave the camera view, but generally responded “At Stripchat, the safety and well-being of its models are prioritized through a range of measures designed to protect them from harm.” LiveJasmin declined to provide a response on the record.

As a result of platforms apparently imposing automated limits on broadcasting when a model is out of camera view, their failure to clearly communicate these limits to studio models, and a lack of understanding from models regarding how their actions impact their ratings and earnings, many studio-based models with whom Human Rights Watch spoke refrained from taking breaks at work, for fear of losing access to their accounts and their income. Interviewees told Human Rights Watch that studio managers use the threat of decreased traffic or account bans (allegedly a risk associated with taking a break or denying a client request) to put intense pressure on models. Some models reported being pressured by studios to stream for 18 hours without a break. Many had been pressured, threatened, or coerced into doing sexual performances they found degrading, traumatizing, or physically painful.

“Recycled Accounts” Enable the Hiring of Children

The majority of models interviewed told researchers that studios did not permit them to “take their account with them” when they stopped working at a studio, forcing them to start “from scratch” on a new account. For many workers, this is an insurmountable financial and logistical barrier that keeps them working in studios under exploitative conditions, rather than from home where they can better control their hours and working conditions and keep more of the money they make. Human Rights Watch research indicates that when studios refuse to cede control of consenting adult webcammers’

accounts to those individuals, it is often so they can “slot” a new performer into that account. This allows studios to circumvent some identity verification requirements, eliminate the cost and logistics of rebuilding the client following and traffic to the page, and immediately make money off a new performer through what models interviewed call a “recycled account.”

Human Right Watch’s investigation indicates that “recycled accounts” are a key tactic studios can use to hire children and contribute to the production of Child Sexual Abuse Material (CSAM). All models interviewed by Human Rights Watch were adults, but several said they began working in studios when they were between the ages of 13 and 17. While some used fake IDs, others said the studio that hired them circumvented platform age verification requirements entirely by having them stream from an account registered to an adult model who had recently left the studio. In this way, a key concern of consenting adult models – the inability to take their accounts with them when they leave a studio – also facilitates the potential creation of CSAM.

The system is underpinned by platform policies, which privilege studio account holders over the models who stream from those studios. Platform policies often protect studio account holders’ control over model accounts registered to the studio and fail to respond promptly to models who contact them for support in closing or transferring their accounts. By ignoring requests of adult models to take ownership of their own accounts, platforms are facilitating the potential creation of CSAM.

Urgent Need for Platform Due Diligence

There are many consequences to denying that sex work is work, and that sex workers deserve the same labor rights protections as all workers under international human rights law. One of these consequences is that the exploitation happening in webcam studios has been largely unaddressed by the growing global movement denouncing lack of working safeguards and labor protections in global markets and calling for supply chain due diligence. Adult webcam platforms have remained largely immune to rebuke for their direct participation in and enabling of the exploitation of studio-based webcam workers. This report analyzes the ways in which these platforms are causing and contributing to human rights abuses in studios, in violation of their responsibilities under the UN Guiding Principles on Business and Human Rights.

In collaboration with partners, Human Rights Watch identified concrete steps platforms should take to end abuses, including:

- Develop occupational health and safety standards and noncompliance protocols for studio account holders pursuant to international and Colombian standards;
- Conduct regular inspections of all studios with registered studio accounts;
- Prohibit studio owners, management, monitors, and other staff from coercing models into performing specific sex acts, including consenting to any performance on behalf of a model;
- Implement a “pause” or “break” feature, which guarantees models’ right to adequate rest each shift and pay models at least minimum wage for this time;
- Guarantee timely, comprehensive responses by employees to requests submitted by models to close or transfer their account;
- Establish as a matter of policy the right of models to export or transfer their account from a studio for any reason, and remove language in terms and conditions and technical barriers which could prohibit models from exporting or transferring their account;
- Establish a confidential reporting mechanism for models to report workplace abuses, including those related to health, sanitation, coercion, image rights, or CSAM, for which account login information is not required and which models can access outside of studios;
- Investigate and terminate partnerships with studios found to “recycle” accounts, ensuring that studio models currently affiliated with a studio account are able to transfer their accounts to other studios or to work independently;
- Ensure studio models are provided with succinct, accessible information in relevant local languages about the impact of client ratings and breaks on page traffic, account deactivation, and the use of automation.

Webcam modeling is work and webcam models have labor rights under both international and Colombian standards. Human Rights Watch requests that organizations, journalists, and others refrain from reproducing or citing interviewees’ stories and quotes related to sexual exploitation, in whole or in part, in a manner that puts them at risk, including risk of stigmatization.

Terminology

Sex workers include people of all sexual orientations, gender identities, and gender expressions who are 18 or older and who receive money or goods in exchange for consensual sexual services, either regularly or occasionally.⁷

While not all webcam models identify as sex workers, adult webcam modeling is broadly understood to be a form of digitally mediated sex work.⁸ Models broadcast adult performances for paying viewers via chat and video rooms on internet platforms. In this report, the term “platform” refers to the adult webcam platforms on which these performances are streamed.

Human Rights Watch has conducted research on sex work around the world, including in Cambodia,⁹ China,¹⁰ Greece,¹¹ Ireland,¹² South Africa,¹³ Spain,¹⁴ Tanzania,¹⁵ and the United States.¹⁷ This research included extensive consultations with sex workers, sex worker rights defenders, anti-trafficking organizations, and other experts. It has shaped

⁷ OHCHR, “A Guide on the Human Rights of Sex Workers,” March 2024, <https://www.ohchr.org/sites/default/files/2024-03/2024-march-sex-work-guide-un-report-short.pdf> (accessed November 25, 2024).

⁸ Angela Jones, *Camming: Money, Power, and Pleasure in the Sex Work Industry* (New York: NYU Press, 2020) (accessed November 25, 2024).

⁹ Human Rights Watch, *Off the Streets: Arbitrary Detention and Other Abuses against Sex Workers in Cambodia*, July 2010, <https://www.hrw.org/report/2010/07/19/streets/arbitrary-detention-and-other-abuses-against-sex-workers-cambodia>.

¹⁰ Human Rights Watch, *“Swept Away”: Abuses Against Sex Workers in China*, May 2013, <https://www.hrw.org/report/2013/05/14/swept-away/abuses-against-sex-workers-china>.

¹¹ “Greece: Police Abusing Marginalized People,” Human Rights Watch news release, May 6, 2015, <https://www.hrw.org/news/2015/05/06/greece-police-abusing-marginalized-people>.

¹² Erin Kilbride (Human Rights Watch), “Decriminalizing Sex Work Would be Ireland’s Next Opportunity to Choose Equality,” commentary, *The Irish Independent*, June 23, 2023, <https://www.hrw.org/news/2023/06/26/decriminalizing-sex-work-would-be-irelands-next-opportunity-choose-equality>.

¹³ Human Rights Watch, *Why Sex Work Should be Decriminalized in South Africa*, August 2019, <https://www.hrw.org/report/2019/08/07/why-sex-work-should-be-decriminalised-south-africa>.

¹⁴ “Letter from Human Rights Watch to the Spanish Congress of Deputies for Proposed Law on Pimping,” Human Rights Watch news release, April 6, 2023, https://www.hrw.org/news/2023/04/06/letter-human-rights-watch-spanish-congress-deputies-proposed-law-pimping#_ftn2.

¹⁵ “Spain Debates Dangerous Sex Work Law,” Human Rights Watch new release, January 26, 2023, <https://www.hrw.org/news/2023/01/26/spain-debates-dangerous-sex-work-law>.

¹⁶ Human Rights Watch, *“Treat Us Like Human Beings”*

Discrimination against Sex Workers, Sexual and Gender Minorities, and People Who Use Drugs in Tanzania, June 2013, <https://www.hrw.org/report/2013/06/18/treat-us-human-beings/discrimination-against-sex-workers-sexual-and-gender>.

¹⁷ “Why We’ve Filed a Lawsuit Against a US Federal Law Targeting Sex Workers,” Human Rights Watch new release, June 29, 2018, <https://www.hrw.org/news/2018/06/29/why-weve-filed-lawsuit-against-us-federal-law-targeting-sex-workers>.

Human Rights Watch’s policy on sex work, including the language used to speak about sex work, trafficking for sexual exploitation, and consent.

Stigmatizing, patronizing, and dehumanizing language – including phrases such as “prostituted women” – is directly tied to several forms of violence, including violence against women and girls, in part because such language normalizes that violence. Human Rights Watch’s analyses of several countries’ legal codes revealed that terms such as “prostitution” and “prostituted person” create extreme legal ambiguity, which puts already marginalized groups at risk of further violence.¹⁸ The term “prostitute,” except in cases in which it is explicitly reclaimed by affected communities, connotes criminality and discursively suggests that sex workers are deserving of punishment.¹⁹ Affected communities and many women human rights defenders have widely rejected these terms due to the ways in which they contribute to the stigmatization and dehumanization of socially and economically marginalized women, girls, queer people, migrants, and racialized groups.

A 2017 article in the *Journal of Sex Research* reviewed “mounting evidence of stigmatization attached to sex workers’ occupation” and found that stigmatization “plays a role in fostering an environment where disrespect, devaluation, and even violence are acceptable responses.”²⁰ As such, this report only uses the words “prostituted” and “prostitution” when citing a law, policy, or court decision.

The *Guide on the Human Rights of Sex Workers* – published jointly by UN experts – states that “sex work is consensual sex between adults, which takes many forms and varies

¹⁸ Annex A, Letter from Human Rights Watch to Ms. Reem Alsalem, UN Special Rapporteur on violence against women and girls, January 12, 2014, https://www.hrw.org/sites/default/files/media_2024/02/HRW%20Input%20for%20SR%20VAWG%27S%20report%20on%20violence%20against%20women%20and%20prostitution_01.31.2024.pdf; Erin Kilbride (Human Rights Watch), “Decriminalizing Sex Work Would be Ireland’s Next Opportunity to Choose Equality,” commentary, *The Irish Independent*, June 23, 2023, <https://www.hrw.org/news/2023/06/26/decriminalizing-sex-work-would-be-irelands-next-opportunity-choose-equality>.

¹⁹ Annex A, Letter from Human Rights Watch to Ms. Reem Alsalem, UN Special Rapporteur on violence against women and girls, January 12, 2014, https://www.hrw.org/sites/default/files/media_2024/02/HRW%20Input%20for%20SR%20VAWG%27S%20report%20on%20violence%20against%20women%20and%20prostitution_01.31.2024.pdf (accessed November 25, 2024).

²⁰ Celia Benoit et al., “Prostitution Stigma and Its Effect on the Working Conditions, Personal Lives, and Health of Sex Workers” *The Journal of Sex Research*, 55(4–5), (2018), pp. 457–471, <https://doi.org/10.1080/00224499.2017.1393652> (accessed November 25, 2024).

between and within countries and communities but does not include nonconsensual acts.” The ability of sex workers to give, receive, and withdraw consent is foundational to their rights as women, queer people, and workers.

Methodology

Human Rights Watch partnered with Colombian sex worker organizations Corporación Calle 7 Colombia and La Liga de Salud Trans on the design, strategy, and implementation of this investigation. The methodology was designed to center the expertise of sex workers in investigating and addressing both labor abuses and sexual exploitation.

On two research trips in October 2023 and February 2024, Human Rights Watch conducted 55 interviews with webcam models using a semi-structured interview methodology and a survey questionnaire.

The research trips were conducted jointly between Human Rights Watch and either Corporación Calle 7 Colombia or La Liga de Salud Trans, based on each organization's network in the cities visited. The interviews followed the structure of a survey developed jointly by Human Rights Watch, Corporación Calle 7 Colombia and La Liga de Salud Trans. The survey was peer reviewed by an academic consultant, Dr. Rachel Stuart, Senior Lecturer in Criminology and Deviance at Brunel University London, with expertise in webcam platforms.

Human Rights Watch developed a purposive sample to gather information from a diverse array of webcammers across the country. Researchers visited Bogotá, Cali, Medellín, and Palmira to interview webcam models. Interviewees were identified through the networks of Corporación Calle 7 Colombia or La Liga de Salud Trans or were referred to us by peers. Interviewees were between the ages of 19 and 53, and included 10 cisgender men, 26 transgender women, 14 cisgender women, and five non-binary people, four of whom also identified as transgender men. To preserve interviewee security, Human Rights Watch did not ask interviewees for the names of specific studios where they worked.²¹ However, other details gained in the interviews, including descriptions of studio layout and structure, their general location, and management practices, allow Human Rights Watch to infer that the interviews covered conditions at dozens of unique studios. The sample is also diverse in

²¹ Three interviewees in Medellín recounted positive working conditions in one specific studio and wanted to tell Human Rights Watch researchers the name of this studio, in hopes of encouraging other studios to learn from their practices. This information is on file with Human Rights Watch, but the studio is not named in this report.

terms of the background of webcammers, with interviewees citing numerous ways they came to their work. Education levels ranged from elementary education to people with graduate school experience.

The workers we interviewed do not constitute a representative sample of webcam models in Colombia. Rather, the sample was designed to gain information from a diverse selection of webcammers. Accordingly, any reference in this report to the number of interviewees who discussed a particular issue or concern only reflects the incidence of that experience among those we interviewed. While not a representative sample, the numbers presented in this report, and stories shared with us, may suggest that experiences are common among a range of workers in the industry working for similar studios in Colombia.

The survey was conducted verbally in Spanish with an interpreter. Researchers preceded all interviews with a detailed explanation of informed consent to ensure that interviewees understood the nature and purpose of the interview, as well as the background, experience, and identities of the Human Rights Watch researcher and interpreter with whom they were speaking. The team informed all interviewees about the upcoming Human Rights Watch report on the topic of labor abuses and sexual exploitation in Colombian webcam studios and obtained consent from all interviewees to participate in the survey.

Interviews were not recorded on audio or video devices. They were identified only by a participant number at the top of the survey. Each interviewee was shown the survey paper and the number to confirm they were comfortable with the identification practice. Surveys were entered into a data spreadsheet on a laptop owned by Human Rights Watch. Interviewees' names were not recorded on either the paper copy or the spreadsheet.

Every effort was made to abide by best practice standards for ethical research and documentation of sexual violence, including all efforts to avoid re-traumatization of survivors. In line with best practice and sex worker-led research standards, the opening questions of the survey asked interviewees about the words and phrases they used to describe themselves and their work (i.e. sex work, webcam model, model, etc.) and researchers used these specific words for the remainder of each interview. Interviewees were also encouraged to inform Human Rights Watch if the words, phrases, or concepts used in the interview did not match their experience. Interviewees were told they could

stop or pause the interview at any time, decline to answer any question by saying “next,” and skip any question they felt was irrelevant.

Of 55 interviewees, five did not complete the survey. The report, in several instances, references how many models answered a given question. Two of the 55 interviewees had not worked in a webcam studio, which was the focus of this investigation, so they did not complete the verbal survey. Researchers instead spoke to them about their experience webcamming from home. One of these people had worked as a monitor in a studio and provided information about his work in that role. One older person preferred to tell researchers about her experiences related to street-based sex work and her activism, and not to complete the story. Human Rights Watch researchers paused one interview due to the perceived risk of re-traumatization when an interviewee disclosed that they were a survivor of child trafficking. Though the experience occurred more than a decade ago, the interviewee asked to tell the story instead of completing the survey. The fifth person who did not complete the survey had to leave early due to time constraints.

Human Rights Watch sent inquiry letters to all platforms named in this report, BongaCams, Chaturbate, LiveJasmin, and Stripchat. BongaCams, Chaturbate, and Stripchat provided written responses which are annexed to this report. LiveJasmin declined to provide a response on the record.

Ethnic and Geographic Diversity, and Limitations

Consultations with sex workers in the scoping phase of this project (July 2023) indicated that a key priority of the sex worker rights movement in Colombia is increasing their ability to conduct outreach with rural and Indigenous sex workers, primarily on rights, safety, and access to justice. While investigating sexual exploitation and abuses against sex workers in rural parts of Colombia poses risks to the communities themselves, the focus on webcam studios in more urban areas presented the possibility to diversify the geographic origin of interviewees. Many rural webcam models relocate to more urban areas due to the poor internet connectivity and infrastructure in smaller, more remote communities. Others migrate to have a greater choice of studios to work in – in a remote area there may be only one or two studios, meaning workers have less leverage to seek better conditions.

By focusing on webcam studios, Human Rights Watch was able to interview sex workers and survivors of trafficking into sexual exploitation from several parts of the country while mitigating the risk of exposure to armed groups and other actors.

Many participants responded *ninguno* (“none”) when asked to choose from the following ethnical and racial identities: Indígena, Gitano o Rrom, Negro, Raizal, Palenquero, Ninguno, Otro. Some of these participants later referenced experiences tied to their race or ethnicity, such as racial discrimination in a studio or a childhood memory with Indigenous family. When time permitted, researchers returned to the original demographic question once more, to confirm that the participant wanted to maintain “none” as the response. Most did. Out of respect for sex workers’ self-identification, researchers did not push interviewees to change their answers to reflect a racial or Indigenous identity, but it is important to note that the racial and ethnic demographic information is more complex than the data indicates.

This Report Does Not Include:

Existence or Prevalence of Abuse on Specific Platforms

The aim of the report is to document abuses occurring in studios and demonstrate the ways in which platforms contribute to these abuses and have a responsibility to address them. This report did not investigate the existence or prevalence of specific forms of abusive, banned, or illegal material being streamed at a given time on individual platforms. This report does not address the presence or prevalence of CSAM on specific webcam platforms or in the industry overall. The methodology was designed to investigate how Colombian webcam models come to work in studios and what labor abuses they experience. In this process, researchers found that studios “recycle” some models’ accounts and bypass the age verification system, enabling a system that can be used to employ children as models using those accounts. This report, therefore, investigates the “how” of live-streamed CSAM.

In-Depth Analysis of Intellectual Property

The intellectual property rights of content creators on webcam platforms are of immense importance to their rights as workers, and to their ability to create an economically viable product that allows them to “go independent” and work from home with better conditions,

better hours, and better pay. This investigation did not include a detailed analysis of the legal or social ramifications of the evolving debates around property rights for online performers. While it analyzes the ways in which existing data privacy discussions apply to webcam models, this analysis primarily focuses on the ways in which platform policies and practices may be contributing to human rights abuses by failing to allow models to take their accounts with them when they leave a studio and to properly inform them, in clear, accessible, local languages, of how their data is collected and stored.

I. Background

Adult webcamming is a billion-dollar global industry in which performers, also known as webcam models or webcammers, broadcast performances in exchange for payment or tips.²² Depending on the platform, models may conduct performances for multiple viewers at once or for individual clients. Clients purchase tokens or credits to watch and chat with models, whose performances may include sexual content and nudity, but do not always. On most platforms, models set the price (in tokens or credits) of their performances or chat rooms and are paid a percentage of the token price.²³ Academic studies from 2014 and 2017 found webcam platforms retained between 50 and 65 percent of the income generated by webcam models.²⁴ Nominally, this is in exchange for hosting the performance, providing viewers, and mediating financial transactions between clients and models.

Adult webcamming has provided income-generating opportunities for a wide range of low-income and socially marginalized groups and people with restricted access to the public sphere, including, among others, people with disabilities and those with limited mobility, immunocompromised people, those without access to public or private transportation, single parents, racialized groups, and queer people.²⁵ At the same time, webcamming has exposed workers to new, complex forms of exploitation in a digital and largely unregulated market. As one researcher explained:

Webcamming offers all of the insecurity and precarity of other forms of sex work, but with the added disadvantage of a corporate entity that retains the lion's share of the income generated by the performer.²⁶

²² Angela Jones, *Camming: Money, Power, and Pleasure in the Sex Work Industry* (New York: NYU Press, 2020) (accessed November 25, 2024).

²³ The pay structure of each platform discussed in this report is explained in section “*Pretty Much About 50%*”.

²⁴ Bleakley, Paul. (2014). “500 Tokens to Go Private”: Camgirls, Cybersex and Feminist Entrepreneurship. *Sexuality & Culture*. 18. 892-910. 10.1007/s12119-014-9228-3; van Doorn, N., & Velthuis, O. (2018). A good hustle: the moral economy of market competition in adult webcam modeling. *Journal of Cultural Economy*, 11(3), 177–192. <https://doi.org/10.1080/17530350.2018.1446183> (accessed November 25, 2024).

²⁵ Angela Jones, *Camming: Money, Power, and Pleasure in the Sex Work Industry* (New York: NYU Press, 2020) (accessed November 25, 2024).

²⁶ Human Rights Watch interview with Dr. Rachel Stuart via video call, October 2023.

The (In)Visibility of Studio-Based Models

Platforms have accounts for individual performers, who often work from home, as well as studio accounts, which can register multiple models.²⁷ Models work in studios for many reasons, but often it is because they do not have the privacy, technological equipment, or internet connectivity to stream from home.²⁸ For studio-based models, after the platform takes its share, the studio in which they stream takes yet another cut in exchange for providing this infrastructure.

There is a critical gap in research specifically addressing the experiences of studio-based models. Many academic studies into webcamming center the experience of people working independently, or do not explicitly state if studio-based models were included in their research. A 2018 journal article, which stated “the opportunities and risks of webcam modeling are distributed in highly unequal ways along lines of nationality, geography, gender, race, and class,” noted that exploitation in studios represents one of these major inequalities. The authors noted:

Given that webcam performances transcend physical boundaries, this market is global and models from Western countries have to compete with models from relatively low-income countries such as Romania, Colombia, and the Philippines, which have become central hubs in the adult webcam industry. These models are more likely to work under contract of specialized studios that provide the needed infrastructure in exchange for a substantial fee, and they are frequently subjected to exploitative working conditions.²⁹

²⁷ A studio account may be affiliated with a physical webcam studio but does not have to be. A studio account may simply be owned by a person who then creates and controls other sub-accounts, all of whom stream remotely. This research focuses specifically on the experiences of models who stream from a physical studio, on a sub-account registered to that studio account holder.

²⁸ Vlase, I., & Preoteasa, A. M. (2021). Flexi(nse)curity in adult webcamming: Romanian women's experiences selling digital sex services under platform capitalism. *Gender, Place & Culture*, 29(5), 603–624. <https://doi.org/10.1080/0966369X.2021.1878114> (accessed November 25, 2024).

²⁹ Bleakley, Paul. (2014). “500 Tokens to Go Private”: Camgirls, Cybersex and Feminist Entrepreneurship. *Sexuality & Culture*. 18. 892-910. 10.1007/s12119-014-9228-3; van Doorn, N., & Velthuis, O. (2018). A good hustle: the moral economy of market competition in adult webcam modeling. *Journal of Cultural Economy*, 11(3), 177–192. <https://doi.org/10.1080/17530350.2018.1446183> (accessed November 25, 2024).

Size of the Global Webcamming Industry

Although it is known that webcamming is a billion-dollar global industry, it is difficult to precisely assess the industry's size for several reasons.³⁰

One reason is the existence of affiliate or “white-label” sites. Affiliate or “white-label” sites appear to be an independent webcam hosting site but are, in effect, a franchise of a larger platform.³¹ The large number of affiliate or “white-label” sites can make the market appear much more diverse than it is. In reality, webcamming is primarily controlled by a relatively small number of corporations.³² A 2023 academic study of the 50 most-visited webcam platforms globally found that nearly half (22) “turned out to be so-called white-label platforms... In other words, these white labels, while appearing to be different platforms, host the same performers.”³³ Researchers have found that even “a medium-sized site such as Cam.Com is continuously fed by over 50,000 affiliates.”³⁴

A second reason that quantifying the industry is difficult is that large porn sites also host live webcam performers.³⁵ This “partially disguises” the size of the webcam industry because academics and others generally exclude porn sites from their attempts to understand the webcam industry's size.³⁶ For example, the aforementioned 2023 study originally identified 228 platforms but “then selected only those platforms whose dominant interface focused on camming, rather than, for instance, porn videos,” which reduced the number of relevant platforms from 228 to 50.³⁷

Dr. Rachel Stuart, lecturer in criminology and deviance at Brunel University London, who specializes in mediated forms of sex work and the impact of policing on sex workers' access to services, further unpacked this problem:

³⁰ Angela Jones, *Camming: Money, Power, and Pleasure in the Sex Work Industry* (New York: NYU Press, 2020) (accessed November 25, 2024).

³¹ Ibid.

³² Hanne M Stegeman et al., “Hypercategorization and hypersexualization: How webcam platforms organize performers and performances,” *Sexualities* (2023): 136346072311701. 10.1177/13634607231170174. (accessed November 25, 2024).

³³ Ibid.

³⁴ Rachel Stuart, “How Female Performers Experience Adult Content Webcam as a Form of Sexual Commerce” (Ph.D. thesis, University of Kent, 2021). (accessed November 25, 2024).

³⁵ Ibid.

³⁶ Human Rights Watch interview with Dr. Rachel Stuart, October 2023.

³⁷ Stegeman et al., “Hypercategorization and hypersexualization: How webcam platforms organize performers and performances.” (accessed November 25, 2024).

The relationship between porn and webcamming is complex and makes it difficult to say just how big the cam industry really is. From discussions I've had with webcam industry executives, accessing webcam performers via porn sites or affiliate sites appears to be the most frequent mode of access to performers' chatrooms. This camouflages how much traffic is driven to webcam hosting sites.³⁸

The complex methodological decisions made by researchers, such as the one described above, ultimately determine which data is examined and represented in attempts to quantify the webcam industry. These difficulties most likely lead to overestimating its corporate diversity and underestimating its size.

A 2020 study found over 50 million registered members and 1.5 million registered performers, of which over 400,000 were active performers, on LiveJasmin.³⁹ In May 2024, the performer-run website *Girls of Jasmin*, which offers monthly statistics on the number of active “female” performers and their earnings on LiveJasmin, reported 205,029 “registered female cam models” with 953 “available” and streaming.⁴⁰ The popularity of particular platforms changes over time, which compounds the difficulty in assessing overall size of the market. As described later in the report, platforms selected for analysis by Human Rights Watch were based on both the prevalence of interviewees having worked on those platforms and the platform-specific reforms interviewees most wanted to make.

Colombian Webcam Studios

In Colombia, studios are generally sought by models who do not have the internet connectivity, computer equipment, privacy, housing, or other infrastructure required to stream from home. The existence of studios has opened the possibility of webcamming to hundreds of thousands across Colombia, providing access to a form of employment that can be done by people of many genders, ages, and abilities.

³⁸ Human Rights Watch interview with Dr. Rachel Stuart, October 2023.

³⁹ Olav Velthuis and Neils van Doorn, *Weathering Winner-Take-All: How Rankings Constitute Competition on Webcam Sex Platforms, and What Performers Can do About It* (Oxford: Oxford University Press, 2020), pp.167-187. (accessed November 25, 2024).

⁴⁰ “Current Statistics for May 2024,” accessed May __, 2024, <https://www.girlsofj.com/livejasmin-statistics> (accessed November 25, 2024).

As with the global webcam industry, there are several barriers to identifying the size of the industry and the number of studios operating in Colombia. In 2020, *El Tiempo* reported that there were 40,000 webcam models working in Colombia according to industry representatives.⁴¹ In 2021, *Forbes Colombia* said webcams in Colombia was a US\$40 million industry and reported that anonymous industry representatives said webcams created at least “15,000 indirect jobs [such as cleaning and monitoring] and up to 50,000 direct [modeling] jobs.”⁴² In 2022, a studio owner told *El País* that he estimated “more than 5,000 studios” existed in Colombia, stressing that “many of the studios that operate in the city do so underground because the conditions they offer their professionals are very bad.”⁴³ Both the economic opportunity and the threat of sexual exploitation presented by webcam studios have been covered in media reports on webcam models, studios, and agencies in Colombia, including the 2022 article in *El País*.⁴⁴

Many studios hire “monitors” to support models with technology, translations, equipment, and performance techniques. This can be useful for models who do not have experience with technology, do not speak multiple languages, or recently started webcams. Monitors often watch multiple models’ streaming feeds simultaneously on computer screens in the studio’s office, and in many studios they can directly communicate with clients on models’ behalf. While pay structure and terms of employment vary by studio, the webcams Human Rights Watch interviewed stated that the studios they work in keep between 35 and 70 percent of what is paid out by the platforms. This leaves models with as little as 10 percent of the total income generated by their performance, and this is often further depleted by transaction fees at the bank and payment processing levels.

⁴¹ Karen Parrado Beltrán, “El negocio de las modelos ‘webcam’ se dispara con la pandemia,” *El Tiempo*, May 2, 2020, <https://www.eltiempo.com/cultura/modelos-webcam-en-la-pandemia-491058> (accessed November 25, 2024).

⁴² Kevin Steven Bohórquez, “Modelos webcam en Colombia: un negocio de US\$40 millones al año,” *Forbes Colombia*, May 10, 2021, <https://forbes.co/2021/05/10/negocios/modelos-webcam-en-colombia-un-negocio-de-us40-millones-al-año> (accessed October 10, 2024).

⁴³ Lucía Franco, “Colombia’s ‘camgirls’ slowly start to break taboos,” *El País*, May 17, 2022, <https://english.elpais.com/society/2022-05-18/profession-webcammer.html#:~:text=After%20Romania%2C%20the%20second%2Dhighest,the%20country%2C%E2%80%9D%20he%20says> (accessed October 10, 2024).

⁴⁴ Ibid.

Webcamming and the Informal Economy

Webcamming and adult content creation occur primarily as forms of informal employment and in the context of the large, informal economy of Colombia. Informal employment in Colombia represents nearly 60 percent of the country's total employment.⁴⁵ Like other workers in the informal economy such as gig workers, webcammers' lack access to a wide range of workers' rights protections and social security programs, including a minimum wage. A 2022 academic journal article stated:

Erotic-content platforms [can] be understood as forms of platform-mediated gig-economy work, reflecting increased freedoms in some ways, but tempered with heightened financial precarity... online sex work is made vulnerable by existing at the nexus of sex work stigma, and the precarity inherent in platform-mediated gig-economy work.⁴⁶

Much of the exploitation occurring in the webcam industry also reflects the broader mistreatment of workers in historically feminized forms of labor, which are increasingly occurring in the digital realm. According to a 2023 article:

Online types of display labor, caring, and service work are still primarily populated by women, simultaneously offering new options for monetization, while platforms continue to underpay.⁴⁷

Several feminist scholars have noted that contemporary gig work, in which workers are paid by the task rather than the hour, weekly, or monthly, has its roots in the devaluation of feminized and racialized labor.⁴⁸ For example, garment manufacturers in the 1900s paid

⁴⁵ Organization for Economic and Development Review Committee, *OECD Economic Surveys*, 2022, eBook, https://www.oecd-ilibrary.org/sites/o4bf9377-en/index.html?itemId=/content/publication/o4bf9377-en&csp_=5eb342b3cfea8eeef43f9473329cfc5a&itemIGO=oecd&itemContentType=book (accessed October 11, 2024); DANE - Informal Employment and Social Security.

⁴⁶ Gwyn Easterbrook-Smith, "OnlyFans as gig-economy work: a nexus of precarity and stigma," *Porn Studies*, 10(3) (2023), 252-267, <https://doi.org/10.1080/23268743.2022.2096682>, at 252. (accessed November 25, 2024).

⁴⁷ Helen M. Rand and Hanne M. Stegeman, "Navigating and resisting platform affordances: Online sex work as digital labor," *Gender, Work & Organization*, 30(6) (2023), 2102-2118, 10.1111/gwao.13047, at 2103. (accessed November 25, 2024).

⁴⁸ See Eileen Boris and Cynthia R Daniels, *Homework: Historical and Contemporary Perspectives on Paid Labor at Home* (Urbana: University of Illinois Press, 1989).

“homeworkers” by the article produced.⁴⁹ These workers were often immigrant women in crowded public housing, earning half what women factory workers made despite working full-time or overtime.⁵⁰

Webcamming exists at the intersection of feminized labor, anti-sex work stigma, the informal economy, and the platform-mediated gig-economy. This combination makes it a ready site of multiple forms of labor exploitation. This begins with the recruitment process, which is defined by a lack of transparency over working conditions, account creation, and payment.

Sex Worker Rights and the Eradication of Trafficking into Sexual Exploitation

As with other forms of work, people come to work in webcam studios in a wide variety of ways. Many seek out employment opportunities in studios. All people interviewed by Human Rights Watch for this report stated that they chose to work as webcammers and were not forced or coerced into doing so.

At the same time, all interviewees reported that they felt surprised, deceived, or misled about several conditions of their employment, including the amount they would be paid, the sex acts they were expected to perform, and the limited or nonexistent control they would retain over their account if they wanted to leave the studio and work independently. For some workers, the inability to take their account with them, compounded by the small amounts of debt they accrued at the studio store or while living in the studio, made it more difficult to leave their studio jobs (See **Debt from Studio Loans**). Rights for sex workers and the eradication of human trafficking are mutually reinforcing struggles. Some sex workers are survivors of trafficking or may have experienced sexual exploitation. Some survivors of human trafficking choose to continue sell sexual services. One identity does not negate or presuppose the other. A 2021 report based on interviews with more than 400 sex workers found that:

‘Trafficking,’ as explained by sex workers who have experienced it, often means coerced relocation and temporarily unpaid labour... Some sex

⁴⁹ Boris, Eileen. "Home-Based Labor." *Oxford Research Encyclopedia of American History*. 22 Nov. 2023; Accessed 28 Oct. 2024. <https://oxfordre.com/americanhistory/view/10.1093/acrefore/9780199329175.001.0001/acrefore-9780199329175-e-243>. (accessed November 25, 2024).

⁵⁰ Daniels, Cynthia R. "Between Home and Factory: Homeworkers and the State." *Homework: Historical and contemporary perspectives on paid labor at home* (1989): pp. 13-32. (accessed November 25, 2024).

workers who willingly begin work at one establishment are transferred to another against their will, or may agree to go under false promises of better pay. If they want to recuperate unpaid wages... they are left with few options. Calling an anti-trafficking hotline could result in a raid on their establishment, the arrest of their colleagues, prison time, violence from managers, losing their children, deportation if they are undocumented, loss of wages, and an inability to find work in the future.⁵¹

Sweeping statements about trafficking in relation to sex work that fail to account for the nuance and lived realities of sex workers often serve to legitimize the over-policing, surveillance, and criminalization of already marginalized populations. Raid, rescue, and rehabilitation strategies deployed to combat trafficking, which often involve heavily armed police and security forces, can brutalize poor and migrant women.⁵² Research on raid and rescue efforts show “a non-linear relationship between trafficking and the decision to continue in sex work.”⁵³

Both Colombian and United States authorities have expressed concerns about rights abuses, including trafficking, present in the webcamming industry. However, reliable research on the subject is scarce. Often, labor rights violations and abuses are confused and subsumed in a broad and vague idea of human trafficking that harms both the fight for better labor conditions for marginalized workers and efforts to combat trafficking in persons. In 2023 and 2024, the US State Department’s Trafficking in Persons Report referenced concerns about the webcam industry’s “ties to sex trafficking” without providing evidence.⁵⁴

⁵¹ Front Line Defenders, *Sex Worker Rights Defenders at Risk*, (Dublin: Front Line Defenders, 2021), https://www.frontlinedefenders.org/sites/default/files/fl_d_swr_d_final_english.pdf (accessed November 25, 2024).

⁵² Ahmed, Aziza, and Meena Seshu. 2015. “We Have the Right Not to Be “Rescued”...’: When Anti-Trafficking Programmes Undermine the Health and Well-Being of Sex Workers.” *Anti-Trafficking Review*, no. 4 (April). <https://doi.org/10.14197/atr.201219>. (accessed November 25, 2024).

⁵³ Veshya Anyay Mukti Parishad, *RAIDED: How Anti-Trafficking Strategies Increase Sex Workers’ Vulnerability to Exploitative Practices* (Edinburgh, Global Network of Sex Work Projects, 2018).

⁵⁴ US State Department, Office to Monitor and Combat Trafficking in Persons, “2023 Trafficking in Persons Report, June 2023, <https://www.state.gov/reports/2023-trafficking-in-persons-report/> (accessed August 6, 2024); US State Department, Office to Monitor and Combat Trafficking in Persons, “2024 Trafficking in Persons Report, June 2024, <https://www.state.gov/reports/2024-trafficking-in-persons-report/> (accessed August 6, 2024).

However, according to Human Rights Watch’s field research, trafficking in the Colombian webcam industry most often looks like recruitment practices that fail to disclose the full nature of the work, pay structure, and conditions a model will be working in, such as using photos depicting clean, private bedrooms to advertise a studio in which conditions are significantly worse.

As such, this report focuses on both recruitment practices, including the lack of transparency regarding payment and studio conditions, and the conditions themselves. It includes the stories and experiences of violence perpetrated against both sex workers and survivors of trafficking into exploitation. It recognizes that the identities “sex worker” and “survivor” are neither mutually exclusive nor automatically linked; instead, they are distinct, temporal, and self-claimed. Throughout the report, stories are told using the language of the person who lived them.

II. Sex Workers' Rights Under Colombian Law

Colombian law does not have a specific statute on the rights of sex workers and webcammers. However, through several judgments dating back nearly two decades, the Colombian Constitutional Court has recognized that sex work is a licit economic activity.⁵⁵ These include Judgement T-620 of 1995, T-629 of 2010, and T-109 of 2021. In light of those holdings, some cities, such as Bogotá, passed agreements recognizing the legality of sex work and establishing provisions to protect sex workers and sex work establishments.⁵⁶

The Constitutional Court has also indicated that, under some conditions, sex workers and webcammers are employees subject to labor protections. In its Judgment T-109 of 2021, it recognized that there is a “variety of terms in which the performance of this activity is agreed between companies and individuals,” adding that such circumstances “do not exclude that it is subject to the observance of the Constitution and the laws, and that in this sense, depending on the specific case, it is possible to declare an employment relationship with what follows from it.”⁵⁷ Given that Colombia’s Constitution enshrines the “principle of primacy of reality over formalities established by the parties of labor relations,”⁵⁸ the courts, including the Constitutional Court, can determine the existence of an employment relationship based on the conditions of employment, even if the studio claims to have agreed on a different type of contractual obligation with the webcam model.

⁵⁵Judgement T-620, Constitutional Court of Colombia, Case No. T-52600, Judgment, Dec. 14, 1995; Judgment T-629, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010; Judgement T-109, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

⁵⁶ Agreement No. 79 of 2003, *Council of Bogotá*, Normograma del Ministerio de Relaciones Exteriores (cancilleria.gov.co), arts. 49-51.

⁵⁷ Judgment T-109, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021. *“Hasta ahora no se ha expedido ninguna disposición que se ocupe de regular puntualmente la situación jurídica subjetiva de las personas que se dedican al modelaje webcam -dado que en la actualidad la única norma que se ha referido a este oficio es de carácter tributario-, lo cual se suma al enfoque específico de convivencia y seguridad del control a la actividad económica de las normas policivas, y a la variedad de términos en que se pacta entre las empresas y las personas la realización de esta actividad, tales circunstancias no excluyen que la misma esté sujeta a la observancia de la Constitución y las leyes, y que en tal sentido, según el caso concreto, sea posible la eventual declaratoria de una relación laboral con lo que de ello se desprende.”*

⁵⁸ The Political Constitution of Colombia, The Congress of the Republic, 1991 (rev. 2013), Colombia 1991 (rev. 2013) Constitution - Constitute (constituteproject.org), art. 53 (“Congress will issue the labor statute. The corresponding law will take into account at the very least the following fundamental minimum principles: ... primacy of reality over the formalities established by the parties of a labor relation.”)

The court has recognized that sex workers can be employees with employment contracts and who receive employment benefits.⁵⁹ Under these conditions, they are also subject to labor protections guaranteeing their rights to equality, work,⁶⁰ health,⁶¹ non-discrimination,⁶² personal integrity,⁶³ minimum wage,⁶⁴ job security,⁶⁵ social security,⁶⁶ dignified and healthy working conditions,⁶⁷ freedom from abuse,⁶⁸ freedom of movement,⁶⁹ freedom of expression,⁷⁰ choice of trade,⁷¹ development of personality,⁷² maternal immunity,⁷³ and legitimate expectations of being able to work after any forced relocation of their work establishment.⁷⁴

Existence of an Employment Relationship in Sex Work, Including Webcamming

According to the Constitutional Court:

There will be an employment contract and this must be understood, when the sex worker has acted under full capacity and will, when there is no inducement to prostitution, when the sexual services and other services are

⁵⁹ *Judgment T-629*, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010.

⁶⁰ *Unification Ruling SU-062 of 2019*, Constitutional Court of Colombia, Case No. T-5.872.661, Judgment, Feb. 14, 2019; *Sentence T-109*, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

⁶¹ *Sentence T-736*, Constitutional Court of Colombia, Case No. T-4.982.494, Judgment, Nov. 30, 2015; *Sentence T-109*, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

⁶² *Judgment T-629*, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010.

⁶³ *Sentence T-594*, Constitutional Court of Colombia, Case No. T-5.596.207, Judgment, Oct. 31, 2016.

⁶⁴ Substantive Labor Code, art.132; *Judgment T-629*, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010; *Sentence T-109*, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

⁶⁵ *Sentence T-109*, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

⁶⁶ *Ibid.*

⁶⁷ *Judgment T-629*, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010; *Sentence T-736*, Constitutional Court of Colombia, Case No. T-4.982.494, Judgment, Nov. 30, 2015.

⁶⁸ Agreement No. 79 of 2003, art. 51(15).

⁶⁹ Article 69 of the National Code Police and Coexistence, *Congress of Colombia*, No. 202, 2012, observatoriolegislativocele.com; *Sentence T-594*, Constitutional Court of Colombia, Case No. T-5.596.207, Judgment, Oct. 31, 2016.

⁷⁰ *Sentence T-736*, Constitutional Court of Colombia, Case No. T-4.982.494, Judgment, Nov. 30, 2015.

⁷¹ *Sentence T-611*, Constitutional Court of Colombia, Case No. T-404092, Judgment, Jun. 8, 2001.

⁷² The right to one's own identity; to be who you are. The Political Constitution of Colombia, *The Congress of the Republic*, 1991 (rev. 2013), Colombia 1991 (rev. 2013) Constitution - Constituent (constituteproject.org), art. 16 ("All individuals are entitled to the unrestricted development of their identity without limitations other than those imposed by the rights of others and the legal order"); *Ibid.*

⁷³ *Judgment T-629*, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010; *Sentence T-109*, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

⁷⁴ *Sentence T-736*, Constitutional Court of Colombia, Case No. T-4.982.494, Judgment, Nov. 30, 2015.

carried out under conditions of dignity and freedom for the worker and of course when there is subordination limited by the nature of the service, continuity and payment of a previously defined remuneration.⁷⁵

The presence of consent differentiates sex work and webcamming from human trafficking and “forced prostitution.”⁷⁶ Additionally, though the court demands good working conditions in sex worker contracts, it has recognized that the lack of good working conditions does not render a sex worker the victim of human trafficking.

Instead, the court stated that “The recognition of the protection of the right to work is fundamental as a measure of special constitutional protection, and entails obligations for the State and for commercial establishments...”.⁷⁷

Labor Rights Are Protections for Sex Workers

In Judgement T-736 of 2015, the Constitutional Court of Colombia recognized sex workers as a group requiring “special constitutional protection,” in the form of labor protections, in order to combat the stigma and discrimination they experience and ensure equality, dignity, and rights.⁷⁸ In Judgment T-629 of 2010, the court recognized that a lack of a specific regulation on sex work discriminates against sex workers and precludes them from accessing their fundamental rights.⁷⁹ Consequently, to improve sex workers’ rights

⁷⁵ Judgment T-629, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010. The Constitutional Court has defined “subordination” in Judgment C-386 of 2000 as the “permanent legal power of attorney to direct the worker’s work activity (through instructions and regulations) in relation to the way a worker must perform functions and comply with obligations to fulfill the [generally] economic objectives of the company.” In Judgment T-109/21, the court reiterated that the elements for an employment contract between a studio and a webcam model are (i) the personal provision of the service as an employee, (ii) subordination, and (iii) remuneration. “*Habrà contrato de trabajo y así debe ser entendido, cuando el o la trabajadora sexual ha actuado bajo plena capacidad y voluntad, cuando no hay inducción ninguna a la prostitución, cuando las prestaciones sexuales y demás del servicio, se desarrollen bajo condiciones de dignidad y libertad para el trabajador y por supuesto cuando exista subordinación limitada por las carácter de la prestación, continuidad y pago de una remuneración previamente definida.*”

⁷⁶ Judgment T-594/16. Par 45. Additionally, the court explicitly recognized this difference in Judgment T-736 of 2015, noting that sex work involves free will of sex workers, even if occurring in situations of vulnerability. Permitting sex work establishments is not under any circumstance an inducement to prostitution.

⁷⁷ Judgment T-736 of 2015, Par 39.

⁷⁸ In Judgment T-736 of 2015, the Court clarifies that “special constitutional protection” implies the adoption of affirmative action steps to combat stigma against sex workers and to ensure sex workers are equal in dignity and rights. Also see: Judgement T-594, Constitutional Court of Colombia, Case No. T-5.596.207, Judgment, Oct. 31, 2016. Unification Ruling SU-062 of 2019, Constitutional Court of Colombia, Case No. T-5.872.661, Judgment, Feb. 14, 2019.

⁷⁹ Judgment T-629, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010; Judgement T-594, Constitutional Court of Colombia, Case No. T-5.596.207, Judgment, Oct. 31, 2016.; SU-062 of 2019.

and working conditions, the Constitutional Court has ordered the following over the course of several cases:

- Mayors in jurisdictions mentioned in court cases must enact policies to treat sex workers with respect and human dignity, provide labor alternatives to sex work,⁸⁰ support sex workers who wish to continue work,⁸¹ and enroll sex worker plaintiffs in the Comprehensive Social Security System in Health;⁸²
- Pursuant to the powers of prevention, inspection, surveillance, and control, the Territorial Direction of the Ministry of Labor must protect the rights of webcam models involved in the case reviewed by the Court;⁸³ and
- Congress and Labor Ministry must regulate sex work according to guidelines given by the Constitutional Court.⁸⁴

Webcamming Is a Licit Economic Activity

Even in cases where webcam models may not meet the conditions to have an employment contract with the studio, they are still engaged in licit economic activities that are ruled by a commercial or civil contractual relationship with the studio. The Constitutional Court confirmed this in its Judgment T-109/21, where it stated that the lack of a specific regulatory framework for the webcam industry means it should be treated as a general economic activity. As such, it falls within the regulations of the National Code of Security and Coexistence (Código Nacional de Seguridad y Convivencia Ciudadana), especially the title on economic activities.⁸⁵ This law imposes specific obligations on economic establishments, including studios, many of which concern health and sanitary conditions. For example, it is a violation of the law to infringe on sanitary and security norms, not to clean the space or properly dispose of garbage, or to impede access to clean bathrooms.⁸⁶

The National Code of Security and Coexistence also has a section on “The Exercise of Prostitution,” which imposes obligations on commercial establishments where sex work

⁸⁰ Judgment T-594, Constitutional Court of Colombia, Case No. T-5.596.207, Judgment, Oct. 31, 2016; Judgment T-109, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

⁸¹ Sentence T-109, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

⁸² Ibid.

⁸³ Along with the Congress of the Republic; Ibid.

⁸⁴ Judgment T-629, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010.

⁸⁵ Judgment T-109, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

⁸⁶ Law 1801, 2016, Código Nacional de Seguridad y Convivencia Ciudadana, Title VIII, Chapter III, art 94.

takes place.⁸⁷ Although Judgment T-109/21 does not mention if this section applies to the webcam industry, many of the section's provisions may be relevant. For example, commercial establishments are instructed:

- to treat individuals involved in the exercise of “prostitution” with dignity;
- avoid discriminating against them and violating their freedom of movement and freedom to make their own decisions;
- not allow children and adolescents to enter the studio;
- not allow, favor, or encourage abuse or sexual exploitation of children or people with disabilities;
- and not to induce or force anyone into “prostitution” or impede the person doing such acts from leaving if that person so desires.⁸⁸

Occupational Health and Safety Protections for Studio-Based Models

The Ministry of Labor and webcam studios are jointly responsible for ensuring the occupational health and safety of studio-based models. Under Colombian law and jurisprudence, webcam platforms operating in the country must prevent occupational health and safety abuses from occurring in studios utilizing their platforms and provide evidence of such abuses to Colombian authorities.

In February 2019, Colombian authorities issued Resolution 312, establishing new minimum standards for compliance with the Occupational Health and Safety Management System.⁸⁹ These minimum standards differ based on the sector, type of organization, and number of employees.⁹⁰ The Ministry of Labor is tasked with monitoring their implementation.⁹¹ Resolution 312 also extended several new requirements to companies with 10 or fewer employees, including that these employers must carry out risk assessments, conduct self-evaluations, and create annual improvement plans related to the occupational health and safety of their workers.⁹²

⁸⁷ Law 1801, 2016, Código Nacional de Seguridad y Convivencia Ciudadana, Title VIII, Chapter III, art 43.

⁸⁸ Ibid.

⁸⁹ Resolución 312, *La Ministra del Trabajo*, 2019, <https://www.alcaldiaBogotá.gov.co/sisjur/normas/Norma1.jsp?i=82666>.

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² Resolución 312, *La Ministra del Trabajo*, 2019, <https://www.alcaldiaBogotá.gov.co/sisjur/normas/Norma1.jsp?i=82666>.

These minimum standards apply to models working in webcam studios.⁹³ The Colombian Constitutional Court has made clear that sex workers (in Judgment T-629 of 2010)⁹⁴ and studio models (in Sentence T-109 of 2021)⁹⁵ satisfy the country’s criteria for employment relationships.

Further, in T-109, the court ordered the Ministry of Labor to develop protocols to investigate specific webcam studios to protect workers’ rights, including related to good working conditions; regulate webcamming and protect webcam models’ rights pursuant to the ministry’s “prevention, inspection, surveillance, and control powers”; and prepare a proposal to regulate sex work that prioritizes the health of sex workers.⁹⁶

Tension Between Rights and “Rehabilitation”

Despite the Constitutional Court’s decisions to better protect sex workers, Colombian jurisprudence contains a tension between judicial attempts to advance sex workers’ rights and to discourage and eliminate sex work as a practice.⁹⁷ The Constitutional Court has sometimes insisted on the importance of “rehabilitating” sex workers⁹⁸ and permitted municipalities to limit sex work,⁹⁹ often through restrictions on establishment locations.¹⁰⁰ The court has also allowed cities to forcibly relocate sex work establishments despite a lack of a feasible place for establishments to relocate to (notably, the court required those cities to take measures to ensure relocated establishments could still operate after moving).¹⁰¹

⁹³ Ibid.

⁹⁴ Judgment T-629, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010.

⁹⁵ Judgment T-109, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

⁹⁶ Ibid. at III.

⁹⁷ Judgment T-620, Constitutional Court of Colombia, Case No. T-52600, Judgment, Dec. 14, 1995 (“prostitution is undesirable under the Social Rule of Law since it goes against human dignity, but the State tolerates it and therefore regulates it”); Judgment T-629, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010; Sentence T-736, Constitutional Court of Colombia, Case No. T-4.982.494, Judgment, Nov. 30, 2015.

⁹⁸ Decree 1355, Congress of the Republic, 1970, Decreto-1355-de-1970-Gestor-Normativo (funcionpublica.gov.co), art. 178 (“The State shall use means of protection...to prevent prostitution and to facilitate the rehabilitation of the prostitute person”).

⁹⁹ Judgment SU-476, Constitutional Court of Colombia, No. T-127.634, 1997, holds that sex workers must operate with a “minimum reasonableness and proportionality” to guarantee the rights of the community.

¹⁰⁰ Article 68 of the National Code Police and Coexistence, approved by Law 1801 and 20016, prohibits “economic activities related to prostitution around hospitals, hospices, health centers, educational institutions, and religious centers.” See also Agreement No. 79 of 2003 of the Council of Bogotá, art. 48(9) (sex workers cannot “exhibit in public space”); art. 50 (orders establishments to comply with Zoning restrictions).

¹⁰¹ Sentence T-736, Constitutional Court of Colombia, Case No. T-4.982.494, Judgment, Nov. 30, 2015.

However, the court has also explicitly recognized the dangers of rehabilitative approaches for “sex workers.”¹⁰² It commented that “although the duty of the State [to eliminate] the harmful effects of prostitution is legitimate and desirable, this approach has left people in the industry unprotected, stripped of a legal treatment that protects working conditions.”¹⁰³

Ambiguous Use of “Prostitution” Instead of “Sex Work”

The aforementioned tension can also be seen in the Constitutional Court’s frequent use of the term “prostitution,”¹⁰⁴ even when ordering protections for sex workers. As discussed in the Terminology section of this report, “prostitution” is a legally ambiguous term that connotes criminality, invokes punishment against sex workers,¹⁰⁵ normalizes violence against women,¹⁰⁶ and blurs the distinction between sex work and human trafficking.¹⁰⁷ Consequently, the court’s use of the term “prostitution” to mean “sex work” hinders its attempts to advance sex workers’ rights. Regardless of the ambiguity created by conflating these terms, the court has used “prostitution” to refer to consensual adult sex work.¹⁰⁸

¹⁰² In Sentence T-736 of 2015, the reasons that “rehabilitative” rhetoric stigmatizes sex workers as sick, or as people who must be “returned” to a previous state. Since most sex workers are women, such stereotypes against them leads to gender inequities and stereotypes against women in general.

¹⁰³ *Sentence T-594*, Constitutional Court of Colombia, Case No. T-5.596.207, Judgment, Oct. 31, 2016.

¹⁰⁴ *Judgment T-629*, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010; *Sentence T-594*, Constitutional Court of Colombia, Case No. T-5.596.207, Judgment, Oct. 31, 2016.

¹⁰⁵ Annex A, Human Rights Watch letter to Ms. Reem Alsalem, UN Special Rapporteur on violence against women and girls. January 12, 2014.

https://www.hrw.org/sites/default/files/media_2024/02/HRW%20Input%20for%20SR%20VAWG%27s%20report%20on%20violence%20against%20women%20and%20prostitution_01.31.2024.pdf

¹⁰⁶ Erin Kilbride (Human Rights Watch), “Decriminalizing Sex Work Would be Ireland’s Next Opportunity to Choose Equality,” commentary, *The Irish Independent*, June 23, 2023, <https://www.hrw.org/news/2023/06/26/decriminalizing-sex-work-would-be-irelands-next-opportunity-choose-equality>.

¹⁰⁷ Annex A, Human Rights Watch letter to Ms. Reem Alsalem, UN Special Rapporteur on violence against women and girls. January 12, 2014.

https://www.hrw.org/sites/default/files/media_2024/02/HRW%20Input%20for%20SR%20VAWG%27s%20report%20on%20violence%20against%20women%20and%20prostitution_01.31.2024.pdf

¹⁰⁸ See *Sentence T-736*, Constitutional Court of Colombia, Case No. T-4.982.494, Judgment, Nov. 30, 2015; (defining “prostitution” as “the provision of a sexual service for which economic remuneration is received and by which the exchange allows a “negotiation and exercise of paid services for sexual relations”).

III. Abuses During Recruitment

Human Rights Watch found that webcam models in Colombia work under precarious conditions. The process of being hired by a studio is fraught with ambiguity, including due to verbal agreements instead of written contracts and a lack of transparency regarding pay structure, shift hours, fines, management reporting lines, and the responsibilities of both workers and management.

Human Rights Watch's interviews with webcam models in Colombia identified studio and platform practices that contribute to this precarity in different areas. These include problematic practices in hiring and contracts; recruitment and harassment during interviews; the lack of transparency about working conditions; platform service agreements and account creation; platform failure to ensure models are informed of platform pay structures and policies; the lack of contracts between models and studios; payment structure and "fees" charged by studios; and the systems of debt operated by many studios.

Choosing to do Webcam Work

People interviewed by Human Rights Watch began this work for varied reasons, though most were tied to economic need. A small number viewed webcamming as an extension of their art in other areas of their lives, including those who enjoyed performance art, in-person modeling, and acting. Most reported needing money for their families, caregiving responsibilities, or higher education or due to an inability to find other work after being displaced by armed conflict. Several transgender and non-binary interviewees said they started webcamming to pay for gender-affirming care.

Of the interviewees, 11 were parents caring for children and 15 others were caring for a parent, sibling, or other person. Several transgender and non-binary people said that although they began webcamming after being "kicked out" of their homes, they now used money they earned from webcamming to financially support members of their biological and chosen families.

For most of the people who spoke to Human Rights Watch (35 out of 55 interviewees), webcamming was not their introduction to sex work. Before seeking employment in or being recommended to a studio, these interviewees had done street-, establishment-, or application-based sex work (such as connecting with potential clients via dating apps) or adult content creation.¹⁰⁹

Several interviewees explained that they were interested in webcamming to avoid the risks of street-based sex work. They highlighted their desire to avoid police harassment, violence from gangs and criminal groups related to which “territory” or street they work on, and sexually transmitted infections (STIs). Further, Colombia has a long history of restricting the physical space that street-based sex workers can occupy via “tolerance zones,”¹¹⁰ which many sex workers interviewed found both offensive and dangerous. They explained that the existence of “tolerance zones” discursively constructs sex workers working outside these zones as deserving of punishment and leads to more violent policing and harassment from members of the public. Interviewees said that the constraints placed on sex workers by police, various government bodies, and criminal groups rendered their physical locations an immense source of stress, even before making contact with the client. A 33-year-old trans woman in Palmira explained the related benefits of webcamming:

There is a very big difference between the street and webcam... In the street, you have to have sex with a client... it’s faster to get clients, but in webcamming, you make more money. I definitely prefer webcamming because there is less of a risk of STDs and also of dealing with homophobic people and someone chasing you.

Police always try to remove you from the street and are very violent, speaking to us [as though we have a] masculine gender identity. We’ve been attacked with tasers and pepper spray. If you don’t follow their instructions and leave, they tase you. Police [officers have] slapped me,

¹⁰⁹ These numbers are only reflective of our sample and not of the general webcamming population. Many of our interviewees were referred to us through partner networks which include non-webcamming sex workers and thus may be biased towards people who have done other types of sex work.

¹¹⁰ *Documents for Prostitution: Tolerance Zones*. General Secretariat of the Mayor’s Office of Bogotá, alcaldiaBogotá.gov.co/sisjur/listados/tematicaz.jsp?subtema=20133&cadena=p (accessed October 11, 2024).

kicked me, all kinds of physical violence. Depending on the neighborhood, there are gangs that throw stones and eggs at us, and they also have tasers. Sometimes we also get robbed by these gangs.¹¹¹

Webcammers who had sold sexual services on the street before also explained that they wanted to physically remove themselves from the sight of both police and criminal groups to avoid not only violence or arrest, but also being targeted to pay fees or bribes for simply standing on a certain street. The stationary nature of webcamming removes the psychological stress and time involved in constantly changing where to sell sexual services to protect themselves.

Why Work in a Studio?

An overarching theme across Human Rights Watch interviews is that models would prefer to stream from home but face several barriers to doing so. Some live in multi-generational homes and do not have sufficient privacy to stream. Others lack computer equipment, technical experience, or internet connection. Several explained that working in a studio allows them to be paid in cash, which is necessary for those who do not have bank accounts or face other barriers to receiving payment directly from platforms. On a scoping trip in July 2023, a sex worker who had previously worked on the street told Human Rights Watch that she had faced discrimination and harassment when trying to open a bank account due to their profession. One sex worker in Bogotá said:

I told the bank employee to list ‘prostitute’ for my job on the application form. She said no and told me I needed to pick something different. I don’t have another job to list. So, I just could not open an account.¹¹²

Though not the focus of this research, barriers to opening bank accounts appear to contribute to the reasons some sex workers work in studios when they decide to try webcamming.

¹¹¹ Human Rights Watch interview with a webcam model in Palmira, October 2023.

¹¹² Human Rights Watch interview with a webcam model in Bogotá, October 2023.

Finding a Studio

The majority (32 of 50) of interviewees got in contact with and were hired by a studio based on a recommendation from a personal contact who was already employed in that same studio, usually as a webcammer. Others saw and responded to an advertisement on social media. The remainder were contacted by a recruiter on social media, contacted by a studio owner directly, or saw an advertisement posted on the street.

Recommendations from Other Webcammers

The majority of respondents said someone they knew, usually a friend, schoolmate, intimate partner, or family member, recommended the job. Most of the referrers were employed in studios, often as webcammers. Most of these 32 interviewees (20 of 32) recommended to the work by someone else said they felt comfortable and able to say no to the suggestion, but they chose to say yes. The 12 people who originally said they did *not* feel comfortable saying no later clarified that they did not feel pressured to perform the work of webcamming itself. Instead, they were either: pressured to have physical sex with another person in the studio in addition to webcamming and therefore felt uncomfortable with the entire hiring process; confused about what exactly the work would entail; or anxious about experiencing stigma if they said yes and worked in a webcam studio.

Social Media Advertisements

Ten interviewees said they responded to an advertisement on social media. Human Rights Watch researchers spoke with a 28-year-old transgender woman in Bogotá who was displaced with her family by armed conflict as a child. She began street-based sex work at age 20, and two years later accepted a job in a webcam studio. She said the advertisement did not make clear that she would be creating adult content, but that she was also comfortable doing so giving her experience with in-person sex work. She told Human Rights Watch:

I saw an advertisement for a typist (*digitador*) based in an apartment [in Bogotá]. The owner was very nice and gave me what I needed to get started. I think he advertised it that way because it's taboo [to directly advertise for webcammers]. I arrived and a young woman explained to me what it was really and how tokens work, and I decided to do it. I had experience in sex

work and this way, I didn't have to touch the clients and there is less STI risk.¹¹³

Harassment During Interviews

Several webcammers told Human Rights Watch that although they voluntarily sought employment in a studio, they experienced sexual harassment during the interview. This included requests or coercion to have sex with studio management or to pose in ways they did not consent to for profile photos. These forms of harassment appear to be experienced more often by younger performers who are not only exposed to the power dynamics implicit in the labor relationship, but also usually younger than the interviewers/employers and have less experience in the industry.

Human Rights Watch research and consultations with experts in the webcam industry indicate that no specific hiring and interview standards exist that are specific to webcam studios.¹¹⁴ However, labor rights organizers and advocates working in the adult industry have long argued against the normalization of sexual harassment of sex workers and have called for the development of industry-specific standards that differentiate between sex work and sexual harassment.¹¹⁵ Specifically, advocates say that hiring and interview practices should be transparent (for example, models should be informed of the nature of the interview before they arrive) and directly related to the work to be performed.¹¹⁶

A 26-year-old woman in Bogotá who began webcamming at the age of 19 told Human Rights Watch that she was sexually harassed during her interview. She responded to a social media advertisement to work in a webcam studio and the owner asked her to come in for an interview. "They asked me to get naked in the first interview meeting," she said,

¹¹³ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

¹¹⁴ Human Rights Watch consultation with Dr. Angela Jones, October 11, 2024, and the Free Speech Coalition, September 27, 2024.

¹¹⁵ Cole, Samantha. "A new wave of reckoning is sweeping the porn industry." *VICE*, August 9, 2024. <https://www.vice.com/en/article/sexual-abuse-allegations-on-porn-sets-ryan-madison/> (accessed November 25, 2024); Purcell, Emily. "To Me, if It's Porn, All of the Sex Has to Happen in Front of the Camera." *Mamamia*, December 2, 2015, <https://www.mamamia.com.au/porn-stars-sexually-harassed/> (accessed November 25, 2024).

¹¹⁶ Human Rights Watch consultation with Dr. Angela Jones, October 11, 2024; "Performer and Production Protocols — Free Speech Coalition." Free Speech Coalition. <https://www.freespeechcoalition.com/inspire/performer-protocols>. Accessed October 17, 2024.

noting that she had not been informed prior to arriving that this would be expected, nor provided with an explanation for why the interviewer needed to see her undress.

A 27-year-old transgender woman in Bogotá told Human Rights Watch that she wanted to try webcamming after beginning sex work on the street at age 15. She was drawn to webcamming because she liked the idea of eliminating physical contact with clients and exposure to police abuse. She said that during her studio interview, the woman who connected her to the job and already worked at the studio “told me I had to show my genitalia. Because of discomfort I came back to work on the street.”¹¹⁷

She, like the first model, was not informed prior to their interview that she would be expected to do undress or take photos in certain ways. Additionally, she was pressured to take pictures of body parts that she never intended to show in the course of her work in the studio, thereby making it a form of unnecessary harassment that was not relevant to the work to be performed.

Deceptive Recruitment

According to the International Labour Organization (ILO), “deceptive recruitment” refers to “recruitment in which the worker is deliberately caused to believe something that is not true. For example, the worker may be deceived about the nature of the job, the location or the employer, conditions of employment, among others.”¹¹⁸ The ILO's 2014 Protocol to the Forced Labour Convention of 1930 highlights the importance of protecting people “from possible abusive and fraudulent practices during the recruitment and placement process” to prevent forced labor.¹¹⁹ Colombia has neither ratified nor signed the protocol, but has ratified the Forced Labour Convention of 1930 and is obligated to “suppress the use of forced or compulsory labour in all its forms within the shortest possible period.”¹²⁰

¹¹⁷ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

¹¹⁸ ILO, *Frequently Asked Questions on Fair Recruitment*, June 24, 2022, <https://www.ilo.org/publications/frequently-asked-questions-fair-recruitment> (accessed October 22, 2024).

¹¹⁹ Protocol of 2014 to the Forced Labor Convention, 1930, adopted June 11, 2014, Po29, entered into force November 9, 2016, art. 2(d). Colombia has neither signed nor ratified the Protocol.

¹²⁰ ILO Convention No. 29 concerning Forced or Compulsory Labour (Forced Labour Convention, art. 29), adopted June 28, 1930, 39 U.N.T.S. 55, entered into force May 1, 1932, ratified by Colombia on March 4, 1969. See also ILO Convention No. 105 concerning Abolition of Forced Labor, adopted June 25, 1957, entered into force, January 17, 1959.

While not binding on Colombia, the protocol provides instructive guidance on the prevention of forced labor under the convention. The accompanying recommendation instructs member states to require “requiring transparent contracts that clearly explain terms of employment and conditions of work.”¹²¹

Human Rights Watch’s interviews in Colombia indicate that in the webcam industry, the deception is not about what the work would be, but rather the conditions under which that work would be performed. Most interviewees understood clearly that they were interviewing and being hired to stream adult content from a studio. They did not understand the exploitative pay practices to which they would be subjected, the poor sanitation and hygiene conditions they would endure, the ways in which bathroom breaks would impact their page traffic and earnings, and the psychological and sexual abuse they would experience. This demonstrates the need for transparent recruitment practices that include, in all instances, the signing of written contracts with studios and access to all platform terms and conditions in Spanish, which are discussed in subsequent sections of this report.

All webcammers interviewed said that when they began working in studios, they were surprised by, or felt they had been misled during the recruitment process about, key terms of their employment. The most commonly reported were: how much money the studio would keep; how much money the platform would keep; and how much control they would have over their account. (For analysis of platform policies and protocols related to informing models of their pay structures, including responses from platforms to Human Rights Watch’s questions on this topic, see section **The Role of Platforms**.) More than two-thirds of interviewees said they were surprised by the sex acts that clients asked them to perform, with which studio management expected them to comply, and by the amount of money they would make.

All interviewees said they had been misled about at least two of the following terms:

- restrictions or requirements on clothing;
- restrictions or requirements on physical appearance, such as a ban on tattoos, piercings, or ethnic identity markers;
- the hours they would be required to work;

¹²¹ ILO Recommendation concerning Forced Labor (Supplementary Measures), June 11, 2014, ILO No. R203.

- how much they would be paid;
- how much money the studio would keep;
- how much money the platform would keep;
- sex acts they would be required or pressured to perform on camera;
- studio sanitation;
- how much control they would have over their account, such as access to login information, writing their own profile descriptions and “willingness” areas, and the ability of monitors to respond to clients on their behalf;
- the way the studio would be laid out, such as having a room for monitors or the lack of privacy;
- what acts were not permitted on the platform, which left them vulnerable to having their account shut down by the platform if they accepted a client request to do an unpermitted act;
- limitations on their ability to take breaks for food, water, bathroom, and hygiene.

Verbal Contracts

The majority of workers interviewed (31 of 50 who answered the question) said they did not sign a written contract when they began working in a studio. Terms of employment, including pay structure and what percentage of the model’s earnings are withheld by the studio, are often explained verbally. Of the 19 models who signed a contract with the studio, only 10 said they received a copy of that contract; none of the 10 had it available for review while they were speaking with Human Rights Watch. Two said they were the only signatory and no representative from the studio signed it.

Lack of Informed Consent to Platforms' Service Agreements and Account Creation

Almost all webcam models interviewed by Human Rights Watch reported going through a nearly identical studio hiring process after they had been recruited and confirmed their desire to work in a studio. In most cases, models met with a studio representative: the owner, manager, or monitor. They were instructed to bring their national identification card if they were Colombian or passport if they were foreign. They were then brought into an office where a studio manager, owner, or administrator would create an account for them on one or more webcam platforms on which they would stream while working in the studio.

The studio representative instructed the models to hold their identification card next to their face and took a photo capturing their face and identity document. Most platforms require that performers provide passports, national identity cards, or another official form of photo identification early in the sign-up process to verify that models are adults and/or have reached the “age of majority” in their respective jurisdiction.”¹²²

Several webcam platforms offer different types of accounts. One type is an individual performer account. The other type, often called a Studio Account, Couple Account, or Master Account, enables a primary account holder to register other accounts “under” or “linked” to theirs. In most cases, the requirements to register for a studio account are the same as those for individual accounts. Platforms seem to lack sufficient policies and procedures to verify the working conditions in studios or assess employment practices and policies when studio representatives register for a Studio Account (see section **The Role of Platforms**).

Case Study: LiveJasmin Studio Accounts

Human Rights Watch reviewed LiveJasmin’s Studio Account creation process and its instructional Studio Account registration video, which has a step-by-step process to register models linked to a studio account.¹²³ As of November 2024, four instructional videos are available on the official LiveJasmin wiki page, which the company refers to as “up-to-date content.”¹²⁴ The videos are all in English with subtitles in Romanian, Russian, and Spanish. “LiveJasminWiki.com” is operated by JWS Americas S.à.r.l. and JWS International S.à.r.l, the parent companies of LiveJasmin.¹²⁵ The LiveJasmin wiki instructional videos for studios, which was also posted to YouTube in November 2023, provides several instructions, including:

¹²² “Model/Studio Services Agreement.” LiveJasmin Model Center, July 2, 2024. <https://modelcenter.livejasmin.com/en/services-agreement> (accessed August 19, 2024); “Terms & Conditions.” Chaturbate, January 5, 2023. <https://chaturbate.com/terms/?language=en> (accessed August 19, 2024); “Terms & Conditions.” BongaModels, July 25, 2023. <https://bongamodels.com/terms> (accessed August 19, 2024); “Terms of Use.” Stripchat, January 8, 2024. <https://stripchat.com/terms> (accessed August 19, 2024).

¹²³ “Model/Studio Services Agreement,” last modified July 2, 2024, <https://modelcenter.livejasmin.com/en/services-agreement>; “Single Model Account Registration,” November 5, 2023, instructional video, YouTube, <https://www.youtube.com/watch?v=lHullASqBr4&list=PL189OCUqNbDIhP4r5aELoR6ZNxST3mTlP&t=1s> (accessed June 4, 2024).

¹²⁴ LiveJasmin Wiki instructional video for Studios, <https://livejasminwiki.com/studio-and-single-account-registration/> (accessed November 4, 2024).

¹²⁵ Ibid.

- “Have the model present during the entire registration process as they’re required to acknowledge and accept certain items.”¹²⁶
- “The Services Agreement, Sensitive Data Collection and the Cookies Policies have to be accepted. The Model you’re registering has to accept these terms and they can familiarize themselves with the specifics via the related links.”¹²⁷

This video also states: “Please note that a Studio cannot accept the Agreement on behalf of a Model.”¹²⁸ However, according to Human Rights Watch’s interviewees, their studios violated this stipulation in almost all cases. The video mentions no procedural mechanisms to ensure that studios do not accept agreements on models’ behalf or to verify that the model is in fact present during the account creation process.

Moreover, studios generally did not follow the guidance provided by LiveJasmin, according to Human Rights Watch’s interviews in Colombia. Namely:

- Only one interviewee said they had personally accepted the terms of service when their account was created in a studio. All others (49) said they never saw or signed a services agreement from any platform on which they streamed.
- Most interviewees said the studio created their account for them and they believed this included “accepting” the terms of service on their behalf.
- Nearly one-third said they did not know the login information for their accounts created and managed by studios, which restricted their ability to access information about their earnings, contact with clients, and intellectual property.

Human Rights Watch’s findings suggest that studio enrollment processes compromise informed consent for models. The lack of informed consent has many consequences and implications for their rights as workers, and it results in immense ambiguity about how studios and platforms will store, use, sell, and transmit their image and likeness. It has also resulted in models accidentally violating platform policies they did not know existed and having their accounts frozen or blocked, according to interviewees. From a financial perspective, not reading and signing their own services agreement with platforms impacts

¹²⁶ Ibid.

¹²⁷ LiveJasmin Wiki instructional video for Studios, <https://livejasminwiki.com/studio-and-single-account-registration/> (accessed November 13, 2024).

¹²⁸ Ibid.

their ability to exercise informed consent related to which sex acts, performances, and client requests are worth the money they will be paid for doing them (see section **Sexual Exploitation**). Further, it potentially allows studios to take advantage of models, take a bigger cut of their earnings, and claim the platform is withholding more money than it is.

IV. “Pretty Much About 50%”: Pay Transparency, Possible Wage Theft, and Other Apparent Financial Abuses

Platforms usually keep most of what viewers pay to engage on their sites. Colombian studios then keep a percentage of the remaining revenue that platforms pay out to models’ accounts. Most models interviewed by Human Rights Watch said the amount a studio will keep (of what the platform pays out) is usually disclosed during the hiring process. According to the models we interviewed, studios retain as much as 70 percent of what is paid out to a model’s account by a platform.

Some platform pay structures are set out in service agreements, performer guides, and FAQs distributed across platform websites and blogs. However, 49 of 50 models interviewed did not see these agreements when hired by a studio. The lack of access to platform terms and agreements limits studio models’ ability to verify if their studio is paying them the agreed percentage. To better monitor whether the studio was engaging in wage theft, some studio models independently researched platform pay structure outside of the studio, spoke with more experienced colleagues, or asked their clients how much the platform was charging them.

In addition to lacking access to information regarding platform pay structure, models also told Human Rights Watch that studios regularly retain large amounts of their paychecks without clearly explaining why. Interviewees named ill-defined fees, fines, exchange rates, tips, and commissions as among the most pressing issues impacting pay transparency.

Payouts by Platforms

Platforms reviewed by Human Rights Watch use different pay structures to calculate what they pay out to models. They also provide varying amounts of information regarding pay structure. Much of this information is only available in English. The pay structures of LiveJasmin, Chaturbate, BongaCams, and Stripchat, according to Human Rights Watch research, are detailed below. Human Rights Watch asked platforms about how they ensure that studio models are provided with comprehensive, accessible information in Spanish about pay structure. Responses from BongaCams, Chaturbate, and Stripchat are discussed

in the section on **The Role of Platforms** and annexed to this report. LiveJasmin declined to provide a response on the record.

BongaCams

BongaCams provides information in Spanish on its performer website, BongaModels, regarding what clients pay for tokens (a unit of pay on many platforms) and how many tokens a model may earn in different types of chat rooms. In “Free Chat,” models earn tips; in “Private Chat” and various other chat modes, models set the token price of the chat and clients pay that price to enter. BongaCams does not provide information on its performer website nor in its service agreement about what percentage of the token price is paid out to models.¹²⁹ An English-only FAQ page created for clients, however, includes the question, “How much of my money goes to the Models?”. BongaCams answers: “Pretty much about 50%.”¹³⁰

The client-facing FAQ also provides a chart (Figure 1) and the following explanation:

Customers purchase Tokens in predefined packages. Larger packages cost less per Token. But Models are always paid the same amount (0.025 €) per Token, so calculating the percentage paid to the model would depend on the package purchased by the Member... Most of the money spent on BongaCams comes from the loyal Members that purchase larger packages, so the average always comes to about 50%.

In response to Human Rights Watch’s inquiry, BongaCams responded: “Bongacams.com is fully compliant with all relevant legal frameworks and industry regulations, both locally and internationally. We have implemented a range of robust measures designed to ensure the safety, well-being, and protection of everyone using our platform.”

¹²⁹ “Terms & Conditions.” BongaModels, July 25, 2023. <https://bongamodels.com/terms> (accessed August 19, 2024). For more information about the difference between BongaCams and BongaModels, see BongaCams written response to Human Rights Watch annexed to this report.

¹³⁰ “BongaCams Frequently Asked Questions,” BongaCams. <https://bongacams.com/user-faq> (accessed October 19, 2024).

Token Package	Price	Cost per Token	Percentage Models Get
39	2.99 €	~0.08 €	about 50%
76	4.99 €	~0.07 €	about 50%
156	9.99 €	~0.06 €	about 50%
462	24.99 €	~0.05 €	about 50%
984	49.99 €	~0.05 €	about 50%
1260	65.00 €	~0.05 €	about 50%
1480	74.99 €	~0.05 €	about 50%
10160	500.00 €	~0.05 €	about 50%
20000	990.00 €	~0.05 €	about 50%
50800	2,500.00 €	~0.05 €	about 50%

BongaCams Information Provided for Clients.¹³¹

Chaturbate

Chaturbate provides the price of tokens on their Broadcaster Guide, which is only available in English. A blogpost entitled “Increasing Your Income” states that “tokens convert to cash at a rate of \$0.05.”¹³² Chaturbate offers private shows at a per-minute rate set by the model, as well as settings in which models work for tips or sell tickets in advance. Both tips and ticketed shows use tokens. When models cash out, they are paid USD \$0.05 per token.

Models who do not meet the “minimum amount required to get a payout” are not paid.¹³³ The minimum amount required to be paid depends on the payout method; Chaturbate states that “most methods start at a minimum of \$50.00.”¹³⁴

In response to Human Rights Watch’s inquiry, Chaturbate stated: “[W]e publish all of payout and other important information in the Terms and in FAQ. We have a native feature to translate the platform’s language into Spanish, including an official copy of the Terms

¹³¹ “BongaCams Frequently Asked Questions,” BongaCams. <https://bongacams.com/user-faq> (accessed October 19, 2024).

¹³² Tech Support. “Increasing your Income.” Chaturbate Broadcaster Guide, 2024 <https://support.chaturbate.com/hc/en-us/articles/360048893631-Increasing-Your-Income> (accessed October 19, 2024).

¹³³ Support. “How often are payments sent?.” Chaturbate Broadcaster Guide, 2024 <https://support.chaturbate.com/hc/en-us/articles/360048893631-Increasing-Your-Income> (accessed October 19, 2024).

¹³⁴ Ibid.

and all appendices. We are working on updated informational videos in various languages as well as a simplified broadcaster guide which will also be in various languages.”

LiveJasmin

In LiveJasmin “Free Chat,” viewers can watch models engaging in a limited number of performances without paying. Models offer additional performances to customers who purchase credits in “Private Chat,” at a credit price set by the model. LiveJasmin uses a Level Dependent Income System, available on the LiveJasmin Model & Studio Wiki website in English only.¹³⁵ The system stipulates that payout percentage is based on level, which is determined by how much the model has made during that 14-day pay period.

Models who do not reach the “Payment Threshold” of USD \$100 per pay period are not paid.

Level 1 models, those earning between USD \$100 and USD \$250 per pay period, are paid 30 percent of what they earn. Levels reset each 14-day pay period, meaning that the payout rate is unstable for models by design. Models are required to meet or exceed their previous period’s earnings to continue receiving that payout percentage.

A chart (Figure 2) on the Wiki “shows, assuming Good Audio and Good Video ratings, what share ratios can be achieved at different payment levels.” The Wiki does not explain the exact impact of poor audio or video ratings on pay level, nor if the rating referenced is determined by LiveJasmin or clients. The Wiki also does not explain if the levels which “can be achieved” are guaranteed once the model reaches the specified level of income. Indicating that more time spent on the platform contributes to a higher level of payout, the page states that the “more you use our features, the higher level you will reach.”

¹³⁵ “Level Dependent Payment System.” LiveJasmin Model & Studio Wiki, July 2, 2024, <https://livejasminwiki.com/level-dependent-payment-system/#img-level-dependent-payment-system-levels> (accessed October 19, 2024).

Level	Earnings	%
LVL 9	+ \$30000	80%
LVL 8	\$15000 - \$30000	70%
LVL 7	\$8000 - \$15000	65%
LVL 6	\$4000 - \$8000	60%
LVL 5	\$2000 - \$4000	50%
LVL 4	\$1000 - \$2000	45%
LVL 3	\$500 - \$1000	40%
LVL 2	\$250 - \$500	35%
LVL 1	- \$250	30%

Livejasmin's Level Dependent Payment System. Livejasmin did not respond to HRW's inquiries on the record.¹³⁶

Stripchat

Stripchat provides the price of tokens in its FAQ, which is available in Spanish.¹³⁷ Models are paid USD \$0.05 per token, according to three separate blog posts in the Model section of the Stripchat FAQ.¹³⁸

Models who do not meet the “minimum amounts” are not paid. The minimum amount required to be paid is either USD \$50 or USD \$100 depending on the payout method.¹³⁹

The company states that “the average [percentage paid out to models] always comes to more than 55%” because “most of the money spent on Stripchat come from regular users that purchase the larger token packages” and “Stripchat gives out a lot of free tokens” to

¹³⁶ “Level Dependent Payment System.” Livejasmin Model & Studio Wiki, July 2, 2024, <https://livejasminwiki.com/level-dependent-payment-system/#img-level-dependent-payment-system-levels> (accessed October 19, 2024).

¹³⁷ Tyler, “Porcentaje de pago,” Stripchat FAQ. 2024. <https://support.stripchat.com/hc/es/articles/4410727786769-Porcentaje-de-pago> (accessed October 19, 2024).

¹³⁸ Tyler, “Payout Percentage.” Stripchat FAQ. 2023. <https://support.stripchat.com/hc/en-us/articles/4410727786769-Payout-Percentage> (accessed October 19, 2024); Tyler, “How much is a token worth for a model?” Stripchat FAQ. 2024. <https://support.stripchat.com/hc/en-us/articles/4410734353553-How-much-is-a-token-worth-for-a-model> (accessed October 19, 2024); Tyler, “What is income per hour?” Stripchat FAQ. 2022. <https://support.stripchat.com/hc/en-us/articles/5790317503889-What-is-income-per-hour> (accessed October 19, 2024).

¹³⁹ Tyler, “Payment options, frequency, and minimum amounts,” Stripchat FAQ. 2024. <https://support.stripchat.com/hc/en-us/articles/4410727897873-Payment-options-frequency-and-minimum-amounts> (accessed October 19, 2024).

users.¹⁴⁰ However, the company does not guarantee a 55 percent payout nor provide information about how many models actually receive this percentage.

In response to HRW’s inquiries, Stripchat stated that it “empowers its models to set their own rates, determine their performance boundaries, and work independently if they choose to leave their studios.”

Human Rights Watch asked all named platforms about how they ensure that studio models are provided with comprehensive, accessible information in Spanish about pay structure. Complete responses from BongaCams, Chaturbate, and Stripchat are discussed in the section on **The Role of Platforms** and annexed to this report. LiveJasmin declined to provide a response on the record.

Percentages Withheld by Studios

Models interviewed reported that studios they worked in kept between 35 and 70 percent of what the platforms paid out each pay period, depending on the studio. It is standard practice for studios to explain to models upon hiring what percentage the studio will keep. Models refer to their studio’s structure by the percentage kept; for example, “working in a 40 percent studio” or “a 60 percent studio.” Interviewees reported that in many studios, the percentage offered can vary based on whether a model meets certain targets for the pay period, accrues seniority in the studio, works a night shift, comes in first in the weekly employee “ranking,” or lives in the studio.

Wages Withheld by the Studio Via Fines and Fees

Webcammers reported to Human Rights Watch that studios commonly withhold wages for minor “infractions” such as taking a bathroom break, failing to meet a weekly earning target, or arriving late to work. Some studios provide a written breakdown every 15 days explaining the amounts that are withheld from each worker. Others do not, meaning models are paid less than they typically earn or expect to earn with no explanation or recourse for disputing the charges. A 28-year-old trans woman in Bogotá said her studio

¹⁴⁰ Tyler, “What is income per hour?” Stripchat FAQ. 2022. <https://support.stripchat.com/hc/en-us/articles/5790317503889-What-is-income-per-hour> (accessed October 19, 2024).

deducted tokens from models who used the studio's toilet paper, but models were not informed of this until the fee was taken from their paycheck.¹⁴¹

Some models with more experience streaming on platforms told Human Rights Watch that they calculate the amount they should be earning: they look at the tokens accrued from clients each shift, which helps them identify how and when studios may be engaging in wage theft or charging them arbitrary fees. However, while most interviewees said that they understood how the studio calculated what it paid them, only 14 said they understood how much the platform was keeping and 9 said they knew what clients were paying the platforms to spend time with them.

Exchange Rates

Many interviewees expressed concern over the lack of clarity regarding exchange rates. Platforms pay in US dollars; studios pay workers in Colombian pesos. Several workers reported that studios “make up” their own rate of exchange between the two currencies, which is less favorable to employees than those offered by banks. The models said that, alternatively, some studios withhold payment until the exchange rate provided by banks is more favorable for the studios, leaving models without payment for several days beyond the established pay period. Like many Colombian workers, webcam models are paid every 15 days by their studios, but some models interviewed had experienced delays in payment of up to two weeks.

“There was never clarity about how much I would get paid, because they use their own conversion of the exchange rate to benefit them,” a 33-year-old woman who worked at a studio in Bogotá told Human Rights Watch. “Sometimes they would say it was 2,500 [Colombian] pesos but really it was much more.”¹⁴²

A 21-year-old man who had worked at a small studio in Bogotá told Human Rights Watch that his pay depended not on how many shifts he worked or how clients tipped, but “on the exchange rate used by the studio.” He explained: “The standard was 30 percent for the

¹⁴¹ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

¹⁴² Human Rights Watch interview with a webcam model in Bogotá, October 2023.

studio, but actually, it's not true because the currency exchange is where they profit a lot. If the dollar was at a particular rate, they would use a different exchange rate.”¹⁴³

Several models said that it was only after “going independent” and starting to work from home on an individual account that they learned how exploitative the studio’s pay practices were. A 34-year-old woman in Medellín explained how the studio “robbed” her:

First, they told me [to expect a weekly payment of] \$200, then said, ‘well, then the studio takes half of that.’ That was working five days a week. Now that I’m independent, I can do \$400 to \$500 in only two days. They [the studio] completely robbed us. They also robbed us on the conversion from dollar to peso and said the bank charged them a lot of fees.¹⁴⁴

Human Rights Watch interviewed a webcammer in Cali who had moved from Buenaventura to find work. One studio offered bonuses if workers hit a weekly target, but misled them about the currency in which those bonuses would be paid. “The problem is if you earn in dollars, you expect the bonus to be in dollars, but it isn’t,” they said. “You earn them more money in dollars, and they reward you in just pesos.”¹⁴⁵

Debt from Studio Loans

Most interviewees said they had taken a loan from a studio as part of their hiring process at least once. Many loans are for items that workers are told they “need” to webcam, effectively requiring them to go into small amounts of debt even before their first shift. These items include lingerie, make-up, profile photos, and specific sex toys that allow clients to remotely control the toy. These cost more tokens for clients who want to use them, resulting in more money for the studio.

Studios also offer loans for items models may want or need but are not required by the studio. This includes condoms, personal lubricant, transportation, housing, or drugs. Based on the interviews, models and studios lacked clear contractual agreements to

¹⁴³ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

¹⁴⁴ Human Rights Watch interview with a webcam model in Medellín, October 2023.

¹⁴⁵ Human Rights Watch interview with a webcam model in Cali, October 2023.

ensure that the worker is in no way pressured to continue working in the studio to pay off that debt.

Exploitative Repayment Arrangements

In most cases reported to Human Rights Watch, studios deducted loan payments from the first one or two paychecks a model received. Workers usually paid off the debt within a month. Loans covering housing were the exception. According to some workers who had lived in studios and become indebted to studio owners for rent, they were unable to pay off the loan for several months (see section **Exploitation of Models Living in Studios**).

Studios usually deduct loan payments from paychecks, but according to interviewees who had experienced it, the terms and conditions for repayment were often unclear. One worker in Bogotá said her loan for clothes, food, photos, and sex toys was “deducted from [her] payment little by little,” but she did not know how much was taken each week, if interest was accruing, or when the loan had been or would be paid off in full. Another worker believed she was paying 15 percent interest, but did not know for sure, and a third worker had tokens deducted for several weeks.¹⁴⁶ Because tokens vary in worth across platforms and she was streaming on multiple platforms from the studio, the worker did not know how much money they were being charged to repay the loan.

A 23-year-old man from Tolima working at a studio in Bogotá took out a loan from the studio for \$180,000 pesos but ended up paying back \$250,000 pesos. “The conditions were not clear because they also robbed me via the exchange rate,” he said.¹⁴⁷

A 23-year-old woman in Bogotá said that after she took a loan, the studio began paying her 30 percent instead of the 60 percent agreed at hiring and her relationship with her manager “became very harassment-oriented.”¹⁴⁸

Drugs were the only item that studios sometimes “gifted” models. Because many reported severe exhaustion due to working long shifts or multiple consecutive shifts in front of a computer, there was a culture of drug use to enable them to work such long hours.

¹⁴⁶ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

¹⁴⁷ Human Rights Watch interviews with webcam models, October 2023.

¹⁴⁸ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

A 21-year-old trans woman in Medellín shared her experience. “In the studio [I previously worked at] in Bayo, I needed drugs to stay awake,” she said. “Sometimes we had to pay, but sometimes they just had drugs available for us to stay awake.”¹⁴⁹

Studio practices related to drug use are opaque and diverse, ranging from prohibiting to encouraging drug use if clients request it as part of a performance or if models are having a difficult time staying awake due to exhaustion. In several cases described to Human Rights Watch, studios' approach to drugs seemed to be driven by client requests. A model in Bogotá said that “some clients request that we consume drugs”;¹⁵⁰ another in Palmira said that “in some studios, it isn’t allowed to do drugs, but if a client requests it, then management would allow it.”¹⁵¹ Whether and how this results in debt for models varies widely.

¹⁴⁹ Human Rights Watch interview with a webcam model in Medellín, October 2023.

¹⁵⁰ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

¹⁵¹ Human Rights Watch interview with a webcam model in Palmira, October 2023.

V. Confined Spaces and Lack of Privacy

Context

On a scoping trip in July 2023, Human Rights Watch heard reports of models working in extremely small rooms and cubicles, separated from one another only by a curtain or thin office divider. The presence of surveillance cameras on the studio walls, hallways, stairwells, kitchens and, in some cases, inside each cubicle compounded the lack of privacy. Several sex workers who had experienced working both on the street and in studios told Human Rights Watch that the lack of privacy in these small cubicles, including being able to hear or see the worker(s) next to them, was why many of them returned to street-based work.

One sex worker rights defender with experience working in several types of environments drew a diagram for Human Rights Watch researchers of one of the studios she had worked in for three months. It was a large room divided by drywall into 12 cubicles. Her cubicle was small – too cramped to fully extend her arms to the side – and had a desk, chair, computer, mouse, keyboard, webcamming camera connected to the computer, and a second camera above her on the corner of the cubicle. She was told that the second was a security camera that the studio monitor watched. The drywall between her and the worker next to her did not reach the ceiling and was not soundproof. There was a third camera on the wall of the larger room that appeared to surveil all workers at once.¹⁵²

Having heard several similar stories on the July 2023 scoping trip, researchers included questions about the size, layout, and walls of the cubicles and rooms in which webcammers worked. Interviewed webcammers who had worked in multiple studios were asked to select one studio and answer all questions according to their experience in that studio.

Size and Layout

Nearly all interviewees worked in studios that provided them with a computer, mouse, keyboard, and camera, though some had to borrow money from the studio to “rent” these

¹⁵² Human Rights Watch interviews with a former webcam model and sex worker rights defender in Bogotá, July 2023.

items for use. Most also had a bed or small sofa, but several interviewees clarified that it was “not a real bed” or referred to it as “a half bed,” “a piece of wood with a piece of foam on top,” “actually, not a bed, but divided in two parts so you couldn’t lay down,” “not a real bed, but a small, uncomfortable sofa.”¹⁵³

Most (30 of 50) worked in a space without a window or any form of natural light.

Fifty webcammers answered questions about the size and privacy of the cubicle they worked in.¹⁵⁴ The most common size was a 1-meter x 2-meter room. More than two-thirds (35 of 50) said there was not enough room between the walls and furniture to walk, and nearly one-third (16 of 50) said the room was too small to fully extend their arms out to the sides. More than half (27 of 50) said a client had asked them to do something they were willing to do but did not have room to do (and thus did not do), due to the small size of the space.

A 25-year-old woman in Palmira said:

At the first studio I worked in, only two rooms had beds, two had couches, and two only had desks. I had to work in the one with the desk. I had to place the computer in the middle of the room in order to open or close the door. So, the frame was really limited for the camera because everything was so cramped.¹⁵⁵

For one 35-year-old trans woman in Bogotá, the cubicle was so small she “had to use the hallway to model” for clients, which then exposed her to other colleagues, management, and cameras.¹⁵⁶

A 26-year-old non-binary webcammer in Cali framed the size as a living space: “It was too small to change the position of the furniture. I lived in here. It was really uncomfortable.”¹⁵⁷

¹⁵³ Human Rights Watch interviews with webcam models in Bogotá, Cali, Medellín, and Palmira, October 2023 and February 2024.

¹⁵⁴ Researchers measured the space in which interviews were conducted and asked interviewees to demonstrate, using the size of the room in which the interview was conducted: how big their cubicle or room was, where furniture and security cameras were positioned, and if they could extend their limbs, walk, and perform as required by the job.

¹⁵⁵ Human Rights Watch interview with a webcam model in Palmira, October 2023.

¹⁵⁶ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

¹⁵⁷ Human Rights Watch interview with a webcam model in Cali, October 2023.

“Double Surveillance”

Several models interviewed by Human Rights Watch described the paradoxical feeling of being physically alone in a cramped space – often without windows or proper ventilation – while simultaneously being exposed to surveillance by studio management, broadcast by platforms, and watched by undetermined numbers of viewers across the internet. The complexity, magnitude, and scale of this exposure – combined with their lack of understanding of its extent – was a source of stress for many workers.

In most cases, models described having limited or no proper mechanisms to give their informed consent regarding how their images are recorded and stored by studios; which angles and parts of their bodies and faces will be visible and in which moments; and who will retain control over their images and these recordings. Models recounted anecdotal stories of colleagues finding videos of themselves on porn websites that, based on the angle of the camera, could not have been filmed by the main computer camera from which they were streaming. Several models feared that studios could use surveillance cameras – in what one model described as “double surveillance” – to record them from other angles and upload the footage to the internet.

For many models, they are simultaneously watched by multiple audiences. Among these, platforms capture and broadcast their performance to clients, and studio staff monitor their room or cubicle via surveillance cameras. Given that studio management often does not share written contracts with models, impacting their ability to give informed consent, and does not often inform them of additional recordings or monitoring by the studios themselves, some of the monitoring may infringe on models’ data privacy rights.

Human Rights Watch asked all interviewees if their written or verbal contract gave the studio permission to retain images or videos of them. Only eight said they had knowingly given the studio permission to retain images or videos of them as part of their contract. The majority said that there was no contract or that they did not understand their contract.

Lack of Personal Space

As mentioned, webcam models often work in studios without proper doors and walls. The number of webcam models working in a studio varies widely. Some had worked in one room divided by curtains into five work areas. Others had worked in buildings of up to 12

rooms, each divided into cubicles using drywall. One respondent worked in a large room divided into 20 cubicles using a thin office divider.

More than half of interviewees reported experiences of management or monitors unexpectedly entering their rooms mid-performance through a door that did not lock. Some worked with office dividers between them that did not extend completely to the ceiling, through which they could hear and often see their colleagues performing. Four interviewees worked in a space that was separated from their colleagues by only a curtain.

A 21-year-old man in Bogotá said the door in the room he worked in had been replaced with a sheet.¹⁵⁸ One studio in Medellín separated three rooms into 1-meter x 1.5-meter cubicles using pieces of plywood which did not touch the ceiling, according to a 40-year-old man from Caldas who spoke to Human Rights Watch. “It was like a very thin wood or divider,” he explained. “You could hear through them.”¹⁵⁹

Monitoring Streaming Sessions via the Camera Intended for Webcamming

All models interviewed by Human Rights Watch in Colombia said that studios monitor the performances, private chats, and live earnings of webcammers streaming from the studio. Most explained that studios have an office with multiple computer screens allowing management to simultaneously monitor multiple models. Often, the live stream from a model’s computer camera is watched by monitors, who, as mentioned previously, are hired by the studio to watch multiple feeds simultaneously as well as support with technology issues, coach models on interacting with clients, and in some cases, remotely control their screen and respond directly on their behalf in private chats with clients.

Several interviewees drew diagrams for Human Rights Watch researchers which depicted cubicles for models and offices in which management uses multiple computer screens to monitor all streaming sessions at once. One of these drawings was done by a model who had also served as a monitor; he drew the office in which he had used multiple screens to monitor the streaming sessions of all models working at that time.

¹⁵⁸ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

¹⁵⁹ Human Rights Watch interview with a webcam model in Medellín, October 2023.

Several interviewees said that in addition to monitors formally hired by studios, friends, spouses, or partners of the studio's owners would often visit and spend time in the office watching the streams. In some studios, the streams from individual webcammers were broadcast on screens in the kitchen or common areas, meaning that "anyone walking by" could watch the feed. Most models only learned of these monitoring practices when they began work in the studios; they were not informed previously nor given the option to give or deny consent to be monitored in this way.

The publicly available platform policies and protocols of BongaCams, LiveJasmin, and Stripchat state that studios have the ability to monitor model accounts. Stripchat's FAQ for Studios says that "Studios can monitor their model accounts' activities and have total control over them."¹⁶⁰ No platform policy analyzed by Human Rights Watch specifically referenced studios watching model performances on screens in their offices or visually monitoring them in this way.

A recent study which looked at the working conditions of studio-based models in Romania – the only known investigation into this topic – found similar studio-monitoring practices to those detailed by models in Colombia.¹⁶¹ Additionally, Human Rights Watch identified posts by studio-based models on model forums who say that "Studio owner[s] and manager[s] can monitor everything. They can and do mirror our whole desktop (so [client] cams can be watched too)."¹⁶² While more research is needed to determine the prevalence of these practices by studios, lack of clarity about informed consent about the extent of the monitoring can infringe on models' privacy rights.

¹⁶⁰ Matt, "What is a Studio account?" Stripchat FAQ. Stripchat. 2022. <https://support.stripchat.com/hc/en-us/articles/4410728040337-What-is-a-Studio-account> (accessed October 19, 2024).

¹⁶¹ Stegeman, H. M. (2024). Behind the webcam: Contested visibility in online sex work in the Netherlands, Romania and the United Kingdom. Universiteit van Amsterdam. Available at: <https://dare.uva.nl/search?identifier=267faecf-2c45-4c92-a53b-042955b17d3c> (accessed November 25, 2024); Human Rights Watch video conversation with Hanne Stegeman, October 17, 2024.

¹⁶² "LiveJasmin / Studio 20 and Social Media Privacy." AmberCutie, April 2018, <https://www.ambercutie.com/forums/threads/livejasmin-studio-20-and-social-media-privacy.30969/page-2> (accessed October 19, 2024).

Additional Cameras

In addition to the camera connected to their computer for webcamming, nearly three-quarters of interviewees (37 of 50) said there was at least one additional security camera *inside* the studio and, in many cases, inside their cubicle.

For many, this was a critical element of the studio experience that they did not expect, and one with many implications for their privacy, comfort, and intellectual property rights as content creators. No model interviewed by Human Rights Watch had been provided with information on what the additional cameras were recording, how that information was being stored or used, or who had access to it.

Several workers streaming from individual rooms or cubicles with ceiling-high walls said there was an additional camera placed on the wall or ceiling of their room or cubicle, which appeared to film them from behind. They understood this to mean that the studio monitor was able to watch their performance both from the main camera connected to their computer *and* the additional camera above or behind them. Many felt this additional camera was to ensure that they did not eat, drink, or use their phones out of view of the primary camera while streaming.

Workers who streamed from a large room divided into cubicles with walls that did not reach the ceiling said the additional security camera(s) were often mounted to the wall or ceiling of the main room, high enough to appear able to simultaneously monitor all workers. Two interviewees told researchers that they had worked in studios with additional cameras in the bathrooms, changing rooms, and/or locker rooms.

More experienced webcammers interviewed by Human Rights Watch said they had refused to work in studios with additional cameras, regardless of whether the studio said they were for security purposes, because they felt the other cameras violated their intellectual property rights. A 26-year-old webcammer in Cali from Buenaventura explained:

I wouldn't accept to work in a room with a second camera. They monitor everyone from the platform via the computer, so this would be double surveillance. The person watching that camera could record that and sell it somewhere else. It's a different format than the one I agreed to be seen on.

You can find videos from secondary cameras [in webcammers' rooms] on porn websites.¹⁶³

¹⁶³ Human Rights Watch interview with a webcam model in Cali, October 2023.

VI. Insect Infestations, Sanitation, and Ventilation

The cockroaches were really very bad. Every studio [should be required] to have a fumigation certification against bugs, someone from the industry should come and check. This studio didn't have that certificate, they didn't take care of anything.

The cockroaches were in the bed, under the computer, around the floor.

– Webcam model in Cali, October 2023

Human Rights Watch found that many webcammers are regularly exposed to working conditions in studios that infringe on their human rights to safe and healthy working conditions and to the highest attainable standard of physical and mental health. Interviews with models made clear that many are required to work in environments with poor sanitation that expose them to substances, materials, and pests that are harmful to health, and that many of their studios engage in abusive practices that penalize workers who complain about conditions and treatment.

All webcammers interviewed by Human Rights Watch reported poor sanitation in at least one studio in which they had worked. Three models used the phrase “absolutely horrible” to describe the bodily fluids found in their rooms, lack of ventilation, and piles of hair, food, and garbage.¹⁶⁴

Several models in each city reported bedbug and cockroach infestations; blood, semen, vomit, feces, breastmilk, and other bodily fluids on the bed, chair, keyboard, mouse, floor, and/or walls; sheets and pillows stained with oil and make-up; used condoms, lingerie, food wrappers, and dirty drinking glasses on the desk, floor, and/or bed; and camming equipment that had not been sterilized before the start of their shift.

Most models worked in studios without cleaning staff and had to clean themselves. Some studios charged models for soap, sanitizer, tissues, and other cleaning supplies even though they instructed models to clean the studio themselves.

¹⁶⁴ Human Rights Watch interviews with webcam models in Bogotá and Medellín, October 2023.

Models also told Human Rights Watch that these conditions stood in stark contrast to what models had been led to expect during the recruitment and hiring process. A 23-year-old trans woman in Cali said, “They used fake photos on social media to publicize the studio, but when you get there, you realize it’s not true at all.”¹⁶⁵

Studio Negligence Regarding Sanitation and Insect Infestations

Lack of Cleaning Staff

None of the models interviewed worked in a studio that cleaned the rooms and cubicles between shifts, which exposed them to risk of disease, illness, and extreme discomfort. Only 19 of 50 models interviewed worked in studios that employed any cleaning staff at all; of those 19, seven studios had a cleaner come daily.

A 37-year-old Venezuelan woman working at a studio in Bogotá said her studio had a cleaner who came once per week, which was insufficient to keep rooms used by three different models per day clean and sanitary. She explained that upwards of 20 shifts would occur between cleanings, leaving the room dangerously unhygienic. “I had a colleague who did really dirty shows with feces and wouldn’t clean up,” the model said, adding that she had to clean and sanitize the room in this condition at the start of her shifts.¹⁶⁶

A model at a studio in Palmira said her studio promised daily cleaning, but in reality, “sometimes the cleaning lady didn’t come or she took too long,” resulting in rooms and common areas left dirty for days or weeks.¹⁶⁷

A 24-year-old woman in Bogotá who worked at a studio with no cleaning staff described how “the floors and the bathroom were always really bad” and the studio did not check the rooms before another model’s shift started.¹⁶⁸

¹⁶⁵ Human Rights Watch interview with a webcam model in Cali, October 2023.

¹⁶⁶ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

¹⁶⁷ Human Rights Watch interview with a webcam model in Palmira, October 2023.

¹⁶⁸ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

One of the few workers who said they were satisfied with the cleanliness of the studios, a 26-year-old trans woman in Cali, said the models cleaned the rooms out of respect for one another.

According to several models, the only actions their studio took regarding health and hygiene was to sanction, fine, or chastise models if the worker who used the room after them made a complaint. Often, the models believed, this was just another way for studios to withhold wages while having little impact on sanitation.

Requiring Models to Clean but Charging for Cleaning Supplies and Time

Most studios in which interviewees had worked nominally required performers to clean their own room or cubicle at the end of shift.

However, many studios do not provide cleaning materials, allocate shift time to cleaning, or monitor the condition of cubicles and rooms. Several interviewees said their studios were rarely stocked with disinfectant, towels, tissues, soap, hand sanitizer, or other cleaning supplies.

Other interviewees said they were charged for using cleaning supplies despite the studio's requirement that models clean. A 22-year-old woman in Bogotá told Human Rights Watch about the loss of money and time as a result:

We had to pay for [cleaning supplies] on top of the percentage they took. We had to pay for everything, including toilet paper and hand soap. The cleaning lady took care only of common areas, and we were responsible for cleaning the room. So, we'd spend an hour cleaning the room, and this was not recognized as work time.¹⁶⁹

Human Rights Watch found that workers are either docked wages for not cleaning their rooms, for the use of cleaning supplies, or for building time into their shift to clean.

¹⁶⁹ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

Ignoring Worker Complaints

Several workers told Human Rights Watch that management was dismissive or unresponsive when they reported sanitation issues in the webcam rooms and cubicles, bathrooms, kitchens, common areas, and living accommodations. A webcammer in Palmira recounted their efforts to improve conditions at the studio where they still work:

In general, the studio was very dirty. I was one of the people always fighting to improve conditions of the studio, because they are keeping 50 percent of what we make after the platform takes theirs, and these are the conditions.

[Our complaints] were always about the cleaning and, in particular, how horrible the bathrooms were. The kitchen sometimes was very bad. I told management they need to improve 100 percent.

Many times we don't even have a monitor, so if you aren't paying for a monitor, you should invest in a cleaner. I told both the administrator and the owner, both in person and by email. The owner was only available on WhatsApp. He said you have a point, and we'll improve it, but in the end, nothing changed. I made more than five complaints to this studio about this.¹⁷⁰

Webcam models in several cities described reporting bedbug infestations and severe bites all over their bodies to management. Instead of taking action, management told them that the studio did not want to spend money on fumigation or to “wait and see.”

Poor Sanitary Conditions

Uncleaned Shared Cubicles and Rooms, Including with Bodily Fluids

All interviewees said they had encountered one or more of the following conditions in their room or cubicle at the start of a shift:

- Computer, keyboard, or mouse not sanitized after last performer;¹⁷¹

¹⁷⁰ Human Rights Watch interview with a webcam model in Palmira, October 2023.

¹⁷¹ 38 of 50 interviewees.

- Bodily fluids, including urine, feces, vomit, blood, semen, and breast milk;¹⁷²
- Chair or sofa, on which they now had to sit for their shift, soiled with bodily fluids or oil;¹⁷³
- Unmade bed, indicating that the sheets had not been changed after the last performer;¹⁷⁴
- Pillows soiled with bodily fluids or oil.¹⁷⁵

The top sanitation-related complaint of models interviewed was about entering their room to start a shift and finding bodily fluids, often covering surfaces they had no choice but to use for the duration of their shift. A 31-year-old woman in Medellín captured this sentiment: “The thing that bothered me the most was the bed dirty with the fluids of another person. This was very disgusting.”¹⁷⁶

“It was absolutely horrible,” said a 25-year-old Venezuelan woman working 10-hour shifts at a studio in Medellín. She provided details:

The bathrooms were always dirty and smelled horrible. One time, I touched the keyboard, and it was full of sperm or unidentified liquid. I was obsessed with covering everything with alcohol. But was alcohol really enough? I was so worried about STIs all the time.¹⁷⁷

A 21-year-old man working in a 3-meter x 3-meter room in Bogotá, which is relatively large compared to most workers interviewed, said that even in a larger studio like his, cleanliness was an issue because management did not prioritize it. “The floors were really dirty,” he said, expressing concern over his health due to the presence of uncleaned blood, vomit, feces, and other bodily fluids.¹⁷⁸

¹⁷² 36 of 50 interviewees.

¹⁷³ 35 of 50 interviewees.

¹⁷⁴ 33 of 50 interviewees.

¹⁷⁵ 32 of 50 interviewees.

¹⁷⁶ Human Rights Watch interview with a webcam model in Medellín, October 2023.

¹⁷⁷ Human Rights Watch interview with a webcam model in Medellín, October 2023.

¹⁷⁸ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

Some workers said they had found used condoms or unsanitized sex toys in their room at the start of a shift. A 26-year-old worker in Cali said that when it happened, he felt very uncomfortable: “The sex toys were not only not disinfected, but also left out in the room. This is too personal a thing to leave out.”¹⁷⁹

Models also described finding piles of hair, garbage, food wrappers, and dirty plates from other models in their cubicles and rooms.

“The hair was absolutely horrible,” a 23-year-old woman said of her studio in Bogotá.¹⁸⁰

Unclean Common Areas

Workers in all four cities raised the issue of dirty, unhygienic common areas, including bathrooms, kitchens, and changing rooms, which prevented them from eating, using the bathroom, washing their hands, and showering when they needed to.

A man working in Medellín said that sometimes, the kitchen was “very, very dirty with lots of food and trash and cigarettes.”¹⁸¹

A webcammer in Bogotá said of their studio’s bathrooms:

The bathrooms were really dirty all the time. The instruction was that everyone had to clean up after themselves, but they really didn’t. There was always lubricant everywhere in the room.¹⁸²

A 26-year-old woman in Bogotá said that she could not shower after her 12-hour shifts because the shower was piled with garbage:

¹⁷⁹ Human Rights Watch interview with a webcam model in Cali, October 2023.

¹⁸⁰ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

¹⁸¹ Human Rights Watch interview with a webcam model in Medellín, October 2023.

¹⁸² Human Rights Watch interview with a webcam model in Bogotá, February 2024.

One of my favorite shows is covering myself with oil, and I want to shower after. The shower was always filled with objects and trash and not in use. So, I was forced to dress on top of the oil and just go home like this.¹⁸³

Models' Tactics to Mitigate Risk and Stay Safe

A 29-year-old trans woman in Bogotá told Human Rights Watch that after spending several years working 10-hour shifts in dirty, shared rooms, she realized she could keep a private room significantly cleaner than a room also used by other people.¹⁸⁴ She saved money to rent a private room in the studio and avoid the conditions she found in shared rooms.¹⁸⁵

However, most webcammers interviewed by Human Rights Watch were financially unable to rent a private studio room full-time and pay rent elsewhere. As a result, some choose to move into the studio. Paradoxically, the unhygienic conditions of working in the studio forced them to live there for the sole purpose of maintaining a clean and safe work environment.

Another model in Bogotá told a similar story. She said she was able to keep her room clean because she had rented it to live in, and no other workers used it for their shifts. However, she had to spend up to all day in her room to avoid the dirty conditions elsewhere in the studio. “I sometimes spent the whole day in that tiny space. This is the bad part of webcamming, you live in this tiny space,” she said.¹⁸⁶

Workers who could not afford to rent a private room described a variety of other tactics for mitigating and staying safe in unsanitary conditions. Some bought their own sheets, cleaning supplies, sex toys, condoms, and rubbing alcohol to clean or replace dirty items required for their work. However, those who could not afford these supplies were unable to do so. Some described being forced to share, and being concerned about their health as a result.

¹⁸³ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

¹⁸⁴ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

¹⁸⁵ Ibid.

¹⁸⁶ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

Insect Infestations

Several interviewees told Human Rights Watch that they had worked in studios with bedbug infestations. Others said they had found cockroaches in the bed, closet, desk, kitchen, bathroom, and changing areas.

Bedbugs

Human Rights Watch spoke with models in several cities who said they had worked in studios where the mattresses or sofas on which they worked or slept were infested with bedbugs. Bedbugs were especially harmful for workers who also lived in the studio, as it exposed them to bites for up to 24 hours per day. A 21-year-old trans woman said she lived and worked for eight months in a 2-meter x 4-meter space in a six-room studio in Cali. The studio was infested with cockroaches and her bed had bedbugs:

The mattress I worked on was full of bedbugs. I got bites all over my shoulders and arms and it was very itchy. It was very visible, and I was embarrassed to show my arms on camera. It lasted three weeks. I reported it on the fifth day when I realized [I had bedbugs], and it took another 10 to 15 days to fix it. I had to pressure them more than three times, [saying] it was very uncomfortable. I made [the manager] look at me. He told me to wait and see because he wasn't sure it was the bedbugs, but I was sure. The itching was horrible.¹⁸⁷

A woman from Mitu told Human Rights Watch that she worked in a 1-meter x 2-meter room in a studio in Bogotá. The studio was originally one large room, which had been divided into 20 cubicles using drywall. She said that there were bedbugs on the bed and couch, and that “[the workers] tried to report the bedbugs but the owner didn't do anything.”¹⁸⁸

Models explained to researchers that bedbug bites were uniquely harmful to their jobs as webcam models and consequent ability to make money. Some were embarrassed to show their bodies on camera due to the bites and scars, as described above by the 21-year-old

¹⁸⁷ Human Rights Watch interview with a webcam model in Cali, October 2023.

¹⁸⁸ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

trans woman. A 19-year-old man said he was banned from a platform after having an allergic reaction to bedbug bites in the Medellín studio where he lived and worked:

We had problems with bedbugs in the place where we lived. It was the whole time we lived there. I was the only one who made the complaint because I was the only one especially allergic to this type of insect, the others just dealt with it.

The itching and the bites were so strong and bad and obvious that the platform reported my account for sadism because of the marks [on my skin]. I received a report from Chaturbate saying I'm not allowed to stream anymore based on the complaints of some users that I was performing sadomasochism.

The itching was very intense, and the studio tried once to clean the mattress, but it continued, and they did not want to spend more money. The bites were all over my body. They were even on my face. The bedbug stings gave me throat pain and fever. I assumed it was a fever, but I went to a doctor and the doctor said it was because of the bites. The studio didn't pay for medical care and continued to charge me the same for rent.¹⁸⁹

Cockroaches

A 23-year-old trans woman worked at a studio in Cali in which one large room was divided into six smaller rooms using thin office dividing walls, which made it impossible to keep one area clean if another was infested:

The cockroaches were really very bad... Every studio [should be required] to have a fumigation certification against bugs, someone from the industry should come and check. This studio didn't have that certificate, they didn't take care of anything. The cockroaches were in the bed, under the computer, around the floor.¹⁹⁰

¹⁸⁹ Human Rights Watch interview with a webcam model in Medellín, October 2023.

¹⁹⁰ Human Rights Watch interview with a webcam model in Cali, October 2023.

The 21-year-old trans woman who lived and worked in the aforementioned six-room studio in Cali where she had bedbugs also described its generally poor sanitation conditions and the cockroach infestation:

The bathrooms were very dirty. The pillows were very dirty. There were cockroaches in the closet in my room, in the kitchen, in the bathroom. For me it's disgusting to know if you walk through the halls the cockroaches are there, and then the bed I laid on made me feel afraid of bugs. They were in my space.

Poor Ventilation, Heat, and Bad Odors

Lack of ventilation, high temperatures, and extreme odors in studios were raised by interviewees across Colombia. Less than one-third of interviewees had a window they could open in their cubicle or room. Many studios were originally one large room divided into smaller cubicles using drywall, curtains, or plywood. As a result, only a small number of workers on the perimeter have access to the room's windows. In some studios, even those had been intentionally covered or boarded over.

Nearly all models interviewed said the temperature of the room they worked in caused severe discomfort during their shifts. The majority said the room got excessively hot due to the lack of ventilation. Just one said they were able to get studio management to adjust the temperature of the room. Some said their space sometimes got too cold. However, many said there were not enough heaters or fans per worker, so they usually had to take turns bringing one fan or heater back and forth between each other's rooms.

A transgender woman who worked in a 2-meter x 2-meter cubicle in Bogotá told researchers that her studio was originally one room that had been divided into 12 smaller sections using drywall. She had no window and said her "biggest issue and complaint about the studio" was the temperature. She reported regular headaches due to the heat.¹⁹¹

¹⁹¹ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

A 24-year-old woman in Bogotá had the opposite experience. She said cold temperatures in two studios where she had worked made her job extremely difficult and uncomfortable, with just “one heater to share among six rooms... when the cold got really bad”.¹⁹²

“In the studios with cubicles, the heat is absolutely horrible, the drywall retains heat and the lights are extremely hot,” a 21-year-old man who worked in Bogotá said. “They would just say bring your own fan.”¹⁹³

A 23-year-old man from Tolima who worked in a 1-meter x 2-meter cubicle in Bogotá said: “The heat was really extreme. We had one fan for five rooms, and if it wasn’t available, you had to just endure it.”¹⁹⁴

Although researchers did not ask interviewees about odors or smells in the studio, many models independently raised the issue during their interviews. Several said the combination of confined spaces, lack of ventilation, cigarette smoke, bodily fluids, and lack of sanitation procedures resulted in extremely bad odors. A 22-year-old woman in Bogotá said:

Bodily fluids have a particular smell... it’s very intense when you don’t have a window to open. [I could tell that] one of the models also had [an] infection because the smell was really strong. Over time these smells seep into the floor and walls and [it’s] really bad.¹⁹⁵

A 33-year-old woman in Bogotá said she worked 12-hour shifts in a studio that separated five workers with only curtains and smelled due to trash, cigarettes, and car fumes:

[There is] overflowing trash, ashtrays, people smoke even though you aren’t supposed to, and there aren’t windows, so the smell of smoke is really bad. Also, on the first floor, there was a garage and the fumes from the car came in, and again, no windows.¹⁹⁶

¹⁹² Human Rights Watch interview with a webcam model in Bogotá, February 2024.

¹⁹³ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

¹⁹⁴ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

¹⁹⁵ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

¹⁹⁶ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

Some models smoked while streaming because some clients tipped them to do so. One webcammer who smoked for this reason said she worked in a 1-meter x 2-meter cubicle separated from her colleagues by a fabric cubicle wall that did not touch the ceiling.¹⁹⁷ Such a divider provides little to no protection to others from the smell of smoke.

Several reported that the inability to take bathroom breaks meant that female staff had to change their menstrual products in the webcam rooms, where the trash was often not removed for days at a time. A 26-year-old woman in Bogotá working at a studio that did not hire cleaners attributed “a lot of bad smells” to the used tampons and pads in the room.¹⁹⁸

¹⁹⁷ Human Rights Watch interview with a webcam model in Palmira, October 2023.

¹⁹⁸ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

VII. Health Impacts of Long Hours & Insufficient Breaks

There was an epidemic of rashes on our hands and fingers because of the dirty keyboards, and it just kept spreading. But really, the mental health issues are the worst.

—33-year-old webcam model, Bogotá, Colombia, October 2023

Many studios' practices violate webcam models' right to just and favorable conditions of work by not providing sufficient daily periods of rest to ensure their occupational health and safety, including their mental health. Additionally, our interviews documented many other negative health impacts stemming from the duration and intensity of work encouraged by studios, which undermine webcam models' rights to health, sanitation, and non-discrimination.

Webcam models reported a wide range of work-related health concerns to Human Rights Watch researchers, including infections, back pain, migraines, skin rashes, anal fissures, allergic reactions to bedbug bites, insomnia, depression, anxiety, anorexia, and bulimia.

Many of the health concerns reported were caused or exacerbated by working long hours without breaks for hygiene, food, water, or rest. For that reason, this section presents issues related to shift hours and inadequate rest time together with reports of infections, mental health concerns, and other work-related health problems.

One of the main asks from webcam models interviewed was for studios and platforms to put greater attention and resources toward their mental and emotional health.

Multiple Shifts and Insufficient Breaks

Most workers interviewed worked 8-hour shifts in webcam studios, with the option to consecutively work double or triple shifts. Others work longer shifts of up to 20 hours.

Workers largely had control over how many shifts they worked, but some experienced pressure from the studio to stay longer or later if they did not hit certain targets. One woman in Bogotá explained:

Theoretically, the shift was six hours but if you don't get enough tokens, you stay to work more. Sometimes I did a double shift or slept in the studio because I couldn't leave without money. Sometimes it was because I needed the money, but sometimes they also pressured me to work more.

Most models interviewed were permitted one break of 15 to 30 minutes. Some interviewees were not allocated any break time. One worker who worked a 10-hour-shift, a 25-year-old Venezuelan woman in Medellín, said: "I would hide snacks behind the desk and camera because it was 10 hours without a break for food and we'd get so hungry."¹⁹⁹

Some workers were told when they were hired that they would receive a break but later found that they had to make up for this time later. A 30-year-old woman in Medellín was told she would be working a 12-hour shift, but in reality, it was longer. "One break of one hour, but you have to make it up at the end," she said. "So really it's a 13-hour shift with a 1-hour break in the middle."²⁰⁰

More than half the interviewees said they had to ask permission to use the bathroom, and nearly half said they were forbidden to take a break to wash their hands or body outside their scheduled break time. Of those who were permitted to use the bathroom without permission, several said it was deducted from their break time. One model from Zipaquirá municipality said she was allocated a 20-minute break once per 8-hour shift, but she later learned bathroom breaks were counted against those 20 minutes. "If you disconnect for 5 minutes to go to the bathroom, it takes 5 minutes out of your break," she said. "So we just had to pee in a bottle."²⁰¹

Workers are told that they are being watched by monitors, administrators, or studio management via at least one and usually multiple cameras. "If you take too many breaks, they see you on the camera," said a woman in Bogotá.²⁰² The panopticon effect of studio surveillance has caused some workers to spend whole shifts without food, water, or bathroom breaks just in case someone in the office is paying attention to their stream.

¹⁹⁹ Human Rights Watch interview with a webcam model in Palmira, October 2023.

²⁰⁰ Human Rights Watch interview with a webcam model in Palmira, October 2023.

²⁰¹ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

²⁰² Human Rights Watch interview with a webcam model in Bogotá, February 2024.

Additionally, there is widespread perception among webcam models interviewed that the longer a model streams, the more viewer traffic is directed to their page. Models in the four cities in which Human Rights Watch conducted interviews perceived consequences such as decreased traffic from the platforms, or studio-imposed fines, for pausing, stopping, or taking breaks from streaming. Some models were explicitly told this by studios when they were hired; others learned it from colleagues. (For analysis of platform policies related to streaming breaks and corporate responsibility for related abuses, see section **The Role of Platforms**.)

A model in Bogotá said: “I never took the break because [the studio] told us if we worked straight through, we’d receive a better traffic of users and make more money.” ²⁰³

Another model in Bogotá recounted the financial incentives for working through breaks:

I didn’t take my breaks because the platform doesn’t respond the same after your break, in terms of traffic and users and engagement. If I really had to go [to the bathroom], I would just leave it on and run, to not risk disconnecting.

We worked really long hours because the platform rewards you for doing so, and the studios know that. It helps with traffic. And so if you [work long hours without disconnecting], the studio reduces the amount they keep.

This model continued to explain how, on the other hand, their studio financially penalized webcammers for any delays:

Then you have to add the fines: 5 percent for being late, 5 percent for connecting late, 5 percent for returning late from break. So that’s 15 percent [off your paycheck] for one break. The platforms influence the studios in how they manage this; it’s directly because of them.

²⁰³ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

In the absence of publicly available information from platforms regarding how they direct traffic to models' pages, including through algorithmic recommendations, the perceived threat of reduced page traffic and earning creates pressure on models to limit or eliminate breaks for food, water, hygiene, and using the bathroom. The lack of transparency regarding the algorithms platforms employ also exposes models to further exploitation by studio management, who point to claims about page traffic to pressure workers into staying on camera at all times and who fine workers for taking breaks and allegedly losing traffic as a result.

Physical Health Concerns, Including Infections and Rashes

The duration and intensity of work in many of the webcam studios included within the scope of our investigation caused or contributed to several negative health outcomes common among many of the workers interviewed. Workers reported injuries and illnesses, such as [urinary tract] infections, that they attributed to sex acts and performances that they had been pressured into performing by studios.

Many webcam models told Human Rights Watch that they had developed infections and rashes after working long hours in studios with unhygienic conditions and limited or no washing facilities. Others said they had been pressured by studios to perform sex acts that resulted in genital infections and tearing. Relatedly, some had received dangerous so-called advice from management on how to clean their genitalia after shows. Many webcams reported painful health issues related to having vibrating devices inside of them for multiple hours at a time. In several cases, this included devices that can be remotely controlled by clients, which studios encourage workers to buy to earn more money.

A 26-year-old woman told researchers about physical health problems she experienced while working 8-hour shifts at a studio in Bogotá that prohibited breaks. "I had vaginal infections, especially when I was working for many hours, and the medications were not working," she said. "Also, my eyes were affected by the [studio] lights and computer use."²⁰⁴

A 38-year-old woman in Bogotá described the physical and psychological toll of constantly working:

²⁰⁴ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

I've had painful UTIs [urinary tract infections] and skin rashes and there was a rash spreading through the studio. There is no time to recover. [When] I had UTIs, I had to keep working, so they kept coming back, and sometimes I would have a skin rash and UTI at the same time. Also, psychologically, it is not easy, it's not an easy job. But we need to work. Even if you say 'no, I'm fine' because you want to be strong, inevitably it impacts your mental health.²⁰⁵

One man said he worked 7-hour shifts at a studio that did not allow breaks of any kind and had no showers. "There were no showers in the studio," he said. "I would go home immediately and shower to avoid infections and getting sick."²⁰⁶

A 22-year-old woman said she worked 12-hour shifts at a studio in Bogotá. The studio allowed her only one break per 12-hour shift, and the break was not long enough for her to wash herself or the sex toys. She recounted her consequent health problems:

Due to the hurry of getting a show, you don't clean the toys properly and get a lot of infections. But I decided not to do that anymore because I had four months straight of vaginal infections and painful peeing. At that time, I didn't have access to a doctor.²⁰⁷

Other workers said that even when they had time, sometimes they ran out of soap, leaving workers unable to wash their hands during their break or after their shift.

Webcamming can lead to problems unrelated to hygiene as well. One woman talked about back pain and the spread of illness:

We have a lot of back issues from the position we have to sit in all the time, and also carpal tunnel. [The studio] didn't cover any medical care. The cleaning wasn't good. When someone gets sick, others would also get sick.

²⁰⁵ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

²⁰⁶ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

²⁰⁷ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

The owner didn't have many requirements [that people stay home when they are sick].²⁰⁸

Human Rights Watch asked interviewees for recommendations that they would like studios across the country to implement. One woman in Bogotá had several ideas related specifically to preventing infections:

We don't receive training about certain practices like anal cleaning. I had a lot of accidents because I didn't know how to clean at first. Some people use unsafe cleaning practices. The studios also promote really dangerous practices with toys... Excessive vibration inside you causes desensitization and nerve damage. At some point, you don't even feel pleasure at all.²⁰⁹

The woman in Medellín who told Human Rights Watch about back problems, carpal tunnel, and the spread of sickness similarly identified several concrete changes she wanted management at studios where she had worked to implement. These included the provision of medical care, ergonomic desks, professional cleaning, and hygiene training for new employees.

Depression and Anxiety

Many workers reported experiences of depression and anxiety, both in the studio and in their lives outside work as a result of their long hours and traumatizing experiences with clients. For workers who lived in a studio or whose intimate partners owned a studio, the boundary between a model's work and personal life often blurred, resulting in even longer hours worked and less time for rest and emotional recovery.

When asked what the most difficult aspect of her job was, one 30-year-old model in Medellín replied, "It's the depression... Now I'm in a new place because I have a therapist and a support group of friends."²¹⁰

²⁰⁸ Human Rights Watch interview with a webcam model in Medellín, October 2023.

²⁰⁹ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

²¹⁰ Human Rights Watch interview with a webcam model in Medellín, October 2023.

A 22-year-old woman in Bogotá said she experienced anxiety outside of the studio as a result of working long hours in a confined space under constant surveillance.

I felt stressed when I was out in the street and when I'm surrounded by a lot of people. I feel overwhelmed when I'm surrounded by people. You lose social skills after several years working like this because you spend so many hours locked in a room.²¹¹

Body Image and Disordered Eating

Some models told Human Rights Watch that webcamming afforded them the opportunity to become more confident in their sexual orientation, gender identity, gender expression, or body image. A 23-year-old lesbian woman in Bogotá said:

Before [I started webcamming], I wouldn't say no to things I didn't like. This job allowed me to grow in my self-esteem. I knew my sexual orientation, but this job has allowed me to understand who I am, and my self-esteem is really strong and has increased a lot.

However, interviews with other workers stressed how abusive treatment and harassment that they faced from studio employees and clients on digital platforms had contributed to the development of practices and conditions harmful to their physical and mental health, including reports of anorexia and bulimia.

Additionally, the long working hours and insufficient rest time made it difficult to process and recover from offensive comments made by clients about their size, weight, gender, age, and appearance, according to some. In addition, others said that spending many consecutive hours watching a live stream of their own image caused them to be excessively critical of themselves. Several interviewees said these experiences exacerbated or caused struggles with disordered eating, including anorexia and bulimia.

A 24-year-old model worked 8-hour shifts with no breaks at a studio in Bogotá. She said that requests from clients for her to vomit on camera triggered her existing struggle with

²¹¹ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

bulimia and the studio refused to support her when she asked for counseling. Describing a vomit show she had to do:

I was supposed to eat and then vomit and then throw the vomit on myself. I was going through bulimia then, so it was physically easy but emotionally horrible. I started having hallucinations and eventually found a therapist. I had body image issues before webcamming... [and] being exposed to the camera all the time makes me look at my body all the time and obsess over the fat and not eat and count the number of hours without food. I already had an [eating disorder]. I had a very intense period of years [being] anorexic and bulimic, and now I'm on the other side and my doctor says I'm overweight, but I'm so scared to go back to where I was.

I developed anorexia and bulimia [again] and also started having panic attacks, mainly because of studying in the morning [for my university classes] and working in the studio all night. I self-harmed and my girlfriend found me and took me to the hospital.²¹²

A 24-year-old trans woman in Cali said she drastically reduced her food intake after a client called her “fat.” She explained the conflicting feelings she had about her image when she was offline versus webcamming:

Sometimes you don't want to be sexualized all the time, you don't want to be pretty. You don't want people to make opinions about you and your body. I have my friends and we work as a support circle. I also go to therapy.

One day, one user said, ‘Oh, you're getting fat.’ After that, I thought should I diet or work out. I thought ‘it was just a comment,’ but I started not eating and working out like crazy and I lost a lot of weight. And I didn't even think this affected me. People think because they're paying, they have the right to critique you... Sometimes you ignore [it], sometimes you are very sensitive.²¹³

²¹² Human Rights Watch interview with a webcam model in Bogotá, February 2024.

²¹³ Human Rights Watch interview with a webcam model in Medellín, October 2023.

Some models said their sense of self-worth became deeply tied to tips from clients. A 31-year-old woman in Medellín talked about how self-esteem becomes connected to the number of clients or how much they pay:

If you don't have enough clients or they aren't giving money, it can repeat over the days and impact your self-esteem a lot. It's difficult to separate the reality of what is happening in the transmission because you're exposing your body, and this impacts you.

You wonder 'why are the other girls making money and I'm not, what is wrong with me, what am I doing wrong?' It is really heavy. You have to have high self-esteem to deal with all this. There are people judging your body, what you're wearing, how you look. You compare [yourself] to other girls.²¹⁴

Models who said they began tying their self-worth to tips from clients also said management exacerbated their self-esteem and body image issues by comparing models to one another based on their appearance or earnings. In some studios, models are publicly ranked by earnings each week. Some models felt humiliated and perceived their "failure" to be among the top earners as evidence that they needed to change their bodies.

Specific Impacts on Trans Women

Trans women models who spoke to Human Rights Watch described experiencing pressure from studio employees and clients to look and act "femme" during webcamming sessions with clients. Such pressure had severe impacts on their mental health and may constitute gender-based harassment based on stereotypes.

A 25-year-old trans woman and sex worker rights defender in Cali said she had several cosmetic surgeries to alter her appearance to look prettier and earn more money. She partly attributed her desire to do so to spending most of her waking hours on camera for several years.

²¹⁴ Human Rights Watch interview with a webcam model in Medellín, October 2023.

I can't say if it's exactly because of the studio or not, but as a trans woman, I did a lot of surgeries without thinking about the side effects. When users make comments about me, it really affects me. I've done five surgeries, my last was in January of this year. I was recovering and still inflamed and was already thinking 'what is the next surgery? What can I change of myself to look prettier and earn more money?'

Because if you are prettier, you can earn more money... If I compare before my surgeries and now, how much I earn, it's a huge difference.²¹⁵

Later in the interview, she told researchers that she had been an activist and advocate for the rights of webcammers. She is working to change how trans women are expected to look on camera.

I like reading feminism now, and in my [webcam] broadcasts, I like to think about how I can make this industry safer for us [trans women]. When I have the chance, [I like] to say, 'there are different kinds of women, we don't need surgeries.' Sometimes trans women enter my [streaming] rooms and ask me about my surgeons and how much money I make. I try to explain to them to think about why they're doing it and the consequences. I've already had it done, but I'm trying to change the discussion.²¹⁶

Another trans woman working in Cali expressed a desire to perform small acts of resistance on camera in response to offensive comments from viewers who criticized her body. She told researchers that after years of online requests to impersonate a child, act younger, gain weight, lose weight, look more feminine, or look more masculine, she got a tattoo on her chest reclaiming one of the transphobic slurs used against her. The tattoo represented "a criticism of transphobic society who has always criticized me," she said.²¹⁷

²¹⁵ Human Rights Watch interview with a webcam model in Cali, October 2023.

²¹⁶ Human Rights Watch interview with a webcam model in Cali, October 2023.

²¹⁷ Human Rights Watch interview with a webcam model in Cali, October 2023.

Lack of Quality Mental Health Support

Research has long shown that sex workers face stigma, discrimination, logistical barriers, and financial barriers to accessing quality mental healthcare services, including support. Sex worker organizations around the world have responded to this gap by creating trainings for therapists to enable them to provide support to sex workers, and they have called on donors and NGOs to help increase sex workers' access to mental health services.²¹⁸ While more research is needed into the unique needs of webcam models with regard to mental health care, a 2019 study found that sex workers want “therapists who take an affirming approach regarding their occupation (e.g., respecting the hard work, skill, and emotional labor) and do not assume that they are in therapy because of their work.”²¹⁹ A separate 2019 study looking at “sex worker affirming therapy,” authored by two licensed mental health practitioners in the US found that, historically, the “risks of negative health outcomes [faced by sex workers] were viewed as a result of the work itself without taking into consideration the role of the stigma and often criminalization of the work that may be the contributing factors impacting distress.”²²⁰

In Human Rights Watch's interviews, a key priority expressed by many workers in all four cities visited was greater access to qualified, compassionate, affirming mental healthcare and support services for studio-based webcam models.

Many interviewees reported wanting but not being able to access qualified, sex work-positive mental health support. “A big flaw in the studios is not having psychological support available to us,” explained a non-binary model in Bogotá. “It leads to depression.”²²¹

Others expressed concern over studio monitors and managers claiming to be psychologists and conducting personal conversations with models about their mental health in public areas. In addition to the harms caused by unqualified individuals

²¹⁸ “Sex Work Therapist Training: Call for Participants,” European Sex Workers' Rights Alliance, https://www.eswalliance.org/sex_work_therapist_training_call_for_participants (accessed July 11, 2024).

²¹⁹ Pederson, Anna & Stenersen, Madeline & Bridges, Sara. (2019). Toward Affirming Therapy: What Sex Workers Want and Need From Mental Health Providers. *Journal of Humanistic Psychology*. 64. 002216781986776. 10.1177/0022167819867767.

²²⁰ Bloomquist, K., & Sprankle, E. (2019). Sex worker affirmative therapy: Conceptualization and case study. *Sexual and Relationship Therapy*, 34(3), 392-408. <https://doi.org/10.1080/14681994.2019.1620930> (accessed November 25, 2024).

²²¹ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

providing mental health “care,” it also left workers in the position of having to relive traumatizing work experiences with the same people who managed them.

A 21-year-old Afro-descendent trans woman in Medellín said:

In the worst place I worked in, I struggled from anxiety and depression, and this place really [exacerbated] our emotions because of the type of work. There was no psychologist available. In one of the studios, there was someone who claimed to be a psychologist, but I’m not sure [they were one] because it was also the owner.²²²

A 24-year-old woman in Bogotá said her sessions with the psychologist were not confidential or private:

I was affected psychologically by the constant work and also by the constant competition and the pressure to be and stay at the top. I sacrificed a lot of hours of sleep for this. This led to depression and panic attacks. The studio had a ‘psychologist,’ but she told absolutely every detail of our sessions to the owner. And even if she didn’t, the drywall was so thin and they did the counseling in a cubicle right next to me, so I could hear literally everything the other girls said in their sessions. But it still helped a bit to understand my diagnosis and my situation, even if I felt like I couldn’t speak freely.²²³

²²² Human Rights Watch interview with a webcam model in Medellín, October 2023.

²²³ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

VIII. Exploitation of Models Living in Studios

Human Rights Watch spoke to 15 webcammers who had previously lived in a studio in which they were simultaneously employed. None were living in a studio at the time of their interview. Some of the most harmful conditions and exploitative practices in Colombian webcamming were reported by models who had lived in studios.

Models who had lived in studios reported the same violations of their right to a clean and safe work environment as did models who only came to studios for shifts. The following problematic conditions were also reported by models who had lived in studios:

- sleeping, eating, and spending their free time in the same unsanitary—and at times dangerous—conditions;
- a lack of privacy and personal space, resulting in stolen or lost personal items and food;
- streaming up to 24 hours per day, with inadequate compensation for working overtime;
- ambiguous or exploitative repayment plans for loans taken from the studio to cover rent;
- poor mental health related to living in a studio, including depression, anxiety, insomnia, and an inability to create boundaries between work and rest hours;
- changing rooms up to four times per day to accommodate colleagues who came to the studio for a shift and needed to use the computer in their room;
- sleeping and eating in rooms with no lights or windows;
- sleeping in rooms with no beds, because the “good rooms” were allocated for webcamming shifts.

Concerns about such poor living conditions have deterred models from living in a studio. Some models interviewed by Human Rights Watch had decided not to live in a studio after a friend, partner, or colleague told them about especially poor conditions they endured while doing so. Models have formed informal networks of support and information through which they recommend particularly good studios and caution against especially poor ones, including by sharing information about the risks of living in a studio. A 27-year-old man in Medellín told Human Rights Watch: “A former partner lived in a studio and told me it

wasn't good, that they stole food from him, so I decided not to do it." He added: "A friend worked in a studio that had one big room divided into many small cubicles for 30 people. They lived there, and they only had four bathrooms."²²⁴

Human Rights Watch could not verify this secondhand report, but it indicates the importance of peer-to-peer networks for model safety. It highlights the ways in which young or isolated models, such as those from other cities or rural areas who move to a larger city to find work, are vulnerable to exploitation if they move into a studio.

Studio Loans for Rent and Exploitative Repayment Arrangements

To cover rent for living in a studio, some models take biweekly pay deductions, while others take loans from the studio and pay them back in smaller increments over time. In theory, a loan allows them to make smaller monthly rent payments and have more cash available for the personal costs that originally motivated them to work in a studio, such as education or gender-affirming care.

Models interviewed by Human Rights Watch who had lived in a studio often referred to taking a loan for housing and paying the studio back each 15-day pay period. Unlike other forms of studio debt that models acquire upon starting to webcam, the debt owed because of loans for rent was often more difficult to pay off. This is both because the amount of loaned money was larger, as they were covering rent payments, and because housing is an ongoing expense, not a one-off expenditure.

The repayment terms were often vague. Several models told Human Rights Watch that the amount deducted from their paycheck to cover rent varied paycheck to paycheck with no explanation. The ways that studios charged models for rent, including to repay loans for it, included:

- Taking a set percentage of what the model earned each 15-day pay period; rent payments were not fixed in these cases;
- Deducting tokens from one or more of the model's accounts; rent payments were not fixed in these cases, as the token's worth depended on the exchange rate and value of token on a given platform;

²²⁴ Human Rights Watch interview with a webcam model in Medellín, October 2023.

- Not charging the model for rent if they hit a weekly or biweekly “target” set by the studio, under the expectation that models who live in the studio will work 12- to 18-hour shifts, enabling them to hit higher targets;
- Deducting a set amount each month; only one model interviewed by Human Rights Watch paid their rent in this manner.

One model who had lived in several studios, including in Cali and Palmira, explained that a studio she worked in offered models several options to pay for or “earn” housing:

One of the studios, you have to pay the rent, but there was also the option of taking one room for “free” as long as you reach the goal. Every 15 days, they arrange the payment. For example, if they manage five accounts for a model on different platforms and if she earned 1 million pesos [across all accounts], they deduct 300,000.

Or they give the option of paying a bit [and going into debt for the rest] so you don't lose the money from your check.²²⁵

One model told Human Rights Watch that she was charged in tokens for her rent, which created ambiguity over how much she was paying for housing because the value of tokens in this particular studio was never clear. She made more money when she first moved in because she was able to work longer hours without a commute, but she ultimately referred to the rental loan as being “robbed” by the studio.

When I lived in studio, I couldn't differentiate private from work life but could make more money and didn't have to deal with Bogotá traffic. I was robbed living in some studios. Taking tokens out for rent introduces new confusion and potential areas for exploitation. One owner didn't pay me 5,000 tokens and used an excuse about the platform I didn't understand.

Several workers told Human Rights Watch that they had lived in studios that promised them free rent as a way of encouraging them to work longer hours. A trans woman from

²²⁵ Human Rights Watch interview with a webcam model in Palmira, October 2023.

Chaparral said that when she began working and living at a studio in Bogotá, she took a loan from management for rent and sex toys but was only charged for the latter. She explained:

Each 15-day pay period they deducted money for the toys, but they said they didn't charge us to sleep there. They actually encouraged it because I would work more. That was a 14-hour [work] day.²²⁶

A 23-year-old trans woman who had lived and worked at a studio in Cali told Human Rights Watch that some models choose to live in a studio because it allows them to stream “more than 18 hours” a day. She explained that this, in turn, provides more experience, even more important when they first start webcamming, and, according to some models, long streaming sessions result in receiving “benefits” from platforms. She said:

This profession requires a lot of discipline, and you can work more if you live there. [Platforms] give benefits if you stream [many hours]... It's a very stressful job. If you [live in the studio], the stress increases. The goals are set by the studio. If you earn this, they do 50/50, if you don't, they do 60/40, 60 is for them. The price doesn't change if you live there, it just changes based on if you reach your target.²²⁷

Describing the “really, really bad” studio in Cali where she had lived and worked, she said she did not have a bed, sheets, pillow, desk, table, lamp, or fan in her room. However, the studio provided her with a sofa, computer, keyboard, mouse, camera, and a door with a lock. “It wasn't professional,” she said. “In a well-structured studio there is a psychologist, along with a makeup artist and all the bosses. But in this one, there was nothing and no one.”²²⁸

All models who spoke to Human Rights Watch and who had gone into debt for housing or were otherwise paying the studio for accommodations felt they were taken advantage of due to how poor the living conditions were. One webcam model in Bogotá originally

²²⁶ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

²²⁷ Human Rights Watch interview with a webcam model in Cali, October 2023.

²²⁸ Ibid.

thought the “deal” was a worthwhile trade off, but later realized the “price was really unfair for what we were living in.”²²⁹

Physical and Psychological Toll of Living in a Studio

Models interviewed by Human Rights Watch who had lived in studios did so in one of four arrangements. In all arrangements, the model’s employer became their landlord, which negatively impacted their ability to advocate for improved living or working conditions. The four arrangements are:

1. The model lives in the same building where they work in, but in another room and often on a different floor.
2. The model lives in another building owned or rented by the studio owner that is next to or within walking distance of the studio used for work.
3. The model has their own private room in which they live and work and do not share with any other performer. This was the least common setup among Human Rights Watch’s interviewees.
4. The model works in a webcam or porn studio owned or managed by their intimate partners. This setup blurs the distinction between living inside the studio and living outside the studio.

One model who lived and worked in her boyfriend’s studio, under the fourth arrangement, described spending up to 12 hours a day streaming:

I disconnected sometimes just to cry. My four-year boyfriend was also the owner of a porn studio. Sometimes I was working eight hours in [a different] studio and then recording scenes [at home] in his studio after. The depression was so hard I had to quit webcamming for a year. It was too much work with my body.

Like the model above, several models told Human Rights Watch that living in the studio compounded the physical and psychological difficulties of webcamming. They worked longer hours, not only because of pressure from studio management, but also because they were constantly presented with the opportunity to continue streaming to make more

²²⁹ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

money. This resulted in shifts of up to 24 hours in small rooms without taking breaks for their mental health or stretching their bodies.

A 27-year-old trans woman in Bogotá said she lived and worked for several months in a room that had “enough room for a bed and camera” but was so small that she could not fully extend her limbs. This made for physically uncomfortable performances and interactions with clients. She said surveillance in that studio was especially acute, with “another camera in the kitchen to make sure we didn’t eat [the studio’s] food.” She said she experienced depression living in that room, partly due to spending up to 24 hours per day in such a small space.²³⁰

Those who had experienced rotating back and forth between “rooms you work in” and “rooms you sleep in” said it made their lives transient and precluded any chance of privacy. These workers could only take to the work room what they needed for their shift, had to leave their personal belongings in an unlocked room, and did not have a private space to return to after their shift. That sleeping room is then occupied by other models on their breaks. Several interviewees had food and other personal belongings stolen or misplaced because of this system.

A 19-year-old webcam model from Ábrego, North Santander, had recently lived in a studio in Bogotá because, he said, living in his own apartment was very expensive. He told Human Rights Watch about living in studio accommodation, where there were five bedrooms, each for between four and six people:

I lived in the studio for four months when I first started working. It is actually a different building four blocks away owned by the same owner. The rooms you work in have three shifts, and you have it to yourself while you’re there. And the rooms you sleep in, one room is shared by four people and we slept in bunk beds. There was room for two sets of bunk beds and one closet only. It had a window.

The price was really unfair for what we were living in. If you add the amount the four people paid, we could get [a much nicer house, but we didn’t know

²³⁰ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

that at the time]. The other people I shared with, who lived there, were mostly foreigners from Venezuela. ²³¹

Several models who lived in studios indicated that streaming rooms often afford more space and privacy than rooms allocated for sleeping and free time.

Lack of Sanitation

According to accounts from most models who spoke to Human Rights Watch, the lack of privacy – particularly the system of rotating rooms between workers who are streaming and workers who are sleeping – had severe consequences for sanitation and hygiene in the rooms.

A 21-year-old trans woman from San Marcos, Sucre, said that when she first began webcamming, she lived for three months in a 2-meter x 2-meter room without a window or a fan in a Medellín studio. The room was also used by non-resident webcammers who came to the studio for streaming shifts, so she would have to vacate the room several times a day to let them use it. She said that after the other workers left the room, she often returned to find blood and other bodily fluids on the sheets and pillows on her bed.

Lack of Choice of Housing Due to Transphobia

Some trans women interviewed by Human Rights Watch felt they had no choice but to live in the studio due to threats of violence they endured related to their gender identity when trying to rent accommodations nearby.

For example, a 21-year-old trans woman in Cali who had lived in two studios for two years (one year in Medellín and one year in Cali) recounted her experiences in both cities.

In Medellín, she lived in a studio with “horrible” conditions for 10 days and moved out after a conflict with the owner. However, she was unable to find safe, alternative housing near enough to the studio. She experienced violent threats related to her gender identity in and near an apartment she rented. Given the dangerous environment outside the studio, she decided to return to the studio.

²³¹ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

In Medellín, the neighborhood was really dangerous, and we had issues with the people who ran the neighborhood. The house we were working in was in a [dangerous] neighborhood and [a man there] threatened us. He threatened to cut our hair and attack us, so we had to leave. That's when we returned to live in the studio, but I wasn't comfortable in this room. This was the studio [that I told you about] with the cockroaches, and the whole studio was like this. There was no bed, no lights. I was just sleeping on the floor on a mattress in a dark room. They were taking 60 percent of my money. I asked [the owner] to fix the light, and [told him] the room I was in was horrible, that there was no light, it was completely dark.²³²

She lived in the Medellín studio for eight months before moving to Cali, where she found a studio with significantly better conditions.²³³

In Cali, I had a closet and a bed and an erotic sofa. I liked living in the studio. I was surrounded by other girls, and I had my own room. I had to pay 100,000 pesos every month, which is a fair price in Cali. Still, my food disappeared a lot and it was stressful. I had two bosses, a couple. [The bosses] didn't allow us to make noise after certain hours.²³⁴

Her experience of successfully securing progressively better living and working conditions as she gained more experience in the industry is emblematic of several other experiences documented by Human Rights Watch.

Importantly, as raised by the account above, even in studios that models described as having “good” conditions, several interviewees reported that their food had been “robbed” or “stolen” – they were unsure by whom – and that the lack of personal storage space, including for food, caused many interpersonal issues between employees.

²³² Human Rights Watch interview with a webcam model in Bogotá, October 2023.

²³³ Ibid.

²³⁴ Human Rights Watch interview with a webcam model in Medellín, October 2023.

IX. Sexual Exploitation

More than three-quarters of models interviewed by Human Rights Watch reported that studio management had threatened them into performing sex acts on camera to which they did not consent, including performances involving urination, vomit, and pretending to be children.²³⁵

Webcam models in Colombia reported sexual violence, sexual harassment, and violations of their consent in the context of studio-based work. This included:

- instances which they were forced, coerced, or otherwise pressured to perform sex acts to which they did not consent;
- instances which they were forced, coerced, or otherwise pressured to remain in streaming sessions in which they were receiving violent and degrading comments from clients;
- monitors using the chat box to impersonate models, speak with clients on their behalf, and agree to sex acts to which the model had not consented.

This section narrowly and intentionally uses the term “sexual exploitation” to refer to reports of abuse which meet two criteria:

- a) The model experienced sexual violence, sexual harassment, or a violation of their consent related to a sexual performance or act;
- b) The abuse involves force or coercion exercised upon a model to sustain or generate monetary profit for studios or platforms.

Distinguishing between sexual exploitation, labor exploitation, and generally poor working conditions in the context of webcamming is critical. Discourses which unilaterally construct webcamming as a form of sexual exploitation in and of itself are inaccurate and harmful.²³⁶ Such generalizations deny workers the right to identify, denounce, and seek

²³⁵ Thirty-eight of 50 models answered “yes” when asked if they had ever been pressured by studio management to perform sex acts they did not feel comfortable with. In an open-ended follow-up question, interviewees explained the acts they had been pressured to perform and the punishment they received if they refused or failed to do so.

²³⁶ See Celia Benoit et al., “Prostitution Stigma and Its Effect on the Working Conditions, Personal Lives, and Health of Sex Workers” *The Journal of Sex Research*, 55(4–5), (2018), pp. 457–471, <https://doi.org/10.1080/00224499.2017.1393652> (accessed November 25, 2024).

remedies for specific experiences in studios in which their consent related to specific sexual acts is overridden.

Models repeatedly told Human Rights Watch that they want to secure better, more respectful conditions in studios in large part because they did not want to quit the work entirely. For many, studio work gave them the ability to pay for higher education, support their families, access gender affirming care, rent a safe apartment, and regularly afford quality food and clothing. At the same time, models in all four cities recounted experiences of sexual violence and harassment by clients and studio management, and sexual exploitation by studios and platforms, that indicate the need for reform of the sector in line with worker's rights under both international and Colombian standards.

Sexual Exploitation in Consensual Adult Sex Work

As with other workers, webcam models have the ability and right to give, refuse and rescind consent about any aspect of their work, such as the location, time, place, and payment, in the broader context of having consented to the work itself. This is established in other sections of this report related to unsanitary conditions, hours, and pay transparency.

Webcam models also have the ability and right to give and rescind consent regarding whether, when, how, with whom, and for how long they will perform specific sex acts, as with any person who has sex.

A 25-year-old webcam model in Cali told researchers that it was critical to differentiate between wanting to do the job, in general, and wanting to do every individual thing a client asks for:

There are things I don't have energy to do like put a dildo inside me, but I'm grateful for this job because I can do all the surgeries I want, support my parents, and save money to study abroad. I was a waitress, and there were also things I didn't like doing [as a waitress], but that never allowed me to support my parents and study abroad.

The presence of exploitation, including sexual exploitation, in the context of consensual employment is not evidence of trafficking, the inherent invalidity of the work, or that the

work itself is sexually exploitative, but rather evidence of the need for greater labor protections. This framing – long voiced by sex worker rights defenders – is also supported by Colombian Constitutional Court Sentence T-109 of 2021.²³⁷

The Court found that restrictions on freedom in sex work establishments, including webcam studios, imply a subordinate relationship characteristic of employment relationships. The Court held that the existence of abusive practices in webcamming require specific labor remedies and entitle the webcammer to rights and remedies as a worker. According to the court, the very fact of subordination is evidence of models' rights to labor protections.

Studios and platforms benefit from denying models the ability to give and rescind consent. In the cases documented in this section, maximizing profits appears to be the primary motivation for coercing models to perform sex acts they do not wish to perform. Sexual exploitation is not inherent to webcam modeling; rather, it is exactly this prioritization of third-party profits over worker consent that constitutes sexual exploitation.

Abuse by Clients

Models reported a wide range of offensive and abusive requests from clients. The most common were requests to act or dress like a child; to eat, drink, to show their own urine, vomit, or blood; and to insert objects inside of them that were dangerous or outside their zone of consent. Several were pressured to have sex with another person on camera. Several models spoke about these experiences – both those involving another person physically in their space or being forced to take a particular action “alone” – as sexual assault and rape.

Researchers did not provide a list of options to choose from when asking interviewees about requests or comments made by clients that made them uncomfortable. Interviewees were asked the yes/no question: *Do clients ever speak to you in a way that makes you uncomfortable or is abusive?*, to which 45 of 50 interviewees said yes. Those who wished to provide details were given space to do so.

²³⁷ Sentence T-109, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, A judgment, Apr. 21, 2021.

Eight models individually and without prompting told Human Rights Watch that the comments themselves were not as traumatizing as the sense that they were not permitted to escape the situation. The layers of explicit and implicit forms of control preventing models from exercising agency over a streaming session are explained below in **Types of Coercion**.

Racism and Transphobia

Many of the degrading, offensive requests that workers felt obligated to perform were paired with transphobic, racist, or otherwise discriminatory comments. Racism and transphobia are not unique to sex work. Some of the verbal abuse webcammers described is similar to what service workers in other historically feminized professions experience, such as those in hospitality, childcare, retail, and nursing. Several studies have shown that women are more likely to receive verbal abuse from customer. These include a 2017 Pew survey that found that 42 percent of working women have faced discrimination on the job because of their gender.²³⁸ Researchers have increasingly documented similar trends in racial and gender discrimination in platform-mediated gig work.²³⁹ In 2015, a study entitled, *For Black Models Scroll Down: Webcam Modeling and the Racialization of Erotic Labor*, found webcam modeling to be “highly racialized” work in which “race-, class-, and gender-based inequities are perpetuated.”²⁴⁰

In Bogotá, one transgender model told Human Rights Watch that she often received “racist, sexist, hate speech when [clients dispute the price of her performance or are] trying to bargain,” despite her having no control over how much clients were charged to watch her.²⁴¹

²³⁸ Kim Parker and Cary Funk, “Gender Discrimination Comes in Many Forms for Today’s Working Women,” Pew Research Center, December 14, 2017, <https://www.pewresearch.org/short-reads/2017/12/14/gender-discrimination-comes-in-many-forms-for-todays-working-women/> (accessed January 12, 2024).

²³⁹ Fairwork, “Beyond Techno-Solutionism: Gender and Platform Work,” 2023, <https://fair.work/wp-content/uploads/sites/17/2023/07/Fairwork-Gender-Report-2023-FINAL-red.pdf> (accessed January 12, 2024); Seb Murray “Ratings Systems Amplify Racial Bias on Gig-Economy Platforms,” Yale Insights, August 14, 2023, <https://insights.som.yale.edu/insights/ratings-systems-amplify-racial-bias-on-gig-economy-platforms> (accessed January 12, 2024); Risa Gelles-Watnick and Monica Anderson, “Racial and Ethnic Differences Stand out in the U.S. Gig Workforce,” Pew Research Center, December 15, 2021, <https://www.pewresearch.org/short-reads/2021/12/15/racial-and-ethnic-differences-stand-out-in-the-u-s-gig-workforce/> (accessed January 12, 2024).

²⁴⁰ The study focused on myfreecams.com, noting that at the time, the company reported “15 million registered members and over 100,000 registered models.” Human Rights Watch did not analyze the terms of service of myfreecams.com for this report. Jones, Angela. (2015). *For Black Models Scroll Down: Webcam Modeling and the Racialization of Erotic Labor*. Sexuality & Culture. 19. 10.1007/s12119-015-9291-4.

²⁴¹ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

A 35-year-old Venezuelan man from Caracas working at a studio in Bogotá said he regularly received “xenophobic comments, or [comments about not speaking] perfect English, and racism.”²⁴² He said that he was more likely to receive “xenophobic comments about being Venezuelan if [the clients] are Latin American,” and, for this reason, he wanted to work independently and have more control over his page to prioritize viewers from other regions.

Several trans women told Human Rights Watch that the most difficult comments they received from clients were those who “call me a man.”²⁴³ A 26-year-old trans woman in Palmira said clients know she is trans before entering her virtual room, but join anyway with the apparent intention of verbally abusing her:

[I am uncomfortable when] they call me a man and make really transphobic comments. They know I'm trans and they come in and pay for it, so they obviously have a fetish. But the fetish is like he enjoys making you feel bad and insulting you.²⁴⁴

A 25-year-old non-binary model in Bogotá said:

They would make really insulting comments about my tattoos, my blonde hair, and my feminine appearance. I had issues related to my gender identity and I would leave crying because I thought I wasn't attractive to anyone.²⁴⁵

Some webcammers were surprised at the degrading comments they received during streaming sessions, but most were predominantly concerned with the perceived requirement that they endure this abuse. As with the pressure to perform specific sex acts, workers reported direct or indirect pressure to remain in a session in which they were being verbally abused by a client.²⁴⁶

²⁴² Human Rights Watch interview with a webcam model in Bogotá, October 2023.

²⁴³ Human Rights Watch interviews with four webcam models in Bogotá and Palmira, October 2023.

²⁴⁴ Human Rights Watch interview with a webcam model in Palmira, October 2023.

²⁴⁵ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

²⁴⁶ Human Rights Watch interviews with webcam models in Palmira, Cali, and Bogotá, October 2023.

Models did not explicitly mention the impact that racism transmisogyny, and xenophobia had on their rates and earnings. However, the 2015 study found that race “overwhelmingly thwarts the success of Black women in the online world of webcam modeling,” indicating the need for more research in this space.²⁴⁷

Requests To Look or Act Younger

All models interviewed by Human Rights Watch were adults, but more than a third of interviewees said they felt most uncomfortable with requests to dress, act, or speak like a child.²⁴⁸ Some models used the word “pedophilia” to describe these types of comments and requests from clients, but were not speaking about performances which involved anyone under the age of 18.

Several models told researchers that requests to act like children made them feel guilty, criminal, or complicit in abuse. One 35-year-old model said, “I feel like I’m committing a crime, but I need the money.”²⁴⁹

A 31-year-old trans woman in Bogotá said she was unsure if she was able to end a session from her screen and was scared to ask the studio monitor to do it for her when she received “pedophilia asks and transphobic comments and bestiality asks.” She said:

They want to talk about it and how old I started my sex life, or another client said, ‘let’s play a game, every time you turn around, you’ll be five years younger,’ until I was a minor [in the game].²⁵⁰

Models in all four cities researchers visited reported feeling uncomfortable with similar experiences including “when they call me a girl and want me to act like one.”²⁵¹ Discontent with ambiguous platform regulations is widespread among models. However, several said that on this topic in particular, they appreciated ongoing attempts by platforms to be more

²⁴⁷ Ibid.

²⁴⁸ 17 out of 50 interviewees.

²⁴⁹ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

²⁵⁰ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

²⁵¹ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

“strict” in forbidding performances in which models pretend to be children. A 37-year-old Venezuelan worker in Bogotá said:

Four years ago, the platforms weren't as strict, one user wanted to role play like I was a child. I tried not to do it because I didn't feel comfortable, but the monitor told me I should and that it wasn't anything bad. I needed the money.²⁵²

A 25-year-old trans woman from Zipaquirá said that her Bogotá studio allowed her to end a session if a client made a request related to pedophilia or incest, because it is a clear violation of platform rules.

[I feel uncomfortable with] role play requests to pretend I'm a little girl or their daughter. I expel them immediately from my room. The studio is ok with me doing this because it's a strict rule of the platform that it's not allowed.²⁵³

Platforms prohibit pretending to be children, but models still fear that denying a client request will result in punishment from the studio and/or impact their ratings, traffic, and earnings if they are down-rated by a client. Relevant platform policies, and the widespread failure to properly communicate these to studio models, are discussed in section **The Role of Platforms**.

Bodily Fluids, Penetration, and Physical Harm

Studio-based webcam models interviewed by Human Rights Watch in Colombia regularly receive requests related to urine, vomit, blood, and feces that they feel obligated to perform. These included demands to induce vomiting; eat or drink their own urine, feces, or vomit; and urinate on camera. Some models said studios taught them “tricks” to make these experiences more bearable instead of allowing them to exit the session.

²⁵² Human Rights Watch interview with a webcam model in Bogotá, February 2024.

²⁵³ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

Webcam models reported being pressured to insert objects into their bodies, often for extended periods of time, in ways that were painful or traumatic. A 29-year-old transgender Bolivian woman who had worked at a studio in Bogotá told researchers that when she asked her manager to end a penetrative performance due to extreme pain, “the monitor said if I stop I will hurt the rating, so I had to keep going.”²⁵⁴ Another told Human Rights Watch of an experience in which they were terrified during a stream that a glass bottle they had been pressured to insert inside themselves would break.²⁵⁵

Some models received requests from clients to perform on camera with another person, which directly conflicted with one of the reasons why many models chose to work in studios, having sought out a form of sex work that did not require physical contact with other people. These requests became abusive when models were forced or coerced to perform them, as in the cases detailed below.

System of Coercion

Webcammers of every gender and in every city told Human Rights Watch that studio management had forced, coerced, or threatened them into performing sex acts on camera that they did not want to perform. Examples of types of force and coercion included managers and monitors opening the door to a model’s cubicle and sexually assaulting her on camera after seeing that a client requested her to bring another person into the feed; consenting to an act on her behalf in the chat box before she had an opportunity to consider the request; and publicly shaming or humiliating models who do not meet their weekly or monthly token “targets” using words and phrases that imply they should be more receptive to unwanted client requests.

The system which facilitates these abuses is more complicated than a brute show of force exercised by studio management. Rather, researchers identified six key elements of this system of coercion, which often function in tandem to strip workers of their right to give, deny, and withdraw consent for specific requests received from clients. These are:

1. How profiles are created, and which specialties or fetishes are advertised;
2. Studio rules forbidding workers from saying ‘No’;

²⁵⁴ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

²⁵⁵ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

3. Verbal pressure from monitors;
4. The inability to communicate clearly with non-Spanish speaking clients, and monitors consenting on behalf of models;
5. Physical force exercised by studio management;
6. Lack of pay transparency and ambiguity over to what extent decisions about their ratings, page traffic, and pay are automated.

Profile Specialties

The issue of webcam models being denied the opportunity to provide informed consent during the creation of their profiles is perhaps most acute in the context of what some call “willingnesses.” These refer to the list of specific acts and fetishes models advertise on their page. More than a third of models interviewed by Human Rights Watch did not know what was advertised on their public profile. This impacts which clients choose to enter their rooms, and do so expecting that the performer has advertised, or at a minimum consented to, the performance they are seeking. This expectation, created directly by the failure to include models in the creation of their accounts, amplifies the existing power dynamics that make it difficult if not impossible for studio-based models to say no.

A 30-year-old trans woman who previously lived and worked at a studio in Bogotá said that she was not consulted about which specialties would be listed on her profile when her account was created. She told Human Rights Watch:

The client asked me to put my hand inside my anus. Another asked me to poop in front of me and drink my own urine. It was in my description that I did [these things], so it's not okay to say no. I didn't write it. This caused me a lot of complications.²⁵⁶

The four platforms analyzed by Human Rights Watch for this report prohibit acts involving bodily fluids in their terms of service and/or content policies. However, as discussed elsewhere in this report, models often are not shown these policies when they begin working in a studio. This woman’s statement, that such acts were in her profile

²⁵⁶ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

description, indicates the immense need for clear, accessible communication from the platforms and studios to models about what acts are prohibited and their right to refuse.

Studio Pressure

Most workers interviewed by Human Rights Watch said they had felt pressured to perform sexual acts during a streaming session that they did not feel comfortable doing. A much smaller number, however, felt they could safely exit those situations. This was due to either studio rules forbidding them from doing so or restrictions on or a lack of clarity regarding what they were able to do, technically, from their own account.

- Only half of models interviewed by Human Rights Watch (25 of 50) said they were able to independently reject a client or end a session if they felt violated, uncomfortable, or in danger.
- Nearly a quarter (12 of 50) said it was against the rules of the studio to reject or end a session.
- The remainder said it was either permitted but highly discouraged or that they needed to ask a manager to end the session from the monitor control panel and were scared to ask them to do so.

Models reported being punished in various ways for refusing client requests, including fines and having their streaming room given away to another model. One woman in Bogotá said:

They would take my room away and give it to a girl who made more money, or tell me to take my dress off since I normally stay clothed and they'd said I should get naked to make more. Or they're pressure me to do anal to make more money. One thing in this job is that you always have to pretend to be happy.²⁵⁷

A 30-year-old woman in Bogotá said:

²⁵⁷ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

A client paying a lot wanted a fetish, I said no, I really didn't want to. The manager pressured me via the chat and said I had to do it because he was paying a lot.²⁵⁸

Monitors

In many studios across Colombia, employees known as “monitors” oversee the day-to-day work of models. The monitor position was originally created to manage the technological demands of webcamming and to assist with translation between Spanish speaking models and foreign clients. Monitors now play a wide variety of roles in studios, and their power dynamic with models whom they “monitor” varies greatly by studio. In some cases, their pay is below that of the average model in their studio; in others, they make significantly more.

Their relationships with models include:

- studio supervisor in charge of hiring, firing, and sanctioning for absences or tardiness;
- direct manager *and* client intermediary, with the ability to respond to messages on a model’s behalf and power to control which sex acts the model performs;
- technological assistant on call to handle issues with computer equipment, lighting, Internet connectivity, and platform glitches;
- performance coach, training new models on strategies to earn more money within their own zone of comfort and consent;
- translator;
- cleaner of common spaces.

Human Rights Watch spoke to two models who had also worked as monitors. A 26-year-old cisgender man from Cali told researchers he got a job as a studio monitor before he began modeling via his cousin who worked in a studio. He said he had “always known” he wanted to be an online content creator but wanted to experience a studio environment before taking a job as a model.²⁵⁹

²⁵⁸ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

²⁵⁹ Human Rights Watch interview with a webcam model in Cali, October 2023.

From a rights perspective, the issue is not the existence of monitors. Webcammers, like other sex workers and workers in general, often need technological support to do their jobs. Webcammers appreciate and often depend on the presence of skilled staff who support them with connectivity issues, infrastructure, trouble shooting, and other technological problems or questions that arise in the course of their work. One model told Human Rights Watch:

I have friends who are monitors, and really this is a form of help because we can ask a lot of questions if something happens, or about things that happen with my account, sometimes they have answers and help that normal webcammers don't know.²⁶⁰

When studios instruct or do not prevent monitors from pressuring models to perform sex acts they would not otherwise consent to performing, they infringe on models' rights. When that pressure stems from a desire to make more money for the studio it amounts to a form of sexual exploitation.

Interviewees described monitors often speaking with workers during their shifts, in person or via a chat box, to pressure, demand, or coerce them into providing services they do not want to perform. One model in Medellín explained that when she expresses discomfort with a demand from a client, “the monitor just says ‘the client already paid’.”²⁶¹ The way most platforms function, this is not true. If the client was paying by the minute or for a session, they cannot pay in advance. On some of the sites, clients can bid to come and watch a session, but there is a time limit because the site requires continuous payment to maintain access to the room. Clients in this and in many cases pay as they go. The monitor in this instance, and several others, lied to the model.

A 42-year-old trans woman from Palmira told researchers about a studio she had worked at in Bogotá. She worked 6-hour shifts in one of several 1-meter x 2-meter cubicles which were divided by thin pieces of drywall that did not reach the ceiling to provide full privacy.

²⁶⁰ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

²⁶¹ Human Rights Watch interview with a webcam model in Medellín, October 2023.

She said she had to take three months off from work due to colon injuries after being forced to use toys that were too big for her.²⁶²

A 25-year-old woman in Palmira said she had worked in a studio in Palmira in which “the monitors were not well trained,” and pressured workers to remain in abusive situations.

When we went into private chat rooms and users were abusive, the monitors said well you're making money, you should give this your best effort. And they want us to accept things we cannot accept. I did many things that now I wouldn't accept for that amount of money.²⁶³

Physical Force and In-Person Intimidation

Most of the coercion models experience to perform sex acts they did not consent to results from verbal and economic pressure from studio management. Some models, however, reported instances of management entering their rooms during streams and physically forcing them to enact a client request.

A 30-year-old woman in Medellín told Human Rights Watch:

I experienced the monitors writing on my behalf. One time he wrote, ‘I want to be spanked by a man.’ Then he entered into my room with a belt. I froze. That's when he hit me. This is the first time I'm telling someone this. Another time he told the client I would do something I didn't want to do. That's when I decided to quit. In the next studio was in, the one who wanted me to be more feminine, they always opened the door [after telling a client I would do a particular act, to make sure I did.]

A woman in Bogotá told researchers that she had previously worked at a studio with “just a curtain separating us,” and that the owners frequently entered her room to force her to do performances she had not consented to.

²⁶² Human Rights Watch interview with a webcam model in Bogotá, October 2023.

²⁶³ Human Rights Watch interview with a webcam model in Palmira, October 2023.

There was one who wanted me to enact rape and I didn't like it but I needed the tokens. Some also want me to do cocaine, and the studio has it available [so the owner brings it into my cubicle]. Others ask me to do things with feces, and to cut my wrists. Others want to see me bleed on my period, and to see my pads. The owners constantly harassed me and came into my room [to intimidate me into doing these things]. I complained and they said all studios are like this.²⁶⁴

A 24-year-old woman in Bogotá said that her manager took advantage of a client request that she “interact” with someone else on screen.

One user asked me to perform a show and I had to interact with the owner, who was a man. We didn't have sex but I had to get naked in front of the owner [because the client requested another person be in the room].²⁶⁵

Translation & Impersonation

Monitors and studio management can read messages from clients and, in many studios, respond on behalf of workers to client requests. Conceptualized as a way for bilingual monitors to “help” workers overcome language barriers with non-Spanish speaking clients, interviewees described it often resulting in an abusive power dynamic in which monitors agree, on a performer’s behalf, to a particular sex act before that performer has an opportunity to properly understand, let alone consent to, what is being asked of them. A 30-year-old trans woman in Bogotá explained that “due to lack of education I don't understand what they're saying to me and it's very annoying to translate back and forth during streaming.”²⁶⁶

Some interviewees said the presence of monitors in studios, specifically their ability to respond to messages on performers’ behalf, results in workers having less ability to give, deny, and rescind consent than they have in street- or establishment-based sex work. A 33-year-old male model in Palmira explained that the inability to chat privately with clients

²⁶⁴ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

²⁶⁵ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

²⁶⁶ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

leads to large gaps in understanding and creates more pressure to do performances to which he did not consent.²⁶⁷

A woman from Mitu, Vaupés, told Human Rights Watch that she worked at a studio in Bogotá in which monitors directly translated between clients and models, and regularly consented on her behalf. Additionally, she said that sometimes the translation happened so quickly she could not tell if the request had actually come from a client or was something the monitor was telling her to do.

Because I don't speak English, the monitor says the clients is asking you to do this thing and stay in this position, and I don't have an option to say no to the monitor. Sometimes it is possible to see the translation, but for the time it is difficult. And because I don't have control over the computer, I don't know if it's really the client asking or if it's the monitor telling me to do things and saying it's the client.²⁶⁸

²⁶⁷ Human Rights Watch interview with a webcam model in Palmira, October 2023.

²⁶⁸ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

X. “Recycled Accounts” Enable the Hiring of Children

I started when I was under 18. I don't know how, but they made an account for me somehow. They took my photos and created an account somehow.²⁶⁹

— 23-year-old model who began webcamming from a studio at age 17

When I started, the studio owner lent me the account of another performer. He just said, ‘this is your password and email’ and took the pictures [of me], since the profile of the other person had no photos. It used to have photos, but then they deleted them when the model left.²⁷⁰

— 26-year-old model who began webcamming from a studio at age 13

Interviewees described studios regularly refusing to cede control of a model’s account when that model stopped working in the studio. Human Rights Watch’s research indicates that one of several ways in which children begin working in webcam studios is via “recycled” accounts. This section details studios refusing to cede control of model accounts after they leave the studio; how this facilitates hiring children to work in studios; other ways children are hired; experiences of children in studios; and practical recommendations from adult sex workers on steps that platforms could take to prevent the production of Child Sexual Abuse Material (CSAM).

More research is needed to identify the extent to which adult webcam studios are implicated in the creation of CSAM. What is clear, however, is that by maintaining policies which give primacy to studios and allow them to retain control of models’ accounts, platforms may have enabled studios to hire children and produce CSAM. This finding is the latest in a long line of evidence that heeding sex workers’ demands for labor rights – in this case prompt communication and due diligence from platforms – will also help end sexual exploitation, including exploitation of children.

²⁶⁹ Human Rights Watch interview with a webcam model in Palmira, October 2023.

²⁷⁰ Human Rights Watch interview with a webcam model in Palmira, October 2023.

Studio Control Over Models' Accounts After They Leave

The vast majority of the models interviewed (42 of 50) told researchers that studios did not permit them to “take their account with them” when they stopped working there. According to Human Rights Watch’s interviews, studios often refused to cede control of consenting adult webcammers’ accounts to those individuals and instead “slotted” a new performer into that account, which is now known as a “recycled” account. Recycling accounts allows studios to circumvent the identity verification process and immediately start making money off a new performer using the previous performer’s account and web traffic.

“I Couldn’t Afford to Rent My Own Identity”

Human Rights Watch found that models’ inability to retain control of their account when they leave studios impacts models in many ways. It forces them to rebuild their viewer following and web traffic and severs their connections with well-paying and regular clients, sometimes permanently, both of which severely impact their earnings. This prevents many models from leaving poor, unsafe, and unsanitary conditions in studios. A model in Medellín explained: “This is why many models don’t go independent, because it’s incredibly hard to create from scratch.”²⁷¹

Some studios allow models to “purchase” or “rent” their accounts from the studio after leaving, effectively making models pay for the use of their own identity. Interviewees said their former studio employers demanded large payments – sometimes prohibitively large – in exchange for giving them control over their accounts. A man in Bogotá said he could have bought his account for “a lot of money,” or 10 million pesos (approximately US \$2,500) which he could not afford.²⁷² Another man in Bogotá said when he left his last studio he was similarly told he could buy or rent it, but “it’s too expensive.”²⁷³ A trans woman in Bogotá said that when she made enough money in her mid-20s to buy a computer and work independently from home, she had to pay 400,000 pesos (approximately half of what she usually makes in a month) to keep control of her account after quitting a studio.²⁷⁴

²⁷¹ Human Rights Watch interview with a webcam model in Medellín, October 2023.

²⁷² Human Rights Watch interview with a webcam model in Bogotá, October 2023.

²⁷³ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

²⁷⁴ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

Several models told Human Rights Watch they had tried to create a new account in their own name, on the same platform they had previously streamed on, after leaving a studio – either in a new studio (often with better conditions) or as an independent account holder from home – and learned that their account or name had been blocked or banned by the platform. The platform informed some that their account had been banned for violating the platform’s terms and conditions; others received no explanation. This prevents the model in whose name the account is registered from creating a new account for work, critically harming their ability to make money. A webcam model in Bogotá recounted her experience of changing studios:

When I tried to work in another studio, my account was blocked... The [original] studio makes it so that you are banned when you leave, so when you go to another studio, you use your ID and they’ll say ‘no, we can’t register you because your account is blocked.’ I could have purchased it, but it was too expensive.²⁷⁵

Adult Models’ Experience Using “Recycled” Accounts

“Recycling” accounts allows studios to immediately start a new model streaming without spending time or resources on the identity and age verification processes involved in creating a new account. If the platform finds the new model to be in violation of its terms, which include provisions on identity fraud, the account can be banned.

A woman in Bogotá said she had worked as an adult using accounts that were “recycled” from past performers. She worked under their name, using their profile and advertised specialties. Later in her career, when a different studio would not allow her to take her *own* account with her to work independently, she understood that the studio was retaining control of her account to “recycle” it to use with a new performer.

I have a total of three years in three studios but got none of these accounts. The studios kept my accounts and put another woman on it. They recycle them to keep the followers and the ranking. If she does something against

²⁷⁵ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

the rules, I could get banned. In my second studio, I started with a recycled account, so I assume they use mine for this, too.²⁷⁶

Studio Circumvention of Platform Rules that Can Lead to Children's Involvement

The policies of adult webcam platforms reviewed by Human Rights Watch (BongaCams, Chaturbate, LiveJasmin, and Stripchat) forbid account creation for children, or all persons under 18 years old. However, Human Rights Watch's interviews identified three ways in which some studios have circumvented age restrictions to hire children and stream them on adult platforms:

- streaming a child on the “recycled” account of a former adult employee;
- registering a child for a new account using a fake identification (ID) card that a child who can pass as an adult can obtain on their own; or
- registering a child who can pass as an adult for an account using an ID card provided by the studio, and requiring the child to change their appearance to match that ID.

All 55 people interviewed by Human Rights Watch were adult webcam models; 13 of these interviewees started sex work when they were between the ages of 13 and 17, and of those, 7 also worked in a webcam studio at that time. For some, working in a studio was their first experience in sex work, but others had worked on the street for several years before doing studio work. Like adults who had previously worked as street- or establishment-based sex workers, some interviewees said that when they were adolescents, they found studios appealing because older models told them it was safer than street-based work. Several also saw advertisements describing the work as very profitable, which caught their attention.

As in most cases documented by Human Rights Watch, the interviewees who were between the ages of 13 and 17 at the time they started in webcam studios did not see or sign platform service agreements when their accounts were created. Some were unsure how many platforms they were streaming on at any given time.

²⁷⁶ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

“Recycled” Accounts

“Recycling” accounts allows studios to circumvent platforms’ age verification requirements. All platforms require models to submit a photo ID and a photo of them holding their ID next to their face. Using “recycled accounts,” studios can employ children and subject them to sexual exploitation on camera in violation of the platform rules. The CSAM produced may further proliferate through the live streams being made available for recording and re-circulation.

A trans woman in Palmira said she was able to start working in a studio at age 13 “because one [friend] had a friend who just opened a studio” who gave her the account of a real, adult model who had recently left the studio.

When I started, the studio owner lent me the account of another performer. He just said, ‘this is your password and email’ and took the pictures [of me], since the profile of the other person had no photos. It used to have photos, but then they deleted them when the model left. So, they added my photos to it.²⁷⁷

In cases in which studios provide a pre-verified account, no age verification is required because the account already exists, has already been verified in someone else’s name, so a new person can immediately begin streaming under that name. In some cases reported by interviewees, the profile they were provided was wiped of photos and text and redone using new images they took during their interview. In other cases, the profile was left untouched.

Fake Identification Cards

Seventeen interviewees said they or someone they knew had started working in a studio as a child using a fake ID. This occurred in two ways. Some models said the studio took photos of them to make a fake ID with their image but a false name and date of birth. Others were given a fake ID in the name of another person and required by the studio to change their appearance to resemble the person on the ID. None were certain if this was the ID of a real person or not.

²⁷⁷ Human Rights Watch interview with a webcam model in Palmira, October 2023.

In both scenarios, the underage models then followed the standard account creation procedure in which models pose for a photo with the ID held next to their face, and the studio creates their account without the model reading or personally signing the platform agreement.

Most interviewees who had worked with a fake ID were instructed on how to acquire one by the studio or provided one by the studio. One worker in Cali who started when they were 17 years old said they got a free fake ID through a friend.²⁷⁸

In some cases, studios paid for the production of the fake ID card; in others, the model had to pay for it. If they could not afford it, they went into debt with the studio. One model told Human Rights Watch they had to sell sexual services on the street to afford the cost of the fake ID to work in the studio. Even though they were almost 18 years old, the studio led them to believe the window for hiring was closing and they needed an ID to start immediately. They said:

I started 10 days before turning 18. I heard about other 17-year-olds doing it [so I thought it was possible]. When they created [my account], they used a fake ID. I had to go and buy a fake ID myself, which cost 200,000 pesos. To cover that, I had to have sex with another man to pay for the cost of the fake ID. I could have gone into debt with studio but didn't want to start with even more debt.²⁷⁹

A trans woman who began working in a Bogotá studio at age 17 said:

I started with a fake ID because when I graduated, I wanted money and it was hard to find work because I was still 17. Friends also started in studio as minors. They brought me to the studio, took my pictures, and one day later said, 'OK, your document is ready.' I only saw it to take a photo with it [for the biometric scan required by the platform]. It wasn't my name, but it looked very real with a reflective image.²⁸⁰

²⁷⁸ Human Rights Watch interview with a webcam model in Cali, October 2023.

²⁷⁹ Human Rights Watch interview with a webcam model in Cali, October 2023.

²⁸⁰ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

Later in her career, she was banned from that same platform:

It's such good irony. The fake ID was fine on this platform when the studio signed me up as a kid, but whatever I did as an adult got me banned. No idea what. Once I left my chair and came back from bathroom and it was blocked.²⁸¹

Several interviewees told researchers that “legal” studios, meaning those that had registered with the government, were less likely to accept or produce fake ID cards and employ children. They believed that because these studios have invested more time and money into establishing legitimate and sustainable businesses, they are more likely to take care not to violate platform policies and risk losing their studio account. A 21-year-old man in Bogotá told researchers how easy it was to start in a studio at 17, but that he believed increased stringency from platforms was helping to limit the extent of children streaming.

[Getting hired] is really easy, especially for gays. It's work that a lot of people are involved in, so you meet someone in school, and they say I'm doing this, why aren't you? For a fake ID, it's really easy. I was charged for the ID when they made me my fake, and they took it from my first payment, it was 180,000 pesos. They made me a Venezuelan ID. If the studio is illegal, they accept bad fakes. If it's legal, they don't accept fakes because it's bad for their business. I think now because there's more regulation, studios are less likely to hire underage people.²⁸²

Another trans woman in Bogotá told Human Rights Watch that she also started with a studio-provided fake ID. The manager told her to alter her appearance to look more like the fake ID they had for her. She did not know if the ID was actually fake or belonged to someone else. She described the changes she had to make:

The owners make us look exactly like the photos on the ID. I had red hair and hair extensions. The owner made me cut my hair and dye it black... My

²⁸¹ Ibid.

²⁸² Human Rights Watch interview with a webcam model in Bogotá, February 2024.

friends and [other models under the age of 18] started with fake IDs like me.²⁸³

A 25-year-old trans woman told Human Rights Watch that she started working in a studio when she was 17 at the same time as another girl (under 18). The studio provided them each with a fake ID and created accounts for them using the names on those IDs. She did not know if the IDs were actually fake or had belonged to other people. “When I started, two of us were underage with a fake ID. The platform realized two years later and our accounts [in someone else’s name] were blocked.”²⁸⁴

She worked off and on in studios from ages 17 to 25 (her age at the time of the interview), using accounts in her own name after turning 18.

Experiences of Children in Studios

Models interviewed by Human Rights Watch who began studio work when they were between the ages of 13 and 17 had similar experiences as those who began as adults. They also encountered issues related to their age and consequential lack of experience compared to older webcammers.

Ana

Ana, a 28-year-old trans woman in Bogotá, began selling sexual services on the street at age 16 and was hired by a studio at age 17. She said the work was recommended to her by “old trans women webcammers” because, in their opinion, there was a lower risk of physical violence and sexually transmitted diseases. She said her early years as a model were especially difficult because her first studio told her she was not allowed to say no to client requests and pressured her to have physical sex with her manager while streaming. She was unable to take adequate breaks because “the one I had to take permission from tried to have sex with me.”

They told me I have to perform everything the client asks. I was shocked by the things they wanted, and I had to do it. When I was younger, I used little

²⁸³ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

²⁸⁴ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

girl panties to do my streaming because clients like it. Now platforms are more strict.²⁸⁵

Daniela

Daniela is a 27-year-old trans woman who lives in Bogotá. She began selling sexual services on the street at age 15 after she came out to her parents and her mother told her she was no longer allowed to live in their home. She said:

I knew I was a girl, not a boy. I needed money and it was the only work available to trans people. My mom said I had to go. When I was more femme, I could do web instead of street. I started with a fake ID that the studio provided.²⁸⁶

At age 17, she got a job in a studio hoping to be less exposed to police violence, theft, demands for bribes, and the need to have physical sex with clients. She believes that her “recruiter” was “in a relationship” with the studio owner. She took a loan from the owner to cover rent and moved in, and the studio took the loan payments from her paychecks. She told Human Rights Watch that she initially had control over the performances she did, but within three months, she “felt vulnerable and my decisions were not taken into account.” The situation grew abusive enough that she quit before turning 18. For her, the turning point was when the studio said she had to show her genitalia. “Because of the discomfort, I came back to work on the street,” she said.

Maria

Maria is a 26-year-old trans woman in Palmira who began working in a studio at age 13, using a “recycled” account of another performer. She said that, compared to her adult experiences in studios, working as a 13-year-old was more difficult because she had less experience with the technology, translation, and how to deal with abusive clients.

One difficult part of starting so young was the translation [with non-Spanish-speaking clients] and having to copy/paste [into a separate

²⁸⁵ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

²⁸⁶ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

browser to translate what clients are saying]. The older clients were horrible. They think because they pay, they can control you and make decisions for you... If I see someone now who looks really, really young [working in a studio], I won't engage because it's the problem of management. But if they look 17 or 18, I will help them do the job better [because in the past] I could get help from friends to understand clients and tips and surprises.²⁸⁷

Live Streaming Child Sexual Abuse and the Threat of AI

Research Gap

While the online production and sharing of CSAM is an extensive field of study, reports and data collection looking at the live streaming of child sexual abuse (CSA) are much less common.²⁸⁸ Within that smaller field of research, Human Rights Watch researchers did not find any studies that examined CSAM created during live streaming sessions in webcam studios.

A 2024 paper found that despite the live streaming of child sexual abuse being “identified as a global key threat in the area of child sexual exploitation, there is a dearth of literature on this type of offending, limiting our understanding.”²⁸⁹ A 2023 review of eight databases containing peer-reviewed journal articles found that:

Limited studies have looked specifically at livestreaming technology as a service to facilitate the online sexual abuse and exploitation of children and adolescents, which is notable, as the technology has been used by offenders for at least two decades.²⁹⁰

²⁸⁷ Human Rights Watch interview with a webcam model in Palmira, October 2023.

²⁸⁸ Catharina Drejer, “Livestreaming Technology and Online Child Sexual Exploitation and Abuse: A Scoping Review. Trauma, Violence, & Abuse,” *Trauma, Violence, Abuse* 25(1) (2024), 260-274. <https://doi.org/10.1177/15248380221147564> (accessed November 25, 2024); Larissa S. Christensen and Jodie Woods, “‘It’s Like POOF and It’s Gone’: The Live-Streaming of Child Sexual Abuse,” *Sexuality & Culture* 17(3) (2024), <https://doi.org/10.1007/s12119-023-10186-9> (accessed November 25, 2024); Thula Koops, “Online sexual activity involving webcams: An overview of existing literature and implications for sexual boundary violations of children and adolescents,” *Behavioral Sciences & the Law*, 36(2) (2018), 182–197.

²⁸⁹ Christensen, “It’s Like POOF and It’s Gone.”

²⁹⁰ Drejer, “Livestreaming Technology.” 4

Existing research indicates that the live streaming of CSA is increasing. A 2023 study from the Australian Institute of Criminology found that CSA offenders in several Australian cases often possessed “large numbers of CSAM files... created during webcam sessions.” It also cited both Interpol and NGO findings that CSA live streaming is trending upward.²⁹¹ In 2021, a study of 5,171 surveyed anonymously said they had viewed CSA live streaming.²⁹²

Some studies have also found that a portion of what may be considered CSAM in certain jurisdictions, including that which appears to have been created during live streaming sessions, is created by children and young people at home as “self-generated” content.²⁹³ A 2021 study in the Philippines found:

[E]xisting research and the experience of many community-based practitioners suggest that self-generated sexual content/material by children is more common and becoming normalised in many communities with friends and young relatives ‘coaching’ their peers in how to produce sellable images and access paying customers via anonymous payment systems without an adult ‘facilitator’.

²⁹¹ Coen Teunissen and Sarah Napier, “The overlap between child sexual abuse live streaming, contact abuse and other forms of child exploitation,” Australian Institute of Criminology: *Trends and Issues in Crime and Criminal Justice*, 671 (2023), https://www.aic.gov.au/sites/default/files/2023-05/ti671_overlap_between_csa_live_streaming_contact_abuse_and_other_child_exploitation.pdf (accessed November 25, 2024).

²⁹² Tegan Insoll, Anna Ovaska, and Nina Vaaranen-Valkonen, “CSAM users in the dark web: Protecting children through prevention: Redirection survey report,” *Suojellaan Lapsia Protect Children*, (2021), <file:///C:/Users/AnnalieBuscarino/Downloads/ReDirection%20Survey%20Report.pdf> (accessed November 25, 2024).

²⁹³ UKCIS, “Sharing personal images and videos among young people,” (2011), https://childnetsic.s3.amazonaws.com/downloads/Research_Highlights/UKCCIS_RH_10_Sexting.pdf (accessed November 25, 2024); Amanda Lenhart, “Teens and sexting. Pew Internet & American Life Project,” *Pew Internet & American Life Project*, (2009), 1, http://ncdsv.org/images/PewInternet_

TeensAndSexting_12-2009.pdf (accessed November 25, 2024); Karen Cooper et al., “Adolescents and self-taken sexual images: A review of the literature,” *Computers in human behavior*, 55(b) (2016), 706-716, <https://www.sciencedirect.com/science/article/abs/pii/S0747563215301825> (accessed November 25, 2024); Kaitlin Lounsbury, “The True Prevalence of ‘Sexting,’ *University of New Hampshire Scholars’ Repository* (2011) at http://www.unh.edu/ccrc/pdf/Sexting%20Fact%20Sheet%204_29_11.pdf (accessed November 25, 2024); Internet Watch Foundation, “Emerging Patterns and Trends Report #1: Online-Produced Sexual Content,” (2015), https://www.iwf.org.uk/sites/default/files/inline-files/Online-produced_sexual_content_report_100315.pdf (accessed November 25, 2024).

Research suggests a range of motivations for children to engage in this behaviour, including to meet their families' financial needs; their own money to purchase clothes, gadgets, or drugs and alcohol.²⁹⁴

Adults interviewed by Human Rights Watch who started webcam modeling as children expressed similar primary motivations for seeking employment in studios: to support their families, buy clothing, pay for their education, and afford gender-affirming health care. More research is needed to understand why children seek or accept to stream in webcam studios, what violations of their rights they experience as a consequence of studio work, and what support systems and policies could better protect their rights.

Risk of AI-Generated CSAM

The use of “recycled” accounts to stream videos of models from studios risks perpetually exposing them to future harm if recordings and screenshots of their streams are used to train artificial intelligence (AI) models. This risk is heightened for children, as their images may contribute towards the further production of CSAM and the sexual exploitation of children.²⁹⁵ Like most studio-based webcammers who began as adults, none of the Colombian interviewees who started as children received information about if and how their data and videos would be stored, protected, or resold. None saw or personally signed service agreements with the platforms they were streaming on, and none signed a written contract with the studio that explained how the studio would use and process their data. For platform policies and responses to Human Rights Watch inquiries regarding sexual exploitation of children, see section **The Role of Platforms**.

A 2023 report found “rapid advances in generative machine learning make it possible to create realistic imagery that is facilitating child sexual exploitation,”²⁹⁶ while another report that same year “identified hundreds of known images of child sexual abuse material

²⁹⁴ Melinda Gill, “Online Child Sexual Exploitation in the Philippines; Moving beyond the current discourse and approach,” *Anti-Trafficking Review*, 16 (2021), pp. 150-155, <https://doi.org/10.14197/atr.2012211610> (accessed November 25, 2024).

²⁹⁵ David Thiel, Melissa Stroebe, and Rebecca Portnoff, “Generative ML and CSAM: Implications and Mitigations,” *Stanford Internet Observatory Cyber Policy Center* (2023), at 8, <https://stacks.stanford.edu/file/druid:jv206yg3793/20230624-sio-cg-csam-report.pdf> (accessed November 25, 2024).

²⁹⁶ *Ibid.*

(CSAM) in an open dataset used to train popular AI text-to-image generation models.”²⁹⁷ Models trained on this dataset, known as LAION-5B, are being used to create photorealistic AI-generated nude images, including CSAM.

The risks that children’s images will be altered and re-circulated online are not new, but AI tools exacerbate the risk of future harm to children currently or formerly employed in studios. According to a 2024 Human Rights Watch investigation into the use of children’s personal photos used to create AI tools without their consent:

Fabricated media have always existed, but required time, resources, and expertise to create, and were largely unrealistic. Current AI tools create lifelike outputs in seconds, are often free, and are easy to use, risking the proliferation of nonconsensual deepfakes that could recirculate online forever and inflict lasting harm.²⁹⁸

Sex Worker Insights on Studios’ Recruitment and Hiring of Children

The knowledge of and recommendations from sex workers and webcam activists are of immense importance. In addition to documenting firsthand experiences of models who began working between the ages of 13 and 17 using a fake ID or “recycled” account, Human Rights Watch also documented accounts of adult models who said they had encountered people they believe to be children working in their studios. **Adult sex workers made recommendations regarding labor rights for adult webcammers that are directly tied to ending the abuse of children in studios.**

Laws, policies, and digital tools aimed at preventing and detecting sexual exploitation have failed largely because their research, design, and execution have not included the expertise of sex workers, which has further exacerbated harms to sex workers. Their exclusion runs contrary to the facts that centering sex worker expertise “benefits both

²⁹⁷ David Thiel, “Investigation Finds AI Image Generation Models Trained on Child Abuse,” (blog), Stanford Cyber Policy Center, December 20, 2023, <https://cyber.fsi.stanford.edu/news/investigation-finds-ai-image-generation-models-trained-child-abuse> (accessed November 25, 2024).

²⁹⁸ Human Rights Watch, *Australia—Children’s Personal Photos Misused to Power AI Tools*, July 3, 2024, <https://www.hrw.org/news/2024/07/03/australia-childrens-personal-photos-misused-power-ai-tools>.

those who identify as sex workers and those who are coerced to sell sexual services or are forced into the sex trade unwillingly.”²⁹⁹

Specifically, regarding children, credible research has consistently shown that adult sex workers have “unmatched expertise” in understanding the nuances of child sexual exploitation occurring in their place of work.³⁰⁰ Sex worker rights defenders interviewed for this report, including those from Corporación Calle 7 Colombia and La Liga de Salud Trans, are widely regarded in Colombia as experts in both child protection and harm reduction for children involved in sex work, and Human Rights Watch’s research in Colombia found that webcam models similarly have a critical understanding of how studios employ children and circumvent platform age requirements. For platform policies and responses to Human Rights Watch inquiries regarding sexual exploitation of children, see section **The Role of Platforms**.

Studio-based models have a vested interest in ensuring children are not abused in their studio. A police raid, studio closure, or suspension of the studio’s master account on which many models depend would significantly harm their livelihood.

Two-thirds of models interviewed by Human Rights Watch (33 of 50) said they had seen people they believed to be children working in their studio. Often, it was not possible for adult models to verify if people they believed were children were actually under the age of 18. Asking could put workers in danger if they are seen by management to be implying wrongdoing or illegal activity. Several models told researchers that it was “not safe to ask” about someone else’s age. Others said it might imply judgment or even cause harm to the person they were attempting to support. “Everyone needs a place to sleep,” explained one model in Bogotá, who told researchers she did not want to appear to be judgmental of teenagers who chose to work in studios.³⁰¹

²⁹⁹ Front Line Defenders, *Sex Worker Rights Defenders at Risk*, (Dublin: Front Line Defenders, 2021), https://www.frontlinedefenders.org/sites/default/files/fld_swr_d_final_english.pdf (accessed November 25, 2024).

³⁰⁰ Freedom Network USA and National Survivors Network, *Re-Centering Sex Worker Safety in Anti-Trafficking Work: Perspectives from the Field* (Los Angeles: 2023), p. 6; Human Rights Watch, *Why Sex Work Should be Decriminalized: Questions and Answers*, August 7, 2019, <https://www.hrw.org/news/2019/08/07/why-sex-work-should-be-decriminalized>; Front Line Defenders, *Sex Worker Rights Defenders at Risk*, (Dublin: Front Line Defenders, 2021), https://www.frontlinedefenders.org/sites/default/files/fld_swr_d_final_english.pdf, p. 6 (accessed November 25, 2024).

³⁰¹ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

All of the 33 models who said they believed they had encountered children in their studio referenced the same two processes described above: “recycled” accounts or use of a fake ID. According to several, studios recruit children and younger looking models due to asks from clients to view live streams of performers who are or pretend to be children. Several interviewees said studios simply want workers who will not be structurally positioned to advocate for better working conditions and adequate pay, such as children and undocumented workers. Interviewees told researchers that deceptive recruitment is especially harmful for younger models and children, who they believe are less likely to question or doubt the promises made by recruiters. However, only one of the interviewees who believed she had seen children working in studios thought that they were forced to do so; all other models said that the people they believed to be under age 18 had chosen to go work in a studio.

The following is a selection of quotes from adult models who reported seeing children in their studios:

- “Some of the minors were my friends and this was the only way to pay for their transition.” The model added that those she saw would obtain a fake ID before beginning to work in the studio.
- “[Studio work] is very in demand. Kids end up here because they [are] promised millions if they do this work, mainly by friends who already do this work. Also, sometimes managers tell models to recommend people.”
- “It’s very simple for kids to find information about webcamming, especially on Twitter where webcammers advertise. And kids see it and want to be like them. For Venezuelans, they just get told [by the studios] to borrow an ID from an older Colombian friend.”
- “She [a 16-year-old] got in touch with the owner via Facebook. She started cleaning rooms and said she wanted to stream. The owner asked her to get a fake ID.”
- “I have spoken to people in studios who tell me they are 16 or 17 and that the studio created a fake ID and created a fake profile for them.”

Adult models also spoke to the ease with which accounts can be created with fake IDs, indicating their knowledge of actual or potential misuse by studios. Human Rights Watch was not able to independently verify these accounts. However, they illustrate the knowledge of sex workers regarding why some children seek out

studio work, how studios recruit them, and how easy it is for studios to feature children's live streams. This in turn indicates the need to center their expertise in the design of safe, effective, responsible programs to protect children from sexual exploitation. Key among these is the need to remove restrictions on models that forbid or make it difficult for them to take their accounts with them when they leave studios, and to promptly respond to their requests to do so. This would close a key vulnerability which, left open, risks that children could be employed by studios to stream from these pre-verified accounts.

XI. The Role of Platforms

Studios can monitor their model accounts’ activities and have total control over them.

—What is a Studio Account?, Stripchat FAQ³⁰²

The followers, images, and data associated with [Model] Accounts may not be transferred... without the applicable Studio’s consent.

—Chaturbate Terms & Conditions³⁰³

Webcam platforms have a responsibility under the United Nations Guiding Principles on Business and Human Rights not to cause or contribute to human rights abuses, and to provide remedies for abuses to which they have contributed.³⁰⁴ EU law has begun to regulate webcamming platforms that offer services in the EU, which includes some companies that are covered in this report. While EU regulation is directed at companies’ operations within the EU, these regulations are still relevant because some of the requirements from the regulations, like publishing terms and conditions, can benefit users globally, and in light of ongoing efforts by sex worker and webcam advocates to visibilize the fact that adult webcam platforms are subject to the same requirements as all other online platforms regulated in a particular jurisdiction. In July 2022, the European Parliament adopted the Digital Services Act (DSA), requiring online platforms to explain how automated tools are used, how they moderate content, and to monitor and mitigate some of the human rights abuses stemming from algorithmic decision making.³⁰⁵ In

³⁰² Matt, “What is a Studio account?” Stripchat FAQ. Stripchat. 2022. <https://support.stripchat.com/hc/en-us/articles/4410728040337-What-is-a-Studio-account> (accessed October 19, 2024).

³⁰³ “Terms & Conditions.” Chaturbate, January 5, 2023. <https://chaturbate.com/terms/?language=en> (accessed August 19, 2024).

³⁰⁴ Under the United Nations Guiding Principles on Business and Human Rights, companies have a responsibility to avoid causing or contributing to human rights abuses through their own activities and to prevent or mitigate human rights impacts directly linked to their operations by their business relationships, including through their supply chains. Office of the UN High Commissioner for Human Rights, “UN Guiding Principles on Business and Human Rights, Implementing the United Nations ‘Protect, Respect, and Remedy’ Framework,” 2011, http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf (accessed July 12, 2024), Principle 13(a) and (b), and commentary (accessed November 25, 2024).

³⁰⁵ ‘Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act)’ (2022) *Official Journal of the European Union* L277/1. <http://data.europa.eu/eli/reg/2022/2065/oj> (accessed November 25, 2024).

December 2023, the European Commission adopted a second set of Very Large Online Platforms (VLOPs) designations – those with over 45 million users in the EU – which “must comply with the most stringent rules of the DSA,” and included Stripchat and two other adult content websites in this list.³⁰⁶

In May 2024, the European Parliament adopted the EU Corporate Sustainability Due Diligence Directive (CSDDD), directing EU member states to incorporate supply chain due diligence for large companies into national legislation.³⁰⁷ Member states have until July 2026 to incorporate the directive into national law, and new rules will begin to apply from July 2027.³⁰⁸ In October 2024, the European Council adopted the Platform Work Directive. The directive establishes a legal presumption of employment for people working for platforms and entitles them to related labor rights and benefits.³⁰⁹

Human Rights Watch identified key areas in which platforms may be contributing to human rights abuses in Colombian webcam studios, some of which have been discussed in other sections of this report. These include platforms’:

- failure to distinguish between or define “sex trafficking,” “prostitution,” “escorting,” sex work, and sexual exploitation in terms of use and other policies, leading to ambiguity over which acts are prohibited on their platforms, increased stigma of sex workers, and exposure to studio-based sexual exploitation;
- apparent lack of policies and noncompliance protocols for Studio Account holders related to model contracts, occupational health and safety, wage theft, breaks, and other labor standards;
- apparent failure to provide terms of service in accessible formats and clear terminology, and to ensure models understand and personally sign these agreements;

³⁰⁶ “Commission designates second set of Very Large Online Platforms under the Digital Services Act.” European Commission – Press Release. December 20, 2023. https://ec.europa.eu/commission/presscorner/api/files/document/print/en/ip_23_6763/IP_23_6763_EN.pdf (accessed October 22, 2024).

³⁰⁷ ‘Directive on Corporate Sustainability Due Diligence - Frequently Asked Questions’, European Commission, July 25, 2024, https://commission.europa.eu/document/download/7a3e9980-5fda-4760-8f25-bc5571806033_en?filename=240719_CSDD_FAQ_final.pdf (accessed November 25, 2024).

³⁰⁸ Ibid.

³⁰⁹ European Parliament. 2022. Report on the proposal for a directive on improving working conditions in platform work. Ag-0301/2022. https://www.europarl.europa.eu/doceo/document/A-9-2022-0301_EN.html.

- apparent failure to ensure that studio models are provided with accessible information, in Spanish, about policies and practices related to pay structure, page traffic, account bans, and deactivation, and the role that automation and client ratings play;
- apparent lack of mechanisms for models to communicate with clients in other languages, without monitor intervention;
- apparent lack of policies and protocols which allow studio models to transfer their accounts away from a studio.

Differentiating Between Trafficking, Exploitation, and Sex Work

Human Rights Watch reviewed the terms, conditions, and user guidelines of BongaCams, Chaturbate, LiveJasmin, and Stripchat.³¹⁰ We also asked platforms about their efforts to address sexual exploitation, including instances in which adult models who have consented to work in a studio are pressured to perform specific sex acts to which they do not consent. Our review found that while all platforms have policies or guidelines which prohibit nonconsensual sexual performances from being streamed on their platforms, several critical gaps exist in these policies which may expose studio models in Colombia to sexual exploitation.

Several platforms fail to define and/or differentiate between consensual adult sex work, “prostitution,” sexual exploitation, and human trafficking. Sex work, trafficking into sexual exploitation, and trafficking into labor exploitation are distinct concepts. “Prostitution” is variably used to refer to each of these concepts and carries with it a high degree of both legal ambiguity, stigma, and risk of violence and abuse. Webcamming is widely understood to be a form of consensual adult sex work, so a contradiction is created when a webcam platform’s terms of use policy forbids “prostitution,” assuming that prostitution is meant, in that instance, to refer to consensual adult sex work.

A 2024 study in the *Journal of New Media and Society* analyzed the Terms of Service of BongaCams, LiveJasmin and Chaturbate, three of the four platforms analyzed in this report.

³¹⁰ “Model/Studio Services Agreement.” LiveJasmin Model Center, July 2, 2024. <https://modelcenter.livejasmin.com/en/services-agreement> (accessed August 19, 2024); “Terms & Conditions.” Chaturbate, January 5, 2023. <https://chaturbate.com/terms/?language=en> (accessed August 19, 2024); “Terms & Conditions.” BongaModels, July 25, 2023. <https://bongamodels.com/terms> (accessed August 19, 2024); “Terms of Use.” Stripchat, January 8, 2024. <https://stripchat.com/terms>. Section 11 (accessed August 19, 2024).

The study found that these platforms' Terms of Service "reject conceptions of camming as sexually expressive" and "distance their conception of camming from sex work." In doing so, the study finds, platforms distance webcamming from work itself and "cement the position of camming in the precarious gig economy."³¹¹

In Colombia, many webcam models refer to themselves as "*putas*," a slur reclaimed by the community which means "prostitute." All webcam platforms need to reform their policies to remove ambiguous, stigmatizing language including "prostitution" and add explicit prohibitions on the sexual exploitation of consenting adult webcam models, including pressure exerted by studios to perform specific sex acts to which models do not consent.

BongaCams

BongaCams Terms & Conditions require attestation on the part of the signatory that "Studio Models are, rendering the Services/Studio Models Services in the video/film and appearance(s) at my/their own free will."³¹² The Terms do not explicitly prohibit "human trafficking" or "sexual exploitation" using those terms. The company informed Human Rights Watch in its written communication that the company has instituted a "'Safety and Anti-Human Trafficking Policy' that outlines our firm stance against human trafficking, forced labor, slavery, prostitution, sex trafficking, child exploitation, and any form of coercion or physical abuse." BongaCams provided this policy to Human Rights Watch. The policy defines "prostitution," a prohibited act under platform rules, as "the practice or occupation of engaging in sexual activity with someone for payment," effectively describing consensual adult sex work and, in many cases, webcam modeling. The policy appears to prohibit the very act BongaCams was established to facilitate.

Chaturbate

Chaturbate's Terms & Conditions state that the "platform is only open to consenting adults."³¹³ In an email to Human Rights Watch, annexed to this report, Chaturbate said that a review team with "well over 1,000 members" are trained "to spot indications of force and

³¹¹ Stegeman, H. M. (2024). Regulating and representing camming: Strict limits on acceptable content on webcam sex platforms. *New Media & Society*, 26(1), 329-345. <https://doi.org/10.1177/14614448211059117> (accessed November 25, 2024).

³¹² "Terms & Conditions." BongaModels, July 25, 2023. <https://bongamodels.com/terms> (accessed August 19, 2024).

³¹³ "Terms & Conditions." Chaturbate, January 5, 2023. <https://chaturbate.com/terms/?language=en> (accessed November 15, 2024).

trafficking [to] ensure accurate flagging of questionable or concerning content/conduct indicative of possible non-consent.” Neither the company’s Terms & Conditions nor Code of Conduct explicitly prohibit human trafficking or sexual exploitation of adult workers, referring only to prohibitions on sexual exploitation of children.³¹⁴

Chaturbate’s Code of Conduct also prohibits prostitution and escorting: “You will not use the Platform to offer, discuss or arrange for prostitution, escort services or any other type of compensation for meeting type arrangement.”³¹⁵ The Code of Conduct does not define prostitution, which, as discussed above, is often used as a synonym for consensual adult sex work.

LiveJasmin

LiveJasmin’s Services Agreement prohibits “child sex exploitation” and “sex trafficking,” but does not define these terms.³¹⁶ It also introduces several instances of language which confuse consensual adult sex work with human trafficking. The Services Agreement requires studios to declare that models are “not subject to any moral or physical constraint by a third party or the Studio,” further stating that if “the Studio is involved in child exploitation or sex trafficking the Website Operator will terminate the Service Agreement, and will immediately contact the criminal authorities.”³¹⁷ Studios must also attest that they are “responsible and liable for Models to not solicit or take part in anything related to escort services or prostitution;” “that it does not support, promote or allow any activities linked to prostitution, escort, sex trafficking, pedophilia or any kind of human abuse.” The Agreement further requires studios “to verify from time to time that none of its Models are engaged in any act of prostitution and escort,” without clarifying if this includes consensual adult sex work performed outside the studio, and stipulates that in the “case evidences appear that one or several Models linked to the Studio are involved in prostitution and/or escort activities (or of any attempt to do so), the Website Operator will

³¹⁴ “APPENDIX C TO THE TERMS AND CONDITIONS OF SERVICE. CODE OF CONDUCT.” Chaturbate, <https://chaturbate.com/terms/appendix-c/> (accessed November 15, 2024); “Terms & Conditions.” Chaturbate, January 5, 2023. <https://chaturbate.com/terms/?language=en> (accessed November 15, 2024).

³¹⁵ “APPENDIX C TO THE TERMS AND CONDITIONS OF SERVICE. CODE OF CONDUCT.” Chaturbate, <https://chaturbate.com/terms/appendix-c/> (accessed November 15, 2024).

³¹⁶ “Model/Studio Services Agreement.” LiveJasmin Model Center, July 2, 2024. <https://modelcenter.livejasmin.com/en/services-agreement> (accessed August 19, 2024).

³¹⁷ “Model/Studio Services Agreement.” LiveJasmin Model Center, July 2, 2024. <https://modelcenter.livejasmin.com/en/services-agreement> (accessed August 19, 2024).

be entitled to stop with immediate effect any partnership with the Studio and contact the competent authorities where relevant.”³¹⁸ This language introduces potential risks of criminalization or arrest for models who are also sex workers outside of their work in studios, and appears to deputize studios to report them. The Services Agreement also states that it “will be terminated with immediate effect in case it is discovered that I am involved directly or indirectly in any activity of illegal prostitution, escort services, or sex trafficking,” without providing a definition of any of those activities.

Stripchat

Stripchat’s Terms of Use state that all content in any form possible must comply [with] Community Guidelines.”³¹⁹ The Community Guidelines state: “We will terminate any person’s account and submit a report to the relevant authorities if we have sufficient reason to believe they’re participating in any way in human trafficking.”³²⁰ The Studio Rules prohibit studios from “promoting or facilitating in any way prostitution, solicitation of prostitution, human trafficking, or sex trafficking.”³²¹ Stripchat’s policies do not define prostitution. Studios facilitate online sex work, such that the policy appears to introduce ambiguity or a potential contradiction that exposes models to punishment without sufficiently protecting them from coercion.

Policies for Studio Account Holders

According to Human Rights Watch’s review of these four platforms’ terms of use, none of them have developed, made publicly available, or referenced in their terms of use, policies that fully meet their responsibilities under the UN Guiding Principles to identify, prevent, mitigate, and/or provide access to remedies for abuses by studios. Apart from general prohibitions on trafficking, discussed above, only Stripchat has published specific guidance on the responsibilities of studios vis-à-vis the rights of workers who stream from

³¹⁸ “Model/Studio Services Agreement.” LiveJasmin Model Center, July 2, 2024, <https://modelcenter.livejasmin.com/en/services-agreement> (accessed August 19, 2024).

³¹⁹ “Terms of Use.” Stripchat, January 8, 2024, <https://stripchat.com/terms>. Section 10 (accessed August 19, 2024).

³²⁰ Matt, “Community Guidelines” Stripchat, 2024, <https://support.stripchat.com/hc/en-us/articles/4410728008977-Community-Guidelines> (accessed October 22, 2024).

³²¹ Tyler, “Studio Rules” Stripchat FAQ, 2023, <https://support.stripchat.com/hc/en-us/articles/19410761348113-Studio-Rules> (accessed October 22, 2024).

that studio.³²² These Rules, detailed below, do not address sanitation, hygiene, adequate rest, or a range of other human rights issues discussed in this report.

No platform policies analyzed by Human Rights Watch specifically:

- Require studios to develop, maintain, and report on occupational health and safety standards;
- Commit the platform to conducting regular health and safety inspections of studios with registered studio accounts;
- Establish minimum standards for studios related to sanitation, cubicle size, privacy, or lighting;
- Require that studios develop and adhere to transparent pay practices and provide models with clear information about their earnings, exchange rates, and other applicable factors;
- Protect models' rights to take breaks in accordance with international and local standards and without penalty from the platform or studio;
- Require studios to inform models of confidential reporting channels upon hiring, through which models may report abuses related to health, sanitation, coercion, image rights, and/or child sexual abuse without logging into their studio model account.

Human Rights Watch asked all platforms about human rights due diligence policies and protocols they had in place for studios with registered studio accounts and how these policies are monitored and enforced. In their responses, some of which are annexed to this report, platforms largely referenced their policies and protocols related to human trafficking and nonconsensual sexual performances (discussed above). No platform response nor policy document provided to Human Rights Watch meaningfully discussed their responsibility to address studio abuses related to sanitation, hygiene, transparent pay, breaks, and requiring studios to inform models of confidential reporting channels. (As discussed below, all platforms analyzed have multiple forms of contact available to models, but do not appear to have policies or protocols in place to ensure that studios inform models of these channels.)

³²² Tyler, "Studio Rules," Stripchat FAQ, 2023, <https://support.stripchat.com/hc/en-us/articles/19410761348113-Studio-Rules> (accessed October 22, 2024).

BongaCams

BongaCams provided Human Rights Watch with information about its monitoring procedures and prohibitions related to human trafficking and sexual exploitation, discussed above. Regarding health and sanitation, although BongaCams' internal anti-trafficking policy states that models "have the right to a safe and hygienic work environment," the company's publicly available Terms & Conditions require studios to certify that "I, as a studio, work independently and that the Website Operator and/or Agent of Website Operator do not possess any power of direction, subordination, or other kind of authority over me." Further, in its response to Human Rights Watch's inquiry about health and sanitation policies for studios, BongaCams stated that they do "not have direct oversight of the environments where studio models operate." BongaCams also stated that content "that involves bodily fluids, waste, or dangerous activities is strictly prohibited," but that they "do not have direct physical access to studio environments, and as such, our ability to enforce these rules is limited to what can be observed during live broadcasts."

Chaturbate

Chaturbate provided information about its monitoring procedures and prohibitions related to human trafficking and sexual exploitation, discussed above. Regarding Human Rights Watch's question about identifying unhygienic health and sanitation conditions, the company stated that "we are NOT employers" and that "there is always the concern of a studio that might be exploitative or unethical in some way." Chaturbate said that in response to this concern, it has "established rules" which allow models to "disassociate from a studio (including allowing broadcasters to have multiple accounts at the same time regardless of studio association, including in multiple studios)." No model interviewed by Human Rights Watch, including those who had streamed on Chaturbate from a studio, said they were permitted to take their account with them when they left a studio, indicating the need for clear communication from Chaturbate to models about their right to do so under platform policy.

LiveJasmin

LiveJasmin declined to provide a response on the record.

Stripchat

Stripchat's Studio Rules state that "Studios must maintain a professional and respectful working environment, free from harassment, discrimination, or any form of abusive behavior towards models."³²³ These rules do not include guidance or rules for studios regarding sanitation and hygiene. They do, however, establish the right of the platform to "block any Studios that abuse or coerce models."³²⁴ Critically, if a model reports a studio for abuse or coercion, Stripchat "reserves the right to detach the said model without any further notice."³²⁵ "Detach" means transfer the studio model account away from the studio account under which was registered, allowing the model to continue working with the same followers, account information, and content. This was one of the key asks repeatedly expressed by models interviewed in Colombia.

Stripchat's Studio Rules are distinct from its Terms of Use. However, those Terms state that "all content in any form possible must comply with all our Terms of Use, Rules for Models, Rules for Studios and Community Guidelines." The explicit reference to "Rules for Studios" (understood to be the same as "Studio Rules") in its Terms indicates an awareness on the part of Stripchat that platforms have a responsibility for studio-based abuses of models, namely by developing and enacting protocols to monitor such violations, reserve the right to cease partnerships with offending studios, and ensure the timely transfer models who have endured such abuses to independent accounts. No publicly available information from Stripchat explains how the Studio Rules are monitored or enforced.

In its written response to our inquiry, Stripchat provided Human Rights Watch with information about its policies, procedures, and monitoring practices related to human trafficking and sexual exploitation, discussed above. Stripchat did not specifically answer any of Human Rights Watch's questions related to health, sanitation, and hygiene. In its response, annexed to this report, Stripchat said that it "recognizes the critical importance of ensuring safe working conditions in the studios associated with its platform. However, factors like the nature of the online business, the legal and ethical level of duty of care of

³²³ Tyler, "Studio Rules." Stripchat FAQ. 2023. <https://support.stripchat.com/hc/en-us/articles/19410761348113-Studio-Rules> (accessed October 22, 2024).

³²⁴ Tyler, "Studio Rules." Stripchat FAQ. 2023. <https://support.stripchat.com/hc/en-us/articles/19410761348113-Studio-Rules> (accessed October 22, 2024).

³²⁵ Tyler, "Studio Rules." Stripchat FAQ. 2023. <https://support.stripchat.com/hc/en-us/articles/19410761348113-Studio-Rules> (accessed October 22, 2024).

each party involved, the appropriateness and proportionality of mitigation measures should also be taken into account.”

Platform Due Diligence Related to Informed Consent

All but one model interviewed said they never saw or signed a service agreement from any platform they streamed on from a studio. The one exception said they had personally accepted the terms of service when their account was created in a studio. No mechanism appears to exist for platforms to verify that models have read, understood, and personally signed the terms of use policies upon creating their accounts and beginning to stream. The apparent lack of informed consent by models is a major factor driving many of the abuses documented in this report.

Of the four platforms analyzed by Human Rights Watch, only Stripchat’s terms of use are available in Spanish.³²⁶ In written communications with Human Rights Watch, BongaCams confirmed that their terms are only available in English. Chaturbate stated that its terms are “natively available in various languages in addition to English, including of course, Spanish to ensure they are easy to find.” When Human Rights Watch reviewed the Chaturbate website, however, it found that the Terms & Conditions page remained in English on the Spanish version of the website (and all other language versions, as well). LiveJasmin declined to provide a response on the record to Human Rights Watch’s inquiry.

Access to Information Regarding Pay Structure

The page structures of each platform are detailed in the section **Pay Transparency, Wage Theft and Other Financial Abuses**. Thirty-six of fifty models interviewed by Human Rights Watch said that they did not know what amount or percentage of their earnings was paid out by the platform, nor how the platform calculated their earnings. This exposes them to possible wage theft, exploitation, and financial abuse by studios, as discussed throughout this report.

³²⁶ “Model/Studio Services Agreement.” LiveJasmin Model Center, July 2, 2024, <https://modelcenter.livejasmin.com/en/services-agreement> (accessed November 14, 2024); “Terms & Conditions.” Chaturbate, January 5, 2023. <https://chaturbate.com/terms/?language=en> (accessed November 14, 2024); “Terms & Conditions.” BongaModels, July 25, 2023. <https://bongamodels.com/terms> (accessed November 14, 2024); “Terms of Use.” Stripchat, January 8, 2024. <https://stripchat.com/terms> (accessed November 14, 2024).

Human Rights Watch asked all four platforms how they ensure that studio models are provided with comprehensive, accessible information in Spanish about how their payout from the platform is calculated. Responses from BongaCams, Chaturbate, and Stripchat are discussed below. LiveJasmin declined to provide a response on the record.

No platform provided Human Rights Watch with a specific protocol for verifying that models are provided with information about platform pay structure before being enrolled in a studio model account. As discussed earlier in this report, 49 of 50 interviewees did not see or sign a platform service agreement before starting to stream from a studio. BongaCams said models have access to information about their earnings when they log into their accounts, but did not explain how they monitor and verify that studio models can access these dashboards. The studio models Human Rights Watch interviewed in Colombia in many cases did not have access to their login information, account dashboard, or information about their earnings. A recent study which included studio models in Romania reached similar findings.³²⁷

BongaCams

BongaCams referenced the Performer Agreement available on their website and said that every “registered performer has access to their personal account, which contains detailed information about their income from services rendered on the platform. The account dashboard provides clear and comprehensive data on settlements with the Website Operator, performance statistics, and other financial metrics.” Human Rights Watch research in Colombia indicates that studio-based models often do not have access to their personal account metrics and income. BongaCams also said models may contact the “local entity responsible for communication and support services” with Colombian models. In response to a previous question in which BongaCams also referenced the Colombian business partner responsible for communications with models, the company told Human Rights Watch that due “to a Non-Disclosure Agreement, we cannot publicly disclose the name of our Colombian partner.”

³²⁷ Stegeman, H. M. (2024). Behind the webcam: Contested visibility in online sex work in the Netherlands, Romania and the United Kingdom. Universiteit van Amsterdam. Available at: <https://dare.uva.nl/search?identifier=267faecf-2c45-4c92-a53b-042955b17d3c> (accessed November 25, 2024); Human Rights Watch video conversation with Hanne Stegeman, October 17, 2024.

Chaturbate

Chaturbate referenced their FAQ, which is only available in English and states that “tokens convert to cash at a rate of \$0.05 each,” and acknowledged “that it is very likely that a number of performers may not receive all revenues they generate with a portion, in varying amounts, being retained by the studio,” along with “the very real concern of exploitation of the broadcaster.” Chaturbate’s response email further referenced payout information supposedly provided in Terms & Conditions, which do not contain information on the price of services rendered nor the percentage a model will be paid.

LiveJasmin

LiveJasmin declined to provide a response on the record. LiveJasmin’s Level Dependent Pay System policy is publicly available only in English. The “3rd Clause – Fees” section of the company’s Services Agreement states: “I understand and accept that the amounts to be paid by the Website Operator to me will correspond to a certain percentage (varying according to the type of Services).” Neither that clause nor any other section of the LiveJasmin Services Agreement contains information on the price of services rendered nor the percentage a model will be paid. LiveJasmin’s “Mandatory Recurring Model Feedback” includes a question regarding fair compensation, but Human Rights Watch’s research indicates that models may not be able to answer this question freely and honestly if they worked in a studio and their screen was constantly monitored by studio management.

Stripchat

Stripchat’s Studio Rules state that studios “should at all times pay the corresponding commission owed to the model” and “provide clear and transparent communication to models regarding expectations, compensation, and any potential risks involved.”³²⁸ In its written response to Human Rights Watch, Stripchat did not appear to provide information related to our inquiry about how they verify that models are provided with this information, including information about platform pay structure before being enrolled in a studio model account. The company said that it “recognizes the importance of clear communication regarding rights and responsibilities,” and said that its “Terms and Conditions are translated into more than 20 languages, including Spanish...”. These terms

³²⁸ Tyler, “Studio Rules,” Stripchat FAQ, 2023, <https://support.stripchat.com/hc/en-us/articles/19410761348113-Studio-Rules> (accessed October 22, 2024).

and Stripchat’s written response to Human Rights Watch both explain that models may set their own prices for certain activities on the platform, such as private messaging, but do not contain information on the price of tokens nor the rate a model will be paid. Stripchat’s Rules for Models include certain actions which may result in a model losing tokens, but do not explain what they are worth.³²⁹

Access to Information Regarding Breaks, Leaving Camera View, and Automation

Only one model interviewed by Human Rights Watch said he understood the number of seconds he was allowed to be off camera before his feed was cut, and this applied to one platform (Stripchat) only. No other model interviewed by Human Rights Watch understood the amount of time they were allowed to be off camera before their feed was cut by the platform, if and how taking a break could impact their page traffic and their pay, nor the extent to which these processes or decisions were automated. As a result, workers self-police and deny themselves food, water, and rest, for fear of losing traffic or having their feed cut, which may impact their earnings, without explanation or recourse. Additionally, as discussed in the section on **Health Impacts of Long Hours & Insufficient Breaks**, insufficient policies and lack of transparency regarding the right to rest have exposed studio-based models in Colombia to exploitation by studio management.

BongaCams, LiveJasmin, and Stripchat all have publicly available policies, including in Spanish, about how much time a model can be away from the camera before her feed is cut. Chaturbate does not provide any information publicly. Of the four platforms analyzed by Human Rights Watch, none have published policies which respect models’ right to take adequate breaks during the workday while ensuring they do not face punishment in the form of reduced page traffic or earnings. Further, none explain the extent to which the decision to cut a models’ feed is automated, nor how taking a break (or having a feed cut due to being away from camera) will impact page traffic and earnings.

In our inquiry letters to platforms, annexed to this report, Human Rights Watch asked each platform:

³²⁹ Tyler, “Rules for Models,” Stripchat FAQ, 2024, <https://support.stripchat.com/hc/en-us/articles/4410728017553-Rules-for-Models> (accessed October 19, 2024).

- about their policies or procedures which determine when to cut a feed, including the length of time a worker is absent from the screen that leads to a feed being cut;
- the extent to which this process automated or determined by an algorithm and what are the data points that inform such a decision;
- if such cuts impact a model's visibility, rating or rate of pay on the platform;
- how taking a break from a session (or having their feed cut if they are away from the camera) impacts models' page traffic and earnings;
- the extent to which these processes are automated;
- if models can appeal a live streaming session cut, and if so, how.

Two platforms (BongaCams and Chaturbate) said that there is no prohibition on models taking breaks, but only BongaCams responded specifically to our question about how taking such a break would impact models' page traffic and earnings. Livejasmin declined to respond on the record. Stripchat did not provide information that appeared to be directly related to this question in its response to Human Rights Watch.

BongaCams

BongaCams fines models \$25 for "Leaving the camera image (being out of camera view)" according to the company's Terms & Conditions, which also state that multiple infractions may lead to account closure. BongaCams' FAQ for Models, which is available in Spanish, states that a "custom 'Away' screensaver" featuring a photo or video of the models' choosing "can last for no more than 15 minutes" after which the stream must be set to the standard, non-customized "Away" mode. The FAQ does not explain the impact of either mode on the models' page traffic or profile visibility once the model returns to the stream.

BongaCams told Human Rights Watch that screenshots of models' streams are automatically captured "every 4 to 5 minutes," and after "two consecutive snapshots" in which a model was off screen, a moderation team employee will set the stream to "Away Mode." In terms of impact that being set to Away Mode (either by a BongaCams moderator or by choice) has on traffic and earnings, BongaCams said that "performer's rating is partly based on the time spent online and tokens received, [so] terminating a session or setting it to 'Away Mode' may indirectly impact potential earnings and ranking." BongaCams did not comment on steps they are taking to ensure studio models are permitted to take adequate breaks.

Chaturbate

Chaturbate does not provide information publicly about the amount of time a performer may be away from the screen before their feed is cut, what impact this will have on their traffic or earnings, the extent to which this process is automated, nor how many times this can happen before the account is suspended or banned.

In an email to Human Rights Watch, Chaturbate confirmed that the company has “a policy that a live broadcast cannot be unattended for more than 30 minutes.” The company stated that “there is absolutely no prohibition [against models taking] a break for any reason” provided that “they leave a screensaver containing a BRB [Be Right Back] or other appropriate message.” Human Rights Watch was unable to locate this policy publicly and Chaturbate did not provide a reference or link to the policy when Human Rights Watch asked to review it.

LiveJasmin

LiveJasmin’s published list of “Minor Violations” includes “Leaving the camera image (being out of camera view)” and states models must “remain visible at all times.” Minor Violations carry a 30-day suspension, after which “accounts are not automatically reactivated” and models must “contact our Online Support to reactivate them.”³³⁰ LiveJasmin declined to respond on the record about steps they are taking to ensure studio models are permitted to take adequate breaks.

Stripchat

Stripchat’s Rules for Models, which are available in Spanish, state that models “are only allowed to walk out of the room during a broadcast for up to 2 minutes.”³³¹ Leaving for more than two minutes may be punished by “disconnection from the broadcast, temporary suspension or permanent ban, and any tokens earned being withheld.”³³² While some interviewees referenced Stripchat’s two-minute rule when speaking to Human Rights Watch, most recounted stories, myths, or rumors they had been told about the impact of

³³⁰ ““Violation and Penalty System,” LiveJasmin Model & Studio Wiki, <https://livejasminwiki.com/penalty-system/> (accessed October 21, 2024).

³³¹ Tyler, “Rules for Models,” Stripchat FAQ, 2024, <https://support.stripchat.com/hc/en-us/articles/4410728017553-Rules-for-Models> (accessed October 19, 2024).

³³² Ibid.

leaving the screen on their traffic, and pressure from the studio not to leave the screen. Stripchat did not provide information that appeared to be directly related to this question in its response to Human Rights Watch.

Impacts on Models' Health and Well-Being

The failure to publicly provide this information has adverse impacts on models' physical and psychological health. There is widespread understanding among interviewees that ending their session or taking a break – for food, water, the bathroom, or mental health – will negatively impact their traffic. Some were explicitly told this by their studio when they were hired; others say they have personally experienced it to be true; and others learned it from colleagues.

In the absence of platform actions to ensure that all models streaming from studios are aware of how these decisions regarding page traffic are made and according to what standards, models self-police to avoid, or at least minimize, taking breaks for any reason. In interviews with Human Rights Watch, models told researchers:

Platforms are way stricter [in recent years] with surveillance and banning you for being off screen for a few minutes or angling it the wrong way to take a small break for water.

– Worker interviewed by Human Rights Watch in Bogotá³³³

I never took the break because [the studio] told us if we worked straight through, we'd receive a better traffic of users and make more money. But this is about the platform, not the studio. On LiveJasmin you can't ever disappear. One time, I bent down to pick something up that fell and when I came back up a second later there was a notification saying you can't disappear from the frame. If you get multiple of these notifications, they fine you.

– Worker interviewed by Human Rights Watch in Bogotá³³⁴ [LiveJasmin declined to respond on the record to this allegation.]

³³³ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

³³⁴ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

I don't take the one break I get because of the platform. If you stop streaming, you have to start over and [you] lose the traffic and users. In the lower hours, you just try to eat really quickly... On Chaturbate users just leave if you leave the chair. On Stripchat you could be banned [if] you leave your desk alone for more than two minutes.

– Worker interviewed by Human Rights Watch in Palmira ³³⁵ [For Chaturbate and Stripchat full responses, see annex to this report.]

Several models explained that because there is a common understanding that the platform “punishes” webcams who “disappear” from the screen by reducing or completely stopping their traffic – eliminating the audience they had built over several hours of streaming, which forces them to rebuild – studios in turn implement strict rules about breaks to use the bathroom, drink water, wash their hands, clean their equipment, and eat. Loss of viewers is expected if models take a short break, but models interviewed by Human Rights Watch indicated that a “pause” button, and clear guidance on how it functions, would better support them to take short breaks without having to fully rebuild page traffic. Because viewers are unlikely to stay in a chat room without an ongoing performance, platforms have a responsibility to ensure that models’ break time is compensated according to minimum wage standards.

Access to Information Regarding Page Traffic, Account Deactivation, and Automation

No models interviewed by Human Rights Watch understood the impact that client ratings had on traffic. Most models reported a lack of clarity over the following issues:

- How a downrating from a client impacts their page traffic;
- Which specific acts, if performed, could result in account deactivation;
- If and how removing a client from their room could impact their ratings;
- The extent to which each of the above three decisions are automated;
- If and how they can contest or appeal decisions impacting their accounts.

Regarding the use of automation, Human Rights Watch’s review of the four companies’ policies and guidelines found that Livejasmin, Chaturbate, and BongaCams each do not

³³⁵ Human Rights Watch interview with a webcam model in Palmira, October 2023.

include explanations about the use of any algorithmic decision-making or automated processes regarding page traffic, account ratings, and deactivations.³³⁶ Stripchat’s Terms of Use, Section 11, *Recommendation Systems*, describes 10 methods by which model streams are recommended to users, of which 2 explicitly mention the use of algorithms. It is unclear what data informs the “popularity of a model” rating, which impacts several of the 10 methods.³³⁷

The apparent lack of accessible information from platforms explaining to studios and models company policy and practice regarding ratings, account deactivation, and the extent of algorithmic decision-making has seemingly contributed to a range of rights abuses in the studios for which interviewees worked. The absence of accessible information about how platforms direct traffic to models’ pages, including how client ratings and taking breaks may impact a model’s visibility and popularity on a platform, may result in the following abuses:

1. Workers are unable to make sound decisions about which performances to agree to, and can create pressure on them to do sexual performances they are not comfortable with, even in circumstances in which the studio would permit them to deny the request, for fear of being down rated by a client;
2. Studios pressure models to do performances in which they act or dress like children, in violation of the platforms’ own policies, with models themselves often bearing responsibility for sanctions issued by the platform;
3. Workers self-police and deny themselves food, water, and rest, for fear of losing traffic or having their feed cut, without explanation or recourse.

By putting in place a non-transparent system that may fuel harmful incentives, pressures and even rights abuses, particularly related to sexual exploitation and health, platforms are failing to meet their responsibilities under the UN Guiding Principles.

³³⁶ “Model/Studio Services Agreement,” LiveJasmin Model Center, July 2, 2024. <https://modelcenter.livejasmin.com/en/services-agreement> (accessed August 19, 2024); “Terms & Conditions,” Chaturbate, January 5, 2023. <https://chaturbate.com/terms/?language=en> (accessed August 19, 2024); “Terms & Conditions,” BongaModels, July 25, 2023. <https://bongamodels.com/terms> (accessed August 19, 2024).

³³⁷ “Terms of Use,” Stripchat, January 8, 2024. <https://stripchat.com/terms>. Section 11 (accessed August 19, 2024).

Sexual Exploitation

The process by which platforms recommend certain profiles (that is, making them more likely to be seen by clients) is opaque, so it is unclear to what extent model ratings and profile visibility are automated. Human Rights Watch found that most studio-based models interviewed believed that denying a client request would impact their rating, page traffic, and profile visibility on the platform. No platform seems to have publicly available information explaining how deciding *not* to perform a service may impact traffic nor if this decision is automated or made by a human.

Many live in fear of being “downvoted” by a client, and without clear, comprehensive, accessible information from either the platform or the studio about their right to deny client requests without punishment, they feel pressured to agree to client requests that they do not want to perform. The ambiguity over how ratings impact traffic exacerbates the problem of workers feeling pressured to agree to acts with which they are not comfortable.

Stripchat’s Terms of Use state that “a model may decline to engage in any activity in his or her discretion,” but also that “a dispute” between a client and model is strictly between those two parties, and requires users of the platform to release the company from any liability or role in mediation.³³⁸ No other platform analyzed by Human Rights Watch has a publicly available policy or protocol related to models’ ability to give and withdraw consent during a session with a client.

Two platforms’ policies, LiveJasmin and BongaCams, state that models can refer to established pay structures and their own “sales page” before deciding to perform a particular service, appearing to affirm the right of models to weigh the financial benefit of a particular performance before agreeing to it.

- LiveJasmin’s service agreement states that models can consult their “registration account and/or my sales page... before any rendering of Services,” expressly stating the right of models to fully understand how pay is calculated before agreeing to any service.³³⁹

³³⁸ “Terms of Use,” Stripchat, January 8, 2024, <https://stripchat.com/terms> (accessed August 19, 2024).

³³⁹ “Model/Studio Services Agreement,” LiveJasmin Model Center, July 2, 2024, <https://modelcenter.livejasmin.com/en/services-agreement> (accessed August 19, 2024).

- BongaCams similarly says payment “options will be published on my registration Account and/or my sales page (which I can consult before rendering any Services).”³⁴⁰

Neither platform’s service agreement is available in Spanish, which both platforms confirmed to Human Rights Watch in their response to our inquiry letters. Additionally, Human Rights Watch interviews in Colombia reveal that some studios systematically deny models access to their own service agreements, sign agreements in their names, and do not grant them access to their sales pages and account dashboard. As a result, what little information does exist indicating a model’s right to refuse a request is often inaccessible to studio-based models in Colombia.

Requests to Act Like a Child

More than one-third of models said the worst requests from clients were to “act like” or “pretend to be” children, indicating that, if empowered to do so, models themselves would ban clients who made such requests. Most models know that platforms prohibit CSAM and acts related to children, including pretending to be children. Relevant policies include:

- BongaCams prohibits “discussing or arranging pedophilia [or] adolescence” in its Terms & Conditions;³⁴¹
- Chaturbate’s prohibits “actual or simulated minors, children, [and] babies” in its Code of Conduct and “materials that simulate the foregoing, such as dolls, animated films or shorts, adults made to look like children or suggest that they are below the Age of Majority [and] discussion of child pornography or child exploitation” in its Terms & Conditions;³⁴²
- LiveJasmin’s Violation and Penalty System prohibits “pretend[ing] to be below the legal age, or teenage in conversations in which either party talks about minors in a sexual manner;”³⁴³

³⁴⁰ “Terms & Conditions,” BongaModels, July 25, 2023, <https://bongamodels.com/terms> (accessed August 19, 2024).

³⁴¹ “Terms & Conditions,” BongaModels, July 25, 2023, <https://bongamodels.com/terms> (accessed August 19, 2024).

³⁴² “APPENDIX C TO THE TERMS AND CONDITIONS OF SERVICE. CODE OF CONDUCT,” Chaturbate, <https://chaturbate.com/terms/appendix-c/> (accessed October 19, 2024); “Terms & Conditions,” Chaturbate, January 5, 2023, <https://chaturbate.com/terms/?language=en> (accessed October 19, 2024).

³⁴³ “Violation and Penalty System,” LiveJasmin Model & Studio Wiki, <https://livejasminwiki.com/penalty-system/> (accessed October 21, 2024).

- Stripchat’s Rules for Models prohibit “models posing as minors” and “discussion in a sexual manner in relation to minors, incest, bestiality, and any other illegal subjects.”³⁴⁴

However, as previously discussed throughout this report, models interviewed by Human Rights Watch fear that denying a client request will harm their page traffic and ratings. In some cases, they are explicitly told this by studio management. Several models told Human Rights Watch that denying a client’s request could result in having their account deactivated by the platform if the client filed a complaint. One model said she did not know if complaints were handled by a human employee of the platform or if decisions were automated.³⁴⁵ In case of a dispute, she believed the platform would “side with the client” and did not believe she would have the opportunity to resolve the issue with a human. As a result, if she had problems with clients, she often returned their money so they would not complain.

A 26-year-old woman in Bogotá told Human Rights Watch that she quit webcamming after being pressured by a client and studio to enact a scene portraying incest and child sexual abuse.

The owners say they get a lot of money [when clients ask models to act like children] and I should do it. I tried it once, but I had a lot of psychological problems after. I had really bad nightmares and felt I was contributing to this problem.³⁴⁶

Conversely, some models expressed a fear of receiving a “warning sign on my account” or “being banned” for *agreeing* to requests for performances against platform rules, like acting like a child. Many models interviewed by Human Rights Watch therefore believe they are in the position of either saying no to a client, which would potentially harm their page’s traffic, rating, or earnings, or saying yes, which risks causing feelings of guilt and can get

³⁴⁴ Stripchat’s Terms of Use state that “all content in any form possible must comply with all our Terms of Use, Rules for Models, Rules for Studios and Community Guidelines;” “Terms of Use,” Stripchat, January 8, 2024, <https://stripchat.com/terms> (accessed October 19, 2024); Tyler, “Rules for Models,” Stripchat FAQ, 2024, <https://support.stripchat.com/hc/en-us/articles/4410728017553-Rules-for-Models> (accessed October 19, 2024).

³⁴⁵ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

³⁴⁶ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

their account blocked. Platforms need to develop policies and protocols which require studios to clearly explain to models which acts are prohibited, and their right as models to say ‘no.’

When studios coach models on looking and acting younger, it not only creates a source of psychological trauma for the model, but also puts models at risk of having their accounts blocked and contributes to the amount of apparent CSAM on the internet. The existence of *apparent* CSAM harms efforts to investigate abuse happening to actual children. A 2024 report examining challenges faced by the US National Center for Missing and Exploited Children’s CyberTipline found that US law enforcement is “overwhelmed by the high volume” of reports and unable to identify perpetrators.³⁴⁷

One model told Human Rights Watch researchers that she was grateful for the introduction of a “report email” function in Chaturbate, but she wanted more ways to automatically report clients who made such requests without her studio finding out and punishing her.

Because of platforms rules, [being forced to act like a child] would be way less likely to happen now. There is a ‘report email’ on Chaturbate to report users and models who do things like that. It’s a really good thing that platforms have rules like this.³⁴⁸

Confidential Reporting Channels and Support for Studio Models

Only 6 of 50 models said that it was possible for them to contact the platforms they streamed on if they wanted to report abuses occurring in studios. Of these six, two said they could not utilize the support email or “chat” option while at work because the monitor or studio management would see it, which would endanger their safety or job security. Similarly, many models who said it was *not* possible to contact the platform about studio-based abuses said that while they believed it might be possible for independent models to seek help from platforms, they were unable to without the studios seeing their communication (and that is why they responded “no.”)

³⁴⁷ Grossman, S., Pfefferkorn, R., Thiel, D., Shah, S., DiResta, R., Perrino, J., Cryst, E., Stamos, A., and Hancock, J. (2024). The Strengths and Weaknesses of the Online Child Safety Ecosystem. Stanford Digital Repository. Available at <https://purl.stanford.edu/pr592kc5483>. <https://doi.org/10.25740/pr592kc5483>.

³⁴⁸ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

One model in Bogotá said that some platforms she has streamed on from studios have an “option for reporting, but only the manager has access to it.”³⁴⁹ Another interviewee explained that the lack of confidentiality, and the ability of studios to monitor everything workers do on their screen, erodes the possibility of reporting abuses to platforms, and may preclude someone working against their will from seeking help:

Every time before you start working, you have to check boxes saying you're not working against your will and not a child, but who could really check no? Studios have a lot of monitoring over what you write and can turn off your ability to type if they don't like what you're saying.³⁵⁰

All platforms analyzed by Human Rights Watch have at least two channels of communication available to models, which are detailed below. However, the small number of interviewees who were aware of or felt able to use these channels of communication indicates the need for platforms to develop reporting systems for studio models which are accessible without studio oversight, and ensure models are informed of these systems upon hiring.

In addition to the compromised communication channels for studio models, deterrents to reporting expressed by interviewees included uncertainty regarding who would receive the complaint; past experiences of contacting platforms for support and not receiving a sufficient response, or any response at all; and fears that filing a complaint may impact their rating. A model in Bogotá explained: “As a model, you have a fear that if you report something your traffic will be affected.”³⁵¹ A model in Palmira said: “there is a button for emergencies but [we] don't know what it does or who responds to it, so we don't use it.”

Given problematic practices in studios, such as “recycling” accounts, made possible in part by webcam platforms’ customer support teams possibly failing to prioritize promptly and adequately responding to models, there is an urgent need for platforms to bolster and properly train these teams. Prioritizing communication with models is a clear path to

³⁴⁹ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

³⁵⁰ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

³⁵¹ Human Rights Watch interview with a webcam model in Bogotá, February 2024.

increasing rights for workers, decreasing abuses in studios, and preventing the recycling of accounts to hire children as webcam models.

Accessible and Confidential Communication Channels for Studio Models

BongaCams, Chaturbate, LiveJasmin, and Stripchat all have publicly available contact emails and submission forms available on their websites and in the terms of use. As discussed earlier, 49 of 50 models interviewed for this report did not see nor sign the terms of use when beginning to stream from studios. Additionally, models interviewed said that because studios can see all communication on a model's screen, no channel exists for models to privately contact the platform while at work without management or monitors seeing the communication. To contact the platform confidentially, models need a private computer, phone, or other electronic device through which they can send an email to the platform or access the support chat while outside of the studio.

A 42-year-old model from Palmira interviewed by Human Rights Watch in Bogotá said:

We don't have access to the platform. The studio has total access to your account. There is a support chat with the platform but it's all in English and usually girls go through the monitor because they don't have tech knowledge. And even if you did, the monitor would be able to read it.³⁵²

Another model in Bogotá said she had wanted to file a complaint about abuses in her studio, but could not do so either from the studio or from home. She explained:

There is an option to write to the platform but it's very general and the studio sees your screen directly. You can't log in from home [because] you never have the password to your account, they put in your information.³⁵³

Some platforms also require models to provide their account information in order to contact support or close their account. For example, Chaturbate and LiveJasmin require models to provide the email address associated with their account – which many studio

³⁵² Human Rights Watch interview with a webcam model in Palmira, October 2023.

³⁵³ Human Rights Watch interview with a webcam model in Bogotá, October 2023.

models interviewed by Human Rights Watch do not have access to – when submitting a request for support. Chaturbate’s “Request for Support” page requires models to enter the “Email address associated with your Chaturbate account.”³⁵⁴ LiveJasmin’s Model & Studio Wiki detailing the process to close an account states: “Due security reasons we could only accept closure request from your registered e-mail address.”³⁵⁵ The company offers other methods for models to contact them, detailed below. BongaCams requires an email address to contact support but does not state whether this needs to be the email associated with the account. These barriers may prevent models from reporting a wide range of abuses to platforms and make it impossible for those who cannot access email or their accounts from outside the studio.

In addition to researching the channels of communication which are publicly available on each of the platforms included in this report, Human Rights Watch asked platforms which channels of communication exist for studio models to confidentially contact support teams to file complaints, seek support, or close their accounts. BongaCams and Chaturbate each provided Human Rights Watch at least one support email and/or chat feature which does not require the use of a registered email, but did not provide information on how models can confidentially contact support teams while in the studio to file complaints or seek support.

BongaCams said that models can delete their accounts at any time through their account setting but did not clarify if this would be possible for studio models who do not have access to their account login information. BongaCams policy related to complaint procedures, reviewed by Human Rights Watch, explains several possible outcomes of a complaint including content removal; it is not clear if BongaCams would automatically delete an account if requested to do so by someone not logged into that account.

Chaturbate said that if a model who contacts them for support “uses an email not associated with the account they are contacting us about, the [model] is requested to pass a security question using the broadcaster’s [identification information].” They also said that “anyone can submit a completely anonymous report about an account using the ‘REPORT ROOM’ link in the top right corner of every broadcast.” For models whose screen is

³⁵⁴ “Submit a Request,” Chaturbate, https://support.chaturbate.com/hc/en-us/requests/new?ticket_form_id=360003104812 (accessed November 16, 2024).

³⁵⁵ “Account Closure,” LiveJasmin Wiki, <https://livejasminwiki.com/account-closure/> (accessed November 16, 2024).

mirrored and monitored by their studio, this feature is not “completely anonymous” if they are contacting Chaturbate when at the studio. Stripchat said it has “multiple reporting buttons available in every page of the platform,” as well as a “reporting procedure under which a model can contact Stripchat’s team discreetly through an unregistered email address.” **LiveJasmin** declined to respond on the record.

Platform Responses to Models

Some interviewees told Human Rights Watch that they had contacted certain platforms for support with the following issues but never received a response:

- Requesting to permanently close their account upon leaving a studio;
- Requesting to transfer their account to an individual performer account so they could work independently;
- Reporting a studio that continued to use their account for a different performer after they left the studio;
- Being blocked from their account without explanation;
- Being blocked from their account after performing an act that a client asked them to do, because they felt coerced or pressured into doing it due to surveillance by studio management, owners, or monitors;
- Not receiving unpaid wages or unredeemed tokens or credits from their account after leaving a studio.

Screenshots posted in international webcam model forums as recently as August 2024 show notifications informing models of the reason for their ban, such as one performer who was banned due to being “away for a long time.”³⁵⁶ Studio models interviewed in Colombia told Human Rights Watch that because they often only have access to their accounts while present in the studio, they rely on email communication with the platform support teams on their personal devices (while outside the studio) to resolve such issues, and often cannot see notifications such as the ones posted in forums by independent models.

³⁵⁶ “Chaturbate-Account banned,” AmberCutie, August 6, 2024, <https://www.ambercutie.com/forums/threads/chaturbate-account-banned.52805/> (accessed October 20, 2024).

Human Rights Watch spoke to a 37-year-old woman in Bogotá who contacted a platform regarding a labor rights abuse. She was one of the few models who received a response, but she says they did not offer any form of support:

Once, the studio didn't pay me. They said we didn't receive your tokens [from the platform]. I complained to [the platform] from another account [using a different computer, so the studio wouldn't see the complaint] and [the platform] confirmed they had paid the studio but couldn't do anything about it because they didn't know what the labor relation between me and the studio was. Now I know nothing happens if you complain.

Most models interviewed did not sign or get a copy of their written contracts. This does not prevent them from having a contract under Colombian labor law, because a verbal agreement constitutes a labor law contract if the requirements, as set forth by Colombian law and the Constitutional Court, are met. International corporations operating in Colombia also have responsibilities to respect human rights, and prevent, mitigate and remedy abuses to which their operations may contribute.

Impact of Inadequate Response & Lack of Secure Communication Channels

The combined impact of the lack of platform responses, surveillance experienced in studios, and lack of secure, private channels for models to use to contact platforms has made models feel unsafe to contact platforms. Interviewees told Human Rights Watch they had wanted to contact platforms about the following abuses and issues but did not due to the above reasons:

- People who may have been children working at their studio, sometimes on a repeated basis;
- Requests from specific clients to act like a child during the show;
- Outbreaks of infections, rashes, diseases, and insect infestations, which sometimes inhibited their ability to perform.

Translation Tools and Possible Violations of Consent

Interpretation and translation between models and clients done by studio management or monitors can contribute to abuses of their consent, sexual exploitation, and coercion.

None of the platforms analyzed by Human Rights Watch provide guidelines for specific circumstances in which monitors may assist models by interpreting for them in communications with clients, nor specific prohibitions on monitors consenting to particular acts on a models' behalf. As reported by webcam models interviewed for this report, monitors in some Colombian studios agree to specific sex acts or performances on models' behalf, before the model has an opportunity to consent or, in some cases, in direct violation of their consent.

Webcam platforms have the responsibility to address coercion or pressure by studios experienced by models to perform sex acts they are not comfortable with, and to improve their ability to give, deny, and rescind informed consent. Human Rights Watch informed platforms that our research identified several cases in which studio management and monitors had consented to sex acts on a model's behalf. We asked platforms about specific policies and procedures they had in place to prevent this form of abuse. BongaCams and Chaturbate each directed Human Rights Watch to their respective, previously referenced policies prohibiting sexual exploitation and monitoring for nonconsensual performances. None of the platforms that responded provided policies or protocols specific to the topic of monitors speaking with clients and consenting to acts on a models' behalf.

Some models interviewed by Human Rights Watch suggested that platforms integrate quality, real-time voice, video, and text interpretation and translation into their platforms. While relying on automatic translation tools might increase risks related to faulty translation, censored content, or misinterpretation, some models felt it may also negate the alleged need for monitors to serve as interpreters and translators, thus drastically altering the power dynamic between models, monitors, and clients.

Human Rights Watch also asked platforms about steps they were taking to utilize available technology to provide accessibly, high-quality translation to and from Spanish in various private and public chatrooms to ensure performers and clients can speak directly to each other in order to provide consent to certain requests. **BongaCams** reported that they have built-in translation features available for models to use when speaking with clients and provided Human Rights Watch with screenshots of how this feature functions. **Chaturbate** said it has "an apps and bot page where creative community members can make apps and bots available to independent broadcasts for their user in their broadcasts, including

several translation apps.” These translation services, as per Chaturbate’s statement, do not appear to be available to studio models. Stripchat did not provide Human Rights Watch with information regarding this issue.

Platforms should work directly with models and model organizations to develop safe strategies by which workers can communicate and negotiate directly with clients, with whom they are currently unable to do so unless they speak the same language and discuss in detail what they are willing and unwilling to do without damaging the relationship. They should also explicitly forbid studio management and monitors from consenting to any act on behalf of models.

International Legal Standards

Workers in the Informal Economy

In 1993, the International Conference of Labour Statisticians, hosted by the International Labour Organization (ILO), developed guidelines that defined “informal employment” as either self-employment or wage employment that is “not registered, regulated or protected by existing legal or regulatory frameworks.” The guidelines further stipulated that “informal workers do not have secure employment contracts, workers’ benefits, social protection or workers’ representation.”³⁵⁷

According to the ILO, there are nearly 2 billion workers in informal employment globally, representing 60 percent of the world’s workers.³⁵⁸ Colombia has “one of the highest levels of poverty, income inequality and labour market informality in Latin America.”³⁵⁹ In 2022, informal employment in Colombia represented 60 percent of the country’s total employment.³⁶⁰ This high rate of informal employment exposes a majority of workers in Colombia to what the ILO calls “poor working conditions and a lack of rights at work.”³⁶¹

The broader concept of “informal economy” encompasses informal employment, according to the ILO. It includes all economic activities that are “in law or in practice... not covered or insufficiently covered by formal arrangements” and it “thrives” in the contexts of unemployment, poverty, and precarious work.³⁶² The ILO has stated that “the situation

³⁵⁷ International Labor Organization, “Resolution concerning statistics of employment in the informal sector, adopted by the Fifteenth International Conference of Labour Statisticians.”

³⁵⁸ “More than 60 per cent of the world’s employed population are in the formal economy,” ILO news release, April 30, 2018, <https://www.ilo.org/resource/news/more-60-cent-worlds-employed-population-are-informal-economy> (accessed November 25, 2024).

³⁵⁹ Organization for Economic and Development Review Committee, *OECD Economic Surveys*, 2022, eBook, https://www.oecd-ilibrary.org/sites/o4bf9377-en/index.html?itemId=/content/publication/o4bf9377-en&csp_=5eb342b3cfea8eeef43f9473329cfc5a&itemIGO=oecd&itemContentType=book (accessed October 11, 2024).

³⁶⁰ Ibid.

³⁶¹ “Ways out of informality: How a new ILO standard tackles the informal economy trap,” June 23, 2015, <https://www.ilo.org/resource/article/ways-out-informality-how-new-ilo-standard-tackles-informal-economy-trap> (accessed October 11, 2024).

³⁶² “Informal Economy,” ILO, <https://www.ilo.org/projects-and-partnerships/projects/partnership-improving-prospects-forcibly-displaced-persons-and-host/themes/informal-economy> (accessed August 19, 2024).

is [further] aggravated in conflict-affected and fragile situations where there is no other alternative than operating in the informal economy for securing livelihoods.”³⁶³

In June 2015, the International Labour Conference (ILC) adopted the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204).³⁶⁴ For the first time, this offered guidance to ILO member states on this topic. It does not explicitly name sex workers, but it calls on member states to:

pay special attention to those who are especially vulnerable to the most serious decent work deficits in the informal economy, including but not limited to women, young people, migrants, older people, indigenous and tribal peoples, persons living with HIV or affected by HIV or AIDS, persons with disabilities, domestic workers and subsistence farmers.³⁶⁵

It further calls on states to “progressively extend, in law and practice, to all workers in the informal economy, social security, maternity protection, decent working conditions and a minimum wage.”³⁶⁶

Violence and Harassment in the Informal Economy

ILO Convention No. 190 on the Elimination of Violence and Harassment in the World of Work, adopted in 2019, lays out international legal standards for preventing and responding to violence and harassment in the world of work.³⁶⁷ Critically, it applies to both informal and formal sectors. C190 requires governments to enact laws obligating employers to maintain workplace policies against violence and harassment,³⁶⁸ as well as comprehensive national laws addressing prevention measures,³⁶⁹ complaints

³⁶³ “Partnership for improving prospects for forcibly displaced persons and host communities (PROSPECTS),” <https://www.ilo.org/projects-and-partnerships/projects/partnership-improving-prospects-forcibly-displaced-persons-and-host> (accessed October 11, 2024).

³⁶⁴ International Labour Organization, Recommendation Concerning the Transition from the Informal to the Formal Economy 204, (104th Session, 2015).

³⁶⁵ Ibid.

³⁶⁶ Ibid.

³⁶⁷ ILO Convention No. 190, Convention concerning the elimination of violence and harassment in the world of work (Entry into force: 25 Jun 2021). Adoption: Geneva, 108th ILC session (21 Jun 2019).

³⁶⁸ C190, art. 9.

³⁶⁹ C190, art. 8 and 9.

mechanisms,³⁷⁰ monitoring, enforcement, and support for survivors.³⁷¹ The treaty covers workers, trainees, former employees, job seekers, and job applicants.³⁷²

Colombia has not ratified ILO Convention No. 190, but studio-based workers who spoke with Human Rights Watch described working conditions that violate their right to a workplace free from violence and harassment, including gender-based violence and harassment, during recruitment, training, and when terminating employment. Their experiences make clear the unique importance of this treaty in validating, visibilizing, and ending violence and discrimination in the informal economy, especially for people who work in traditionally feminized forms of labor. By ratifying and taking meaningful steps to implement C190, Colombia would send a strong message and begin taking action to end the violence documented in this report.

Safe and Healthy Working Conditions

The Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the International Labour Organization's (ILO) Convention No. 155 and accompanying protocol, affirm the human rights of workers to enjoy safe and healthy working conditions.

The Universal Declaration of Human Rights, which is widely accepted as reflecting customary international law, provides that everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay, as well as the right to just and favorable remuneration to ensure “an existence worthy of human dignity.”³⁷³ Similarly, the International Covenant on Economic, Social and Cultural Rights (ICESCR) guarantees “the right of everyone to the enjoyment of just and favorable conditions of work which ensure... safe and healthy working conditions.”³⁷⁴

The Committee on Economic, Social and Cultural Rights (CESCR), which provides authoritative guidance on the obligations of states parties to the ICESCR, has further

³⁷⁰ C190, art. 10.

³⁷¹ C190, art. 4 and 10.

³⁷² C190, art. 2.

³⁷³ UDHR, arts. 23 and 24.

³⁷⁴ ICESCR, art. 7.

clarified the scope of states parties' obligations to provide safe and healthy working conditions, including in its General Comment 14 on the right to the highest attainable standard of health³⁷⁵ and General Comment 23 on the right to just and favourable conditions of work.³⁷⁶ CESCR also affirmed in its General Comment 24 that states' duties extend to preventing and protecting against human rights abuses committed by businesses and non-state actors and may include or require effective regulation of their activities.³⁷⁷

Having ratified the ICESCR in 1969, the government of Colombia is bound by its treaty obligations to provide minimum essential levels of and dedicate the maximum of its available resources towards the realization of each of the rights enumerated in the treaty.³⁷⁸ The CESCR also considers the failure to enforce relevant domestic laws, including occupational health and safety standards, as a possible violation of the state's obligations towards realizing the right to the highest attainable standard of physical and mental health.³⁷⁹

Colombia is not a party to ILO Convention No. 155 on Occupational Safety and Health (1981) or ILO Convention No. 161 on Occupational Health Services (1985). However, these conventions are recognized as a statement of international best practices related to the rights of workers' to occupational health. ILO Convention No. 155 calls on states "to prevent accidents and injuries to health arising out of, linked with or occurring in the course of work, by minimizing, so far as is reasonably practicable, the causes of hazards inherent in the working environment."³⁸⁰ ILO Convention No. 161 similarly calls on states to identify health hazards in the workplace and to progressively develop occupational health services for all workers, "which will facilitate optimal physical and mental health in

³⁷⁵ CESCR, General Comment No. 14: The right to the highest attainable standard of health (art. 4), Adopted at the 22nd Session of the Committee on Economic, Social and Cultural Rights, E/C.12/GC/4, August 11, 2000.

³⁷⁶ CESCR, General Comment No. 23: The right to just and favourable conditions of work (art. 7(b)), Adopted at the 57th Session of the Committee on Economic, Social and Cultural Rights, E/C.12/GC/23, April 27, 2016.

³⁷⁷ CESCR General Comment No. 24: State obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities, paras. 18, 19, 22, and 38, E/C.12/GC/24, August 10, 2017.

³⁷⁸ International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 99 U.N.T.S. 171, entered into force March 23, 1976, ratified by Colombia October 29, 1969, art. 2.

³⁷⁹ CESCR, General Comment No. 14, art. 49.

³⁸⁰ ILO Convention No. 155, Occupational Safety and Health Convention, adopted June 22, 1981, entered into force August 11, 1983, https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::p12100_instrument_id:312300 (accessed August 25, 2024), art. 4(2).

relation to work.”³⁸¹ ILO Convention No. 155 also recognizes that “[t]he enforcement of laws and regulations concerning occupational safety and health and the working environment shall be secured by an adequate and appropriate system of inspection [that] shall provide for adequate penalties.”³⁸²

Since 2022, the ILO has included “a safe and healthy working environment” in its framework of fundamental principles and rights at work, which Member states have an obligation to “respect, promote, and realize in good faith.”³⁸³ Sanitation and hygiene are critical components of occupational health and safety. In 2022, the International Labour Conference designated as fundamental conventions the Occupational Safety and Health Convention, 1981 (C155) and the Promotional Framework for Occupational Safety and Health Convention, 2006 (C187).³⁸⁴ Members now have an obligation to protect the right to a safe and healthy work environment regardless of whether they have ratified C155 and C187.³⁸⁵ Colombia has ratified neither but is an ILO member state.³⁸⁶

The ILO Occupational Health Services Convention of 1985 (C161), which Colombia ratified in 2001, also requires that members work to continually and “progressively” develop:

occupational health services for all workers, including those in the public sector and the members of production co-operatives, in all branches of

³⁸¹ ILO Convention No. 161, Occupational Health Services Convention, adopted June 25, 1985, entered into force February 17, 1988, https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C161 (accessed August 25, 2024), arts. 1(a), 3(1), 5(a).

³⁸² ILO Convention No. 155, art. 9(1)-(2); see also ILO Protocol P.155, Protocol of 2002 to the Occupational Safety and Health Convention, 1981, February 9, 2005, https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:P155, arts. 6, 7. (accessed November 25, 2024).

³⁸³ The 1998 Declaration on Fundamental Principles and Rights at Work apply to ILO member states as “principles” to be realized even if they have not ratified the Conventions from which the principles are drawn. International Labour Conference, ILO Declaration, 86th Session, Geneva, June 18, 1998; International Labor Organization, *A safe and healthy working environment is a fundamental principle and right at work* (Geneva: ILO, 2022), https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_850673.pdf (accessed November 25, 2024).

³⁸⁴ *Ibid.* at 3.

³⁸⁵ International Labor Organization, *A safe and healthy working environment is a fundamental principle and right at work* (Geneva: ILO, 2022), https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_850673.pdf (accessed November 25, 2024).

³⁸⁶ Colombia has been member of the ILO since June 28, 1919.

economic activity and all undertakings. The provision made should be adequate and appropriate to the specific risks of the undertakings.³⁸⁷

C161 holds states' occupational health services accountable for monitoring and supporting the ongoing improvement of health determinants in the workplace, which include sanitation,³⁸⁸ hygiene,³⁸⁹ and potential occupation-related diseases.³⁹⁰ It also includes obligations related to risks from health hazards, design of the physical space,³⁹¹ condition of work equipment,³⁹² ergonomics,³⁹³ first aid,³⁹⁴ and emergency services.³⁹⁵

Right to Sanitation

The manner in which a person is able to manage bodily functions of urination, defecation, and menstruation is at the core of human dignity. Lack of adequate sanitation is not only an affront to an individual's dignity but also endangers their right to safe and healthy working conditions and to the highest attainable standard of health. Though not explicitly mentioned in the ICESR, the right to sanitation is derived from the right to an adequate standard of living.³⁹⁶ UN General Assembly Resolution 70/169 states that the right to sanitation entitles everyone "to have physical and affordable access to sanitation, *in all spheres of life*, that is safe, hygienic, secure, and socially and culturally acceptable and that provides privacy and ensures dignity."³⁹⁷ CESCR has reaffirmed that the right to sanitation is an essential component of the right to an adequate standard of living, and "integrally related, among other Covenant rights, to the right to health."³⁹⁸

³⁸⁷ ILO Convention No. 161 concerning Occupational Health Services, adopted June 25, 1985, art. 3, https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312306:NO.

³⁸⁸ *Ibid.* at 5(b).

³⁸⁹ *Ibid.* at 5(e).

³⁹⁰ *Ibid.* at 5(k).

³⁹¹ *Ibid.* at 5(c).

³⁹² *Ibid.* at 5(c)-(e).

³⁹³ *Ibid.* at 5(e).

³⁹⁴ *Ibid.* at 5(j).

³⁹⁵ *Ibid.*

³⁹⁶ International Covenant on Economic, Social and Cultural Rights (ICESCR), G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, *entered into force* Jan. 3, 1976. The ICESCR has been ratified by 165 countries. See, for example, UN General Assembly, "The human right to safe drinking water and sanitation," Resolution 68/157, U.N. Doc. A/Res/68/157* (2013).

³⁹⁷ UN General Assembly, "The human rights to safe drinking water and sanitation," Resolution 70/169, A/RES/70/169, para. 2.

³⁹⁸ UN Committee on Economic, Social and Cultural Rights, Statement on the Right to Sanitation, Forty-fifth session, E/C.12/2010/1, para. 7.

In the workplace, access to adequate water and sanitation facilities are necessary components of the right to safe and healthy working conditions. Without safe drinking water, adequate sanitation facilities, and materials and information necessary to promote good hygiene, the right to health and safety at work cannot be fulfilled.³⁹⁹

The existence and adequacy of water and sanitation has a specific importance for workers who must manage menstruation. Women and girls encounter difficulties in managing hygiene during menstruation when there is not an enabling environment to do so; for example, if they lack access to water, sanitation, or health care. The Committee on Economic, Social and Cultural Rights has specifically clarified that workplace sanitation facilities should “meet women’s specific hygiene needs,”⁴⁰⁰ with states holding responsibility for adopting a national policy ensuring that workers have access to safe and hygienic facilities.⁴⁰¹

As described above, harsh working conditions and long hours without breaks can limit workers’ access to adequate sanitation facilities, undermining their right to sanitation. These conditions, in turn, may leave workers with little choice but to not change menstrual materials frequently enough, increasing the risk of vaginal infections or other negative health outcomes.

Human Factors / Ergonomics (HFE) Standards

Workers who spoke with Human Rights Watch repeatedly stressed that while they had consented to work in a studio, the long periods of time they were expected to use vibrating devices was not only a violation of their consent, but also physically traumatizing. Workers reported that, in addition to causing infections after shifts of up to 24 hours, the vibration itself became painful.

The risks related to workers’ exposure to vibrating objects are not unique to sex work, and the ILO has developed guidelines related to “duration of exposure to whole body vibration

³⁹⁹ ILO Convention No. 161 of 1985 on Occupational Health Services, art. 5.

⁴⁰⁰ Committee on Economic, Social and Cultural Rights, General Comment No. 23 on the Right to just and favorable conditions of work, U.N. Doc E/C.12/GC/23 para. 30, (2016).

⁴⁰¹ Committee on Economic, Social and Cultural Rights, General Comment No. 23 on the Right to just and favorable conditions of work, U.N. Doc E/C.12/GC/23 para. 25, (2016).

and hand-arm vibration (WBV & HAV).”⁴⁰² For webcam models, the risk of this exposure manifested as an inability to go to the bathroom, months of inability to work due to colon injuries, and negative impacts on their personal relationships and intimacy.

The 2021 ILO and the International Ergonomics Association (IEA) “Principles and guidelines for human factors/ergonomics (HFE) design and management of work systems” state that “human physical capabilities and limitations should be considered in the design” of work systems and worker responsibilities.⁴⁰³ These guidelines include strategies to account for “physical capabilities and limitations across industries and occupations,” including:

- (1) Fit the work task to human capabilities and goals, not only the human to the task.
- (2) Minimize concurrent, long duration and/or high magnitude physical exposures (force, repetition, awkward/static posture, mechanical compression, vibration).
Specifically:
 - a. Minimize the duration of exposure to whole body vibration and hand-arm vibration (WBV & HAV).
 - b. Ensure that work/rest recovery cycles within a work shift minimize fatigue.
 - c. Reduce static loads and physically stressful postures.
 - d. Minimize peak force requirements and the percentage of time spent in forceful exertion.
- (3) Design work systems to accommodate a wide range of worker physical sizes and individual differences.⁴⁰⁴

While no industry wide data appears to exist on the impact of musculoskeletal disorders or cumulative trauma for webcam models, several interviewees reported developing carpal tunnel as a result of their work. Research from other industries demonstrates that “since cumulative trauma damages internal parts of the body – muscles, tendons, bones, and

⁴⁰² ILO Principles and guidelines for human factors/ergonomics (HFE) design and management of work systems, (art. 4.2.2) International Labour Office (ILO) and the International Ergonomics Association (IEA), 2021. https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_dialogue/@lab_admin/documents/publication/wcms_826596.pdf (accessed November 25, 2024).

⁴⁰³ Ibid. at 4.2.2.

⁴⁰⁴ Ibid. at 4.2.2.

nerves – it may not be immediately apparent and is often not treated until damage is permanent and disabling.”⁴⁰⁵

Hours and Shifts

The regulation of working hours was at the heart of the first-ever ILO convention, the ILO Hours of Work (Industry) Convention, 1919 (No. 1), which set the general standard of 48 regular hours of work per week, with a maximum of 8 hours per day. The convention, which Colombia ratified in 1993, specifically addresses the flexibility that may be required of shift workers, stating:

where persons are employed in shifts it shall be permissible to employ persons in excess of eight hours in any one day and forty-eight hours in any one week, if the average number of hours over a period of three weeks or less does not exceed eight per day and forty-eight per week.⁴⁰⁶

Employer-Provided Housing

Workers’ right to adequate housing is widely recognized as central to labor rights. The ILO Declaration of Philadelphia, which was formally annexed to the ILO Constitution in 1944, states: “The Conference recognizes the solemn obligation of the International Labour Organization to further among the nations of the world programmes which will achieve: ... the provision of adequate nutrition, housing and facilities for recreation and culture.”⁴⁰⁷

The ILO Workers’ Housing Recommendation of 1961 (R115) states it is “generally not desirable that employers should provide housing for their workers directly,” except in specific circumstances such as work being performed long distances from population centers or in which workers are required to be available on short notice. When housing is provided by an employer, R115 specifically states that:

⁴⁰⁵ Human Rights Watch, *When We’re Dead and Buried, Our Bones Will Keep Hurting: Workers’ Rights Under Threat in US Meat and Poultry Plants*, September 4, 2019, https://www.hrw.org/sites/default/files/report_pdf/us0919_web.pdf.

⁴⁰⁶ ILO Convention No. 1, Hours of Work (Industry) Convention, adopted November 28, 1919, entered into force June 13, 1921, https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C001 (accessed July 11, 2024).

⁴⁰⁷ Declaration, art. 3(c).

- (3)(a) the fundamental human rights of the workers, in particular freedom of association, should be recognised;
- (b) national law and custom should be fully respected in terminating the lease or occupancy of such housing on termination of the workers' contracts of employment; and
- (c) rents charged should be in conformity with the principle set out in Paragraph 4 above, and in any case should not include a speculative profit.
- (4) The provision by employers of accommodation and communal services in payment for work should be prohibited or regulated to the extent necessary to protect the interests of the workers.⁴⁰⁸

According to R115, the authorities should draft detailed housing standards to which employers will be held in the provision of housing to employees.⁴⁰⁹ The Recommendation also urges member states to follow a number of Suggestions concerning Methods of Application of the Recommendation. The suggestions include the following housing standards, which are particularly relevant to webcam studios:

- minimum space per person in terms of floor area, cubic volume, and size and number of rooms;
- supply of safe water sufficient for personal and household uses;
- adequate sewage and garbage disposal systems;
- protection against heat, cold, damp, noise, and fire;
- protection against insects that carry diseases;
- adequate sanitary and washing facilities;
- cooking and storage facilities;
- natural and artificial lighting;
- a minimum degree of privacy;⁴¹⁰
- a separate bed for each worker; and
- common areas for dining and recreation.⁴¹¹

⁴⁰⁸ ILO Recommendation concerning Workers' Housing, June 28, 1968, ILO No. R115, art. 12(3)-(4).

⁴⁰⁹ ILO R115, art. 19.

⁴¹⁰ ILO R155, Suggestions Concerning Methods of Application, arts. 7(a)-(f).

⁴¹¹ ILO R155, Suggestions Concerning Methods of Application, arts 8(a), (f)

Right to Privacy

Article 17 of the International Covenant on Civil and Political Rights affirms the right of everyone against “arbitrary or unlawful interference with [their] privacy.”⁴¹² The UN Human Rights Committee, the treaty body charged with monitoring implementation of the ICCPR, has found that Article 17 establishes “the right to ascertain in an intelligible form whether, and if so, what personal data is stored in automatic data files, and for what purposes.”⁴¹³

The UN Human Rights Council's 2019 resolution on the Right to Privacy in the Digital Age specifically encourages businesses to establish transparency and policies that allow for the informed consent of users in relation to their data; to implement safeguards to ensure that data are processed lawfully; to ensure that individuals have access to their data, and the possibility to delete the data if it were obtained illegally; to ensure that respect for privacy and other human rights "is incorporated into the design, operation, evaluation, and regulation of automated decision-making and machine-learning technologies, and to provide compensation for human rights abuses... to which they have contributed;" and to put in place safeguards to prevent or mitigate adverse human rights impacts through contractual clauses, and promptly inform relevant domestic, regional or international oversight bodies of abuses or violations.⁴¹⁴

In 1997, the ILO created a Code of Practice related specifically to the protection of workers' personal data, stating that “new ways of collecting and processing data entail some new risks for workers.”⁴¹⁵ The code specifies that workers have “the right to examine and obtain

⁴¹² International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, art. 17

⁴¹³ “The gathering and holding of personal information...whether by public authorities or private individuals or bodies, must be regulated by law. Effective measures have to be taken by States to ensure that information concerning a person's private life does not reach the hands of persons who are not authorized by law to receive, process and use it, and is never used for purposes incompatible with the Covenant. In order to have the most effective protection of his private life, every individual should have the right to ascertain in an intelligible form, whether, and if so, what personal data is stored in automatic data files, and for what purposes. Every individual should also be able to ascertain which public authorities or private individuals or bodies control or may control their files. If such files contain incorrect personal data or have been collected or processed contrary to the provisions of the law, every individual should have the right to request rectification or elimination.” UN Human Rights Committee, General Comment No. 16: Article 17, UN Doc. HRI/GEN/1/Rev.9, August 30, 2018, para 10. <https://www.refworld.org/legal/general/hrc/1988/en/27539> (accessed October 22, 2024).

⁴¹⁴ UN Human Rights Council, The right to privacy in the digital age, U.N. Doc. A/HRC/RES/42/15 (2019), paras. 4, 8(b)-(f) <https://documents.un.org/doc/undoc/gen/g19/297/52/pdf/g1929752.pdf> (accessed October 22, 2024).

⁴¹⁵ ILO, Protection of Workers' Personal Data, Code of Practice, 1997, https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---safework/documents/normativeinstrument/wcms_107797.pdf (accessed October 22, 2024).

a copy of any records” and requires limiting employers’ access to such data to “purposes known to them [workers] and unequivocally defined before their collection.”⁴¹⁶

Sexual Exploitation

There are no agreed upon definitions of “exploitation,” “sexual exploitation,” nor “exploitation of prostitution” in international law. Sexual exploitation is frequently conflated with sex work in a way that is harmful to the rights of both sex workers and survivors of sexual exploitation⁴¹⁷ – two groups that intersect but are not synonymous.⁴¹⁸

Most of the developments in international law standards in this area originated in inter-governmental cooperation against drug trafficking or organized crime. The 2000 Trafficking in Persons Protocol is widely regarded as the international standard establishing responsibilities of states vis-à-vis the elimination of human trafficking. It states in Article 3:

exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.⁴¹⁹

Article 6 of the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) holds: “States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.” The article does not define trafficking, exploitation, or prostitution, nor has CEDAW since that time.⁴²⁰ Other references issued by international bodies and experts include:

⁴¹⁶ Ibid., p. 12.

⁴¹⁷ Benoit et al., “Prostitution Stigma.”

⁴¹⁸ “Sex Work is not Sexual Exploitation,” NSWP Briefing Notes, June 2019,

https://www.nswp.org/sites/default/files/briefing_note_sex_work_is_not_sexual_exploitation_nswp_-_2019_o.pdf (accessed November 25, 2024).

⁴¹⁹ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention on Transnational Organized Crime (Palermo Protocol), adopted November 15, 2000, G.A. Res. 55/25, annex II, 55 U.N. GAOR Supp. (N. 49) at art. 3, U.N. Doc. A/45/49 (Vol I), entered into force December 25, 2003.

⁴²⁰ Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted December 18, 1979, G.A. res. 34/180, 34 U.N. GAOR Supp. (No. 46) at 193, U.N. Doc. A/34/46, entered into force September 3, 1981, art. 6, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women> (accessed November 25, 2024).

- In 2003, the UN Secretary General defined “sexual exploitation” as “any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.”⁴²¹
- The UN Refugee Agency defines sexual exploitation according to the 2003 statement of the Secretary General, but adds: “It includes but is not limited to exchanging money, employment, goods or services for sex. This includes transactional sex regardless of the legal status of sex work in the country. It also includes any situation where sex is coerced or demanded by withholding or threatening to withhold goods or services or by blackmailing.”⁴²²
- In 2021, the World Health Organization published *Information on Policy Directive on Protection from sexual exploitation and sexual abuse (SEA)*, also using the 2003 language.⁴²³

Recognizing the centrality of the 2000 Protocol and the discrepancies in many of these definitions, in 2015 the UN Office on Drugs and Crime (UNODC) issued a 133-page report examining *The Concept of “Exploitation” in the Trafficking in Persons Protocol*.⁴²⁴ It states that “exploitation is not specifically defined in the Protocol [and] it has become evident that questions remain about certain aspects of [the Protocol’s] definition.”⁴²⁵ The report finds in several instances that “exploitation of prostitution” and “sexual exploitation” do not refer to consensual adult sex work “generally” or “per se,” but rather require that someone else “benefit” from this work.

First, regarding “exploitation of prostitution,” the report finds:

⁴²¹ United Nations, “Secretary-General’s Bulletin: Special measures for protection from sexual exploitation and sexual abuse,” October 2003, <https://www.unhcr.org/media/secretary-generals-bulletin-special-measures-protection-sexual-exploitation-and-sexual-abuse> (accessed October 22, 2024).

⁴²² UN High Commissioner for Refugees, “Sexual exploitation and abuse (SEA),” <https://www.unhcr.org/what-we-do/how-we-work/tackling-sexual-exploitation-abuse-and-harassment/what-sexual-exploitation> (accessed October 22, 2024).

⁴²³ WHO, “Sexual Exploitation and Abuse,” date, <https://www.who.int/docs/default-source/documents/ethics/sexual-exploitation-and-abuse-pamphlet-en.pdf> (accessed October 22, 2024).

⁴²⁴ UNODC, “The Concept of ‘Exploitation’ in the Trafficking in Persons Protocol,” 2015, https://www.unodc.org/documents/congress/background-information/Human_Trafficking/UNODC_2015_Issue_Paper_Exploitation.pdf (accessed October 22, 2024).

⁴²⁵ *Ibid.* at 15.

For prostitution involving adults to fall within the definition of trafficking all three definitional elements (act, means and purpose) [must be present].

The relevant ‘purpose’ is ‘exploitation of prostitution’. **This term refers not to prostitution per se but rather, to deriving some benefit from the prostitution of another person.**⁴²⁶

Second, regarding “sexual exploitation,” the report finds:

While the meaning of ‘sexual exploitation’ is not fixed, a contextual analysis reveals certain parameters. When used in the context of the Protocol, **this term could not be applied to prostitution generally as States made clear that was not their intention.**⁴²⁷

Human Rights Watch does not use the word “prostitution” due to the stigma and legal ambiguity it produces (see **Terminology**). However, the UNODC’s findings related to “sexual exploitation” and “exploitation of prostitution” help to establish a framework for the ways in which sexual exploitation can occur in the context of consensual adult sex work.⁴²⁸

⁴²⁶ Ibid. at 7.

⁴²⁷ Ibid. at 40.

⁴²⁸ Ibid. at 7 and 40.

Recommendations

For Webcam Platforms

Policies and Protocols for Studio Account Holders

- Carry out human rights due diligence, in consultation with studio-based models, and develop standards and noncompliance protocols for studio account holders;
- Require studios to:
 - Adhere to international labor standards related to sanitation, cubicle size, privacy, lighting, hours, shifts, breaks, access to water and bathrooms, and other occupational health and safety matters;
 - Provide models with clear information in local languages about earnings and exchange rates;
 - Issue written contracts in clear and accessible language to all models;
 - Develop, implement, and display policies which prohibit managers from pressuring models into performing specific sex acts, including consenting to any performance on behalf of a model, and which affirm models' right to deny a client request without penalty;
 - Minimize concurrent and long duration physical exposures to force, repetition, and vibration.
- Conduct regular monitoring visits to all studios with registered studio accounts to assess compliance with the above standards;
- Establish comprehensive noncompliance protocols for studios, including the potential closure of studio accounts found to be in violation of any of the above standards, ensuring that studio models associated with that studio are able to transfer their accounts to another studio or to work independently.

Transparency, Pay Structure, and Rest

- Publish terms, agreements, policies, and sample model contracts in local languages, ensuring models do not need studio management to translate for them when they create their accounts;

- Pay workers a living wage that is at least a minimum wage, regardless of the establishment's pay structure, in line with Constitutional Court holdings extending labor protections to sex workers and webcam models;⁴²⁹
- Establish policies and reform operating systems to ensure models adequate rest during each shift without punishment from studios or via lost wages;
- Establish a “pause” or “break” feature for models to take breaks each shift in and ensure models are informed at hiring of how to use this feature;
- Pay models at least minimum wage for this break time;
- Provide models directly with clear information regarding their rights under platform policies to adequate rest and to deny client requests, without facing negative consequences in terms of their remuneration, exclusion from employment, or any other form of retaliation;
- Make available to studio-based employees clear, succinct, accessible information in Spanish about page traffic allocation and account deactivation processes. These rules and policies should be written in a clear and precise way that enables studio-based employees to understand the extent to which these decisions are automated; the impact of client ratings and break times on these decisions; and contact information for redress.

Redress, Account Recycling, and Child Sexual Abuse Material (CSAM)

- Establish as a matter of policy the right of models to transfer their account away from a studio for any reason and remove technical barriers which may prohibit models from transferring their accounts;
- Ensure timely, comprehensive responses by platform employees to requests submitted by models to close or transfer their account or report studio abuses;
- Establish confidential pathways for models to access redress in their language or dialect, and with sufficient awareness of local or national context, directly and without having to go through the studios;

⁴²⁹ *Judgment T-629*, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010; *Sentence T-736*, Constitutional Court of Colombia, Case No. T-4.982.494, Judgment, Nov. 30, 2015; *Sentence T-594*, Constitutional Court of Colombia, Case No. T-5.596.207, Judgment, Oct. 31, 2016; *Unification Ruling SU-062 of 2019*, Constitutional Court of Colombia, Case No. T-5.872.661, Judgment, Feb. 14, 2019.

- Take steps to prevent the use of “recycled” accounts in the production of CSAM, including by ensuring that all models' requests to suspend or close their accounts are addressed in a timely manner;
- Investigate and terminate partnerships with studios found to “recycle” accounts.

For Colombian Webcam Studios

Transparency, Pay Structure and Rest

- Pay webcam models a living wage that is at least a minimum wage, regardless of the establishment’s pay structure, in line with Constitutional Court holdings extending labor protections to sex workers and webcam models;⁴³⁰
- Provide all webcam models with the Spanish text of the terms and conditions of all platforms being used before creating an account; ensure that all webcam models understand and personally sign platform terms and conditions;
- Issue written employment contracts in place of verbal ones, include in these contracts a clear pay formula;
- Do not deviate from the wage or pay structure agreed upon in the contract or during the hiring process, demand actions from workers outside the scope of the contract, or make unauthorized deductions from wages;
- Provide webcam models with a weekly report of their earnings on each platform including any deductions;
- Establish and adhere to paid break times for webcam models during each shift.

Occupational Health and Safety

- Develop and implement policies which minimize concurrent and long duration physical exposures to force, repetition, and vibration;
- Establish mechanisms to prevent harm, promote the creation of peer mutual support groups, and provide mental health services by professionals to mitigate potential risks to webcam models’ physical and mental health;

⁴³⁰ *Judgment T-629*, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010; *Sentence T-736*, Constitutional Court of Colombia, Case No. T-4.982.494, Judgment, Nov. 30, 2015; *Sentence T-594*, Constitutional Court of Colombia, Case No. T-5.596.207, Judgment, Oct. 31, 2016; *Unification Ruling SU-062 of 2019*, Constitutional Court of Colombia, Case No. T-5.872.661, Judgment, Feb. 14, 2019.

- Supply the resources necessary to effectively conduct webcamming sessions, including computers, sanitary and private rooms, and budgets for webcam models to purchase materials relevant to their shows;
- Guarantee the health and safety of all sex workers.

Harassment and Sexual Exploitation

- Disseminate Codes of Conduct describing the scope and boundaries of the employer's and the employee's roles, including responsibilities guidelines for behavior in common areas and living spaces, prohibitions on workplace and sexual harassment including the interview process and while models are streaming;
- Establish and disseminate clear policies outlining webcam models' rights to deny any performance request for any reason;
- Prohibit monitors and studio management from consenting on a models' behalf to any sexual performance via the chat or pressuring models to engage in acts to which they have indicated they do not consent;
- Establish clear processes for webcam models to freely issue complaints about the establishment without fear of retaliation;
- Prohibit, as a matter of policy, the use of "recycled" accounts and close the accounts of models whose employment is terminated for any reason.

For the Colombian Government

- To ensure legal clarity, end use of the term "prostitution" in all government policies and communications and replace it with language that clarifies whether the text refers to consensual adult sex work, trafficking into sexual exploitation, or trafficking into labor exploitation;
- Ratify as soon as possible the ILO Violence and Harassment Convention, 2018 (No 190), known as C190;
- Abandon rehabilitative rhetoric around sex work and sex workers in all government policies and communication, ensuring alignment with the Constitutional Court's framing of sex workers as a group of "special constitutional protection."

For the Colombian Congress

- In line with Constitutional Court Sentences T-629 of 2010 and T-109 of 2021, pass legislation strengthening sex workers' employment status by codifying it into law.
- Classify sex workers and webcam models as workers who are subject to, at minimum, the following labor protections: equality, non-discrimination, personal Integrity⁴³¹, freedom from abuse, freedom of movement, freedom of expression⁴³², free choice of trade, free development of personality⁴³³, work⁴³⁴, minimum wage, including in cases in which employees only make a percentage of the total generated revenue⁴³⁵, paid sick leave and family leave, workers' compensation, job security⁴³⁶, social security⁴³⁷, legitimate expectation of maintaining a business⁴³⁸, maternal immunity⁴³⁹, dignified and healthy working conditions⁴⁴⁰, health;⁴⁴¹
- Strengthen employment classification standards to provide wage and labor protections in line with the ILO's recommendation against "disguised employment relationships" where an employer "treats an individual as other than an employee in a manner that hides his or her true legal status as an employee."

⁴³¹ *Sentence T-594*, Constitutional Court of Colombia, Case No. T-5.596.207, Judgment, Oct. 31, 2016.

⁴³² *Sentence T-736*, Constitutional Court of Colombia, Case No. T-4.982.494, Judgment, Nov. 30, 2015.

⁴³³ The Political Constitution, art. 16 ("All individuals are entitled to the unrestricted development of their identity without limitations other than those imposed by the rights of others and the legal order"); *Sentence T-736*, Constitutional Court of Colombia, Case No. T-4.982.494, Judgment, Nov. 30, 2015.

⁴³⁴ *Unification Ruling SU-062 of 2019*, Constitutional Court of Colombia, Case No. T-5.872.661, Judgment, Feb. 14, 2019;

Sentence T-109, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

⁴³⁵ Art. 132 CST; *Sentence T-629 of 2010*; *Sentence T-109*, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

⁴³⁶ *Unification Ruling SU-062 of 2019*, Constitutional Court of Colombia, Case No. T-5.872.661, Judgment, Feb. 14, 2019;

Sentence T-109, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

⁴³⁷ *Sentence T-109*, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

⁴³⁸ *Sentence T-736*, Constitutional Court of Colombia, Case No. T-4.982.494, Judgment, Nov. 30, 2015.

⁴³⁹ *Judgment T-629*, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010; *Sentence T-109*, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

⁴⁴⁰ *Judgment T-629*, Constitutional Court of Colombia, Case No. T-2384611, Judgment, Aug. 13, 2010; *Sentence T-736*, Constitutional Court of Colombia, Case No. T-4.982.494, Judgment, Nov. 30, 2015.

⁴⁴¹ *Sentence T-736*, Constitutional Court of Colombia, Case No. T-4.982.494, Judgment, Nov. 30, 2015; *Sentence T-109*, Constitutional Court of Colombia, Case No. T-7.961.395, Judgment, Apr. 21, 2021.

For the Ministry of Labor

For the Directorate of Fundamental Labor Rights and the Sub-Directorate of Labor Protection

- In line with Sentence T-109 of 2021, adopt “the necessary and pertinent measures to safeguard the rights of women who work as webcam models in establishments” pursuant to the Ministry’s inspection, surveillance, and control powers;
- Develop and produce guidance that differentiates legal sex work from induction to prostitution, sexual exploitation, and human trafficking;
- Develop a campaign which socializes and disseminates this guidance to law enforcement, health institutions, and government ministries;
- Create a clear and independent category of registration for webcam establishments and corresponding monitoring procedures, and process for transferring studios registered under different codes;
- Develop specific guidance and registration procedures for studios which provide living facilities.

For the Office of the Deputy Minister of Labor Relations and Inspection and the Directorate of Inspection, Surveillance, Control, and Territorial Management

- In collaboration with sex worker rights organizations, provide training on sex, gender, race, ethnicity, sex work, and webcam modeling for inspectors who will work with studios;
- Conduct regularly scheduled inspections into establishments to ensure they satisfy Colombian and international labor standards of work, and of living conditions if employees live at the establishment;
- Develop protocols for monitoring and evaluating establishments that fail health and safety inspections;
- Design processes that ensure workers can express concerns to the Ministry without risk of intimidation from establishment owners. Investigate all allegations of mistreatment and abuse by employers;
- Regularly collect and publish data on injuries, illnesses, and unsafe conditions in establishments. Based on this research, establish and require platforms and establishments to adopt specific safeguards for workers.

For the US Government

For the US State Department

- Proactively consult with and seek input from sex worker rights organizations and webcam model collectives in Colombia, to incorporate into the annual Trafficking in Persons (TIP) report;
- Urge Colombia to pursue labor protections for sex workers and webcam models in line with holdings of the Colombian Constitutional Court;
- Cease use of the word “prostitution,” which is legally ambiguous and stigmatizing, in the TIP report and accompanying statements, documents, and public remarks, and instead use language that distinguishes between consensual adult sex work and trafficking into sexual exploitation;

For the US Congress

- Amend the minimum standards for the elimination of human trafficking in the Trafficking Victims Protection Act (TVPA) to clearly differentiate trafficking into sexual exploitation from consensual adult sex work, to ensure that governments seeking to improve or maintain their TIP report Tier do not criminalize sex work;
- Remove all restrictions on foreign funding and aid which implicitly or explicitly require grantees to hide or abandon their current or past employment as sex workers or webcam models.

For Women’s Rights and Anti-Trafficking Donors

- Fund the human rights work of sex workers and webcam models, including capacity building and networking to share strategies;
- Remove all restrictions on funding which implicitly or explicitly require grantees to hide or abandon their current or past employment as sex workers or webcam models;
- Conduct outreach with sex worker rights organizations and webcam model collectives to share funding calls for women’s rights, LGBT rights and anti-trafficking programs, in recognition of their expertise in, and historical exclusion from, each of these portfolios;
- Ensure language related to anti-trafficking efforts does not stigmatize sex workers or webcam models.

Acknowledgments

This report was researched and written by Erin Kilbride, Researcher in the Women's Rights and LGBT Rights Divisions at Human Rights Watch.

Human Rights Watch is grateful for the trust and creativity of sex worker rights defenders with whom we designed this investigation and traveled to conduct interviews with webcam models in four Colombian cities. The expertise and leadership of Corporación Calle 7 Colombia, La Liga de Salud Trans, Carolina Calle, Yoko Ruiz, and Sahory Balaguera were foundational to this project.

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The report was reviewed by Macarena Sáez, Executive Director, Women's Rights Division; an editor in the Women's Rights Division; Arvind Ganesan, Director, and Matt McConnell, Researcher, Economic Justice and Rights Division; Juan Pappier, Deputy Director, Americas; Carlos Ríos Espinosa, Associate Director, Disability Rights Division; Deborah Brown, Deputy Director, and Anna Bacciarelli, Senior Researcher, Technology, Rights & Investigations; Cristian González Cabrera, Senior Researcher, LGBT Rights Program; and Hye Jung Han, Researcher and Advocate, Children's Rights Division.

Tom Porteous, Deputy Program Director, and Maria McFarland Sánchez-Moreno, Senior Legal Advisor, provided program and legal reviews. Audrey Gregg provided editing and production assistance. Additional production assistance was provided by Travis Carr, publications officer.

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Annex I: Human Rights Watch Letter to BongaCams

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October 2, 2024

BongaCams, BNC Technology and Advertising LTD
Digeni Akrita 8, Office 202 1045
Nicosia, Cyprus



HRW.org

Re: Alleged labor abuses and sexual exploitation of adults and children in Colombian webcam studios

Dear Chief Executive Officer of BongaCams,

We are writing to you on behalf of Human Rights Watch seeking further information and comment related to research that we are conducting regarding alleged labor abuses and sexual exploitation in Colombian webcam studios, as well as the risk that children could be working in studios and may appear on BongaCams due to weaknesses in age verification.

Human Rights Watch is an independent international human rights nongovernmental organization that monitors and reports on human rights in some 100 countries around the world. Human Rights Watch has previously conducted extensive research on sex work and sex workers' labor rights, including in Cambodia, China, Greece, South Africa, Spain, Tanzania, and the United States.

Our current research is based on interviews with 55 webcam models (Adult Service Providers) in four Colombian cities, as well as interviews with Colombian authorities from six government ministries and US State Department officials.¹ We also reviewed BongaCams's Terms and Conditions of Use and conducted additional remote research between February 2023 and August 2024.

Twenty-two models interviewed by Human Rights Watch said that they had streamed on BongaCams while employed in a studio. Human Rights Watch found that, in addition to persistent labor abuses alleged by these models, detailed below, some Colombian webcam studios may have lax age verification procedures that may have led to the employment of children.²

¹ Human Rights Watch interviewed 55 webcam models in Colombia. 50 of those completed a structured survey. Not all questions were relevant to all interviewees, and some skipped questions they were not comfortable answering.

² Seven out of 55 interviewees told Human Rights Watch that they began webcamming as a child. 34 out of 55 interviewees told Human Rights Watch they had encountered people they believed were children working in at least one of the studios in which they had been employed.

Webcam models interviewed by Human Rights Watch reported poor, unsanitary work conditions in some webcam studios including bed bug and cockroach infestations; lack of ventilation and windows; extreme temperatures; confinement in small cubicles for up to 20 hours per day; denial of bathroom, water, and personal hygiene breaks; and unsanitary and unhygienic conditions. For example, interviewees repeatedly noted that they worked in studios in which keyboards, mice, and cubicles were covered in bodily fluids from other employees.

More than 75 percent of models interviewed by Human Rights Watch reported that studio management had threatened them into performing sex acts on camera to which they did not consent, including performances involving urination, vomit, and pretending to be children.³ Some models told Human Rights Watch that they were fined by a studio for refusing to do acts requested by clients. Many interviewees reported that monitors or “admins” employed by studios agreed to the requests of webcam clients on models’ behalf, without their consent, and then pressured those models to perform those acts.

Some models reported that upon severing their business relationship with the studio, often due to these poor working conditions, the studio retained control of their account. In some cases, models reported that the studio used their account to stream another performer. Additionally, some workers interviewed by Human Rights Watch said they had started working in a studio as children, and that studios either created a fake ID to register them for a platform account or assigned them an account that was previously created, verified, and registered to an adult.

As part of our research, we are writing to request information on the measures your company is taking to identify and address labor abuses in Colombian webcam studios operating studio accounts on BongaCams, as well as measures your company is taking to address how your own policies, or lack thereof, may contribute to the exploitation of Colombian studio workers.

In the interests of thorough and objective reporting, we would be grateful for a written response to the questions and an opportunity to discuss our findings with you during a virtual meeting. Due to our publications schedule, we would be grateful to receive your answers by October 16, 2024, so they can be reflected in our reporting. Please note that we may at our discretion publish any response either in full or in part on our website. If you have any questions, please feel free to contact our Researcher, Erin Kilbride, at [REDACTED]

Thank you for your attention to this important matter.

Yours sincerely,

[REDACTED]
Macarena Sáez
Director, Women’s Rights Division
Human Rights Watch

³ Thirty-eight of 49 models answered “yes” when asked if they had ever been pressured by studio management to perform sex acts they did not feel comfortable with. In an open-ended follow-up question, interviewees explained the acts they had been pressured to perform and the punishment they received if they refused or failed to do so.

Annex – Questions

A. General

1. What policies, if any, does your company have in place to conduct due diligence to identify and mitigate possible human rights abuses occurring in studios with registered BongaCams accounts? Could you please provide them?
2. How does your company identify unhygienic, dangerous or exploitative working conditions occurring in webcam studios in Colombia, such as poor ventilation, unsanitary rooms, bug infestations, or prohibitions on bathroom breaks? Are there other countries in which BongaCams has abuse monitoring practices in place with studios?
3. We understand that a number of performers may not know their rate of pay, what amount is fully withheld by studios, or other aspects of compensation. How does your company ensure that models are informed about the rate of pay, currency conversion, tipping procedures, and other payout practices?

B. Due Diligence with Studios

1. Does BongaCams require studios to issue a written contract to each model for whom they create a BongaCams account? If so, can you provide such a contract, information on where it has been adopted and implemented, and how it is enforced or verified to ensure compliance with human rights norms and standards? In particular, is any such contract made available to workers in Colombia?
2. We understand that live streaming sessions can be cut if the worker is absent from the screen for a certain period of time. This impacts worker experience and appears to result in studio prohibitions on bathroom and water breaks.
 - a. What are BongaCams's policies or procedures that determine when to cut a feed? Could you provide us with those policies, including the length of time a worker is absent from the screen that leads to a feed being cut?
 - b. If such policies exist, to what extent is this process automated or determined by an algorithm and what are the data points that inform such a decision?
 - c. What is the impact of live streaming sessions being cut? Do such cuts impact a model's visibility, rating or rate of pay on the platform?
 - d. Can models/performers appeal a live streaming session cut, and if so, how?
3. What policies or procedures does BongaCams have to ensure that workers can take breaks? For example, what safeguards are in place to ensure workers can take water or bathroom breaks without facing adverse economic or other consequences? How are these policies monitored and enforced?

4. How does BongaCams verify that all studio-based models are performing by their own free will?
5. How does BongaCams verify that studio-based models have signed and received a copy of a contract with the studio in which they work, and are aware of the terms between them and the studio in which they are employed? In that context, how does the company verify that the individual has seen and can comply with the terms of the contract?
6. What sanitation, hygiene, and health policies does your company have in place for studios with a registered BongaCams studio account, and how are these policies monitored and enforced?
7. The BongaCams “Terms and Conditions of Use” (last updated February 13, 2024, available at <https://bongamodels.com/terms>), removed 161 references to Studio Models, Studio Model Accounts, Studio Model Services which were present in BongaCams “Terms & Conditions” (last updated July 25, 2023, available at <https://bongacams.com/terms>). This includes the removal of a requirement that studios attest that “Studio Models are, rendering the Services/Studio Models Services in the video/film and appearance(s) at my/their own free will.” Please clarify the circumstances of this removal, and how BongaCams ensures that all models are performing by their own free will.

C. Ensuring Consent

1. Does the company have any policies or procedures in place to ensure that performers create and retain control of the accounts from which they stream? Specifically, how does BongaCams ensure that:
 - a. Performers read and understand the Agreement;
 - b. Sign the Agreement themselves, and ensure that studio management does not sign the agreement for them;
 - c. Have complete control over the specializations, areas of expertise, areas of willingness, and fetishes advertised on their account.
2. Are models in Colombia, by matter of policy, provided with an official Spanish language Agreement?
3. What measures does your company take to ensure that models are not coerced, forced, or threatened into performing sex acts while streaming by studio management, monitors, or other individuals? What measures do you take to ensure models are aware of the mental health risks associated with streaming from a studio and of their ability to deny consent for any performance that causes them distress without penalty?
4. We understand that some studio management, monitors, or other studio employees may unilaterally give consent to sex acts on behalf of studio-based models? What policies and procedures does BongaCams have to ensure a worker has actually provided consent for acts and how does the company enforce or monitor those policies?

5. We understand that performers are reliant on studio intermediaries to translate requests from clients, and this may result in situations in which the performer cannot give consent. What steps is your company taking to utilize available technology to provide accessibly, high-quality translation to and from Spanish in chat rooms to ensure performers and clients can speak directly to each other in order to provide consent to certain requests?

D. Recycled Accounts and Complaints Mechanisms

1. What direct channels exist for studio-based models to contact your company to request that their account be closed? What is the response time, wait time, and service level agreement for these channels?
2. What confidential channels exist for studio-based models to contact your company to report labor abuses, child sexual exploitation, other complaints, or violations of policy without fear of retaliation by studio management or others? What is the response time, wait time, and service level agreement for these channels?
3. What are your policies and procedures to address complaints by models? In particular, how does the company prioritize the severity of complaints, how quickly does it respond, and how does it seek to remedy those situations? Can you provide any examples of how these policies or procedures have been implemented in Colombia?

Annex II: Human Rights Watch Letter to Chaturbate

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October 2, 2024

Chaturbate, Multi Media LLC
23600 El Toro Road D344
Lake Forest, CA 92630, United States

Re: Alleged labor abuses and sexual exploitation of adults and children in Colombian webcam studios

Dear Chief Executive Officer of Chaturbate,

We are writing to you on behalf of Human Rights Watch seeking further information and comment related to research that we are conducting regarding alleged labor abuses and sexual exploitation in Colombian webcam studios, as well as the risk that children could be working in studios and may appear on Chaturbate due to weaknesses in age verification.

Human Rights Watch is an independent international human rights nongovernmental organization that monitors and reports on human rights in some 100 countries around the world. Human Rights Watch has previously conducted extensive research on sex work and sex workers' labor rights, including in Cambodia, China, Greece, South Africa, Spain, Tanzania, and the United States.

Our current research is based on interviews with 55 webcam models in four Colombian cities, as well as interviews with Colombian authorities from six government ministries and US State Department officials.¹ We also reviewed Chaturbate's Terms & Conditions and conducted additional remote research between February 2023 and August 2024.

Forty-five models interviewed by Human Rights Watch said that they had streamed on Chaturbate while employed in a studio. Human Rights Watch found that, in addition to persistent labor abuses alleged by these models, detailed below, some Colombian webcam studios may have lax age verification procedures that may have led to the employment of children.²

Webcam models interviewed by Human Rights Watch reported poor, unsanitary work conditions in some webcam studios including bed bug

¹ Human Rights Watch interviewed 55 webcam models in Colombia. 50 of those completed a structured survey. Not all questions were relevant to all interviewees, and some skipped questions they were not comfortable answering.

² Seven out of 55 interviewees told Human Rights Watch that they began webcamming as a child. 34 out of 55 interviewees told Human Rights Watch they had encountered people they believed were children working in at least one of the studios in which they had been employed.

and cockroach infestations; lack of ventilation and windows; extreme temperatures; confinement in small cubicles for up to 20 hours per day; denial of bathroom, water, and personal hygiene breaks; and unsanitary and unhygienic conditions. For example, interviewees repeatedly noted that they worked in studios in which keyboards, mice, and cubicles were covered in bodily fluids from other employees.

More than 75 percent of models interviewed by Human Rights Watch reported that studio management had threatened them into performing sex acts on camera to which they did not consent, including performances involving urination, vomit, and pretending to be children.³ Some models told Human Rights Watch that they were fined by a studio for refusing to do acts requested by clients. Many interviewees reported that monitors or “admins” employed by studios agreed to the requests of webcam clients on models’ behalf, without their consent, and then pressured those models to perform those acts.

Some models reported that upon severing their business relationship with the studio, often due to these poor working conditions, the studio retained control of their account. In some cases, models reported that the studio used their account to stream another performer. Additionally, some workers interviewed by Human Rights Watch said they had started working in a studio as children, and that studios either created a fake ID to register them for a platform account or assigned them an account that was previously created, verified, and registered to an adult performer.

As part of our research, we are writing to request information on the measures your company is taking to identify and address labor abuses in Colombian webcam studios operating Studio Accounts on Chaturbate, as well as measures your company is taking to address how your own policies, or lack thereof, may contribute to the exploitation of Colombian studio workers.

In the interests of thorough and objective reporting, we would be grateful for a written response to the questions and an opportunity to discuss our findings with you during a virtual meeting. Due to our publications schedule, we would be grateful to receive your answers by October 16, 2024, so they can be reflected in our reporting. Please note that we may at our discretion publish any response either in full or in part on our website. If you have any questions, please feel free to contact our Researcher, Erin Kilbride, at [REDACTED]

Thank you for your attention to this important matter.

Yours sincerely,

[REDACTED]
Macarena Sáez
Director, Women’s Rights Division
Human Rights Watch

³ Thirty-eight of 49 models answered “yes” when asked if they had ever been pressured by studio management to perform sex acts they did not feel comfortable with. In an open-ended follow-up question, interviewees explained the acts they had been pressured to perform and the punishment they received if they refused or failed to do so.

Annex – Questions

A. General

1. What policies, if any, does your company have in place to conduct due diligence to identify and mitigate possible human rights abuses occurring in studios with registered Chaturbate Studio Accounts? Could you please provide them?
2. How does your company identify unhygienic, dangerous or exploitative working conditions occurring in webcam studios in Colombia, such as poor ventilation, unsanitary rooms, bug infestations, or prohibitions on bathroom breaks? Are there other countries in which Chaturbate has abuse monitoring practices in place with studios?
3. We understand that a number of performers may not know their rate of pay, what amount is fully withheld by studios, or other aspects of compensation. How does your company ensure that models are informed about the rate of pay, currency conversion, tipping procedures, and other payout practices?

B. Due Diligence with Studios

1. Does Chaturbate require Studio Account holders to issue written contracts to models working on Sub Accounts? If so, can you provide such a contract, information on where it has been adopted and implemented, and how it is enforced or verified to ensure compliance with human rights norms and standards? In particular, is any such contract made available to workers in Colombia?
2. We understand that live streaming sessions can be cut if the worker is absent from the screen for a certain period of time. This impacts worker experience and appears to result in studio prohibitions on bathroom and water breaks.
 - a. What are Chaturbate's policies or procedures that determine when to cut a feed? Could you provide us with those policies, including the length of time a worker is absent from the screen that leads to a feed being cut?
 - b. If such policies exist, to what extent is this process automated or determined by an algorithm and what are the data points that inform such a decision?
 - c. What is the impact of live streaming sessions being cut? Do such cuts impact a model's visibility, rating or rate of pay on the platform?
 - d. Can models/performers appeal a live streaming session cut, and if so, how?
3. What policies or procedures does Chaturbate have to ensure that workers can take breaks? For example, what safeguards are in place to ensure workers can take water or bathroom breaks without facing adverse economic or other consequences? How are these policies monitored and enforced?

4. How does Chaturbate verify that all models working on Studio Sub Accounts are of legal age and are not subject to any moral or physical constraint by a third party or the studio? Can you provide examples of how this rule is enforced in Colombia?
5. How does your company verify that studio models working on Studio Sub Accounts have signed and received a copy of a model contract, and are aware of the terms between them and the studio in which they are employed? In that context, how does the company verify that the individual has seen and can comply with the specific services to be rendered?
6. What sanitation, hygiene, and health policies does your company have in place for studios with a registered Chaturbate Studio Account, and how are these policies monitored and enforced?

C. Ensuring Consent

1. Does the company have any policies or procedures in place to ensure that performers create and retain control of the accounts from which they stream? Specifically, how does Chaturbate ensure that:
 - a. Performers read and understand the Terms & Conditions;
 - b. Sign the Terms & Conditions themselves, and ensure that studio management does not sign the agreement for them;
 - c. Can freely contact Chaturbate to request removal of their content or account termination, as per the Terms & Conditions;
 - d. Have complete control over the specializations, areas of expertise, areas of willingness, and fetishes advertised on their account.
2. Are models in Colombia, by matter of policy, provided with an official Spanish language Terms & Conditions?
3. What measures does your company take to ensure that models are not coerced, forced, or threatened into performing sex acts while streaming by studio management, monitors, or other individuals? What measures do you take to ensure models are aware of the mental health risks associated with streaming from a studio and of their ability to deny consent for any performance that causes them distress without penalty?
4. We understand that some studio management, monitors, or other studio employees may unilaterally give consent to sex acts on behalf of models. What policies and procedures does Chaturbate have to ensure a worker has actually provided consent for acts and how does the company enforce or monitor those policies?
5. We understand that performers are reliant on studio intermediaries to translate requests from clients, and this may result in situations in which the performer cannot give consent. What steps is your company taking to utilize available technology to provide accessibly, high-quality translation to and from Spanish in various private and public chatrooms to ensure performers and clients can speak directly to each other in order to provide consent to certain requests?

D. Recycled Accounts and Complaints Mechanisms

1. What direct channels exist for models working under Studio Sub Accounts to contact your company to request that their account be closed? What is the response time, wait time, and service level agreement for these channels?
2. What confidential channels exist for models working under Studio Sub Accounts to contact your company to report labor abuses, child sexual exploitation, other complaints, or violations of policy without fear of retaliation by studio management or others? What is the response time, wait time, and service level agreement for these channels?
3. What are your policies and procedures to address complaints by models? In particular, how does the company prioritize the severity of complaints, how quickly does it respond, and how does it seek to remedy those situations? Can you provide any examples of how these policies or procedures have been implemented in Colombia?
4. The Terms & Service stipulate that the “followers, images, and data associated with all Studio Sub Accounts may not be transferred away from or shared with another Account without the applicable Studio's consent, absent what we may deem, in our sole and exclusive determination, to be extraordinary circumstances.” Please detail the human rights due diligence that Chaturbate has conducted to ensure that this policy does not:
 - a. Force or coerce models to remain in studios with poor or exploitative conditions;
 - b. Allow studios to retain control of Sub Accounts after the registered model has left the studio and use the account to stream content from a person other than the registered Sub Account holder.

Annex III: Human Rights Watch Letter to LiveJasmin

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October 2, 2024

Mr. Karoly Papp
Chief Executive Officer, LiveJasmin
44, Avenue John F. Kennedy, 1855 Luxembourg, Luxembourg

Re: Alleged labor abuses and sexual exploitation of adults and children in Colombian webcam studios

Dear Mr. Papp,

We are writing to you on behalf of Human Rights Watch seeking further information and comment related to research that we are conducting regarding alleged labor abuses and sexual exploitation in Colombian webcam studios, as well as the risk that children could be working in studios and may appear on LiveJasmin due to weaknesses in age verification.

Human Rights Watch is an independent international human rights nongovernmental organization that monitors and reports on human rights in some 100 countries around the world. Human Rights Watch has previously conducted extensive research on sex work and sex workers' labor rights, including in Cambodia, China, Greece, South Africa, Spain, Tanzania, and the United States.

Our current research is based on interviews with 55 webcam models in four Colombian cities, as well as interviews with Colombian authorities from six government ministries and US State Department officials.¹ We also reviewed LiveJasmin's Services Agreement and conducted additional remote research between February 2023 and August 2024.

Thirty-nine models interviewed by Human Rights Watch said that they had streamed on LiveJasmin while employed in a studio. Human Rights Watch found that, in addition to persistent labor abuses alleged by these models, detailed below, some Colombian webcam studios may have lax age verification procedures that may have led to the employment of children.²

Webcam models interviewed by Human Rights Watch reported poor, unsanitary work conditions in some webcam studios including bed bug

¹ Human Rights Watch interviewed 55 webcam models in Colombia. 50 of those completed a structured survey. Not all questions were relevant to all interviewees, and some skipped questions they were not comfortable answering.

² Seven out of 55 interviewees told Human Rights Watch that they began webcamming as a child. 34 out of 55 interviewees told Human Rights Watch they had encountered people they believed were children working in at least one of the studios in which they had been employed.

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and cockroach infestations; lack of ventilation and windows; extreme temperatures; confinement in small cubicles for up to 20 hours per day; denial of bathroom, water, and personal hygiene breaks; and unsanitary and unhygienic conditions. For example, interviewees repeatedly noted that they worked in studios in which keyboards, mice, and cubicles were covered in bodily fluids from other employees.

More than 75 percent of models interviewed by Human Rights Watch reported that studio management had threatened them into performing sex acts on camera to which they did not consent, including performances involving urination, vomit, and pretending to be children.³ Some models told Human Rights Watch that they were fined by a studio for refusing to do acts requested by clients. Many interviewees reported that monitors or “admins” employed by studios agreed to the requests of webcam clients on models’ behalf, without their consent, and then pressured those models to perform those acts.

Some models reported that upon severing their business relationship with the studio, often due to these poor working conditions, the studio retained control of their account. In some cases, models reported that the studio used their account to stream another performer. Additionally, some workers interviewed by Human Rights Watch said they had started working in a studio as children, and that studios either created a fake ID to register them for a platform account or assigned them an account that was previously created, verified, and registered to an adult performer.

As part of our research, we are writing to request information on the measures your company is taking to identify and address labor abuses in Colombian webcam studios operating Studio Accounts on LiveJasmin, as well as measures your company is taking to address how your own policies, or lack thereof, may contribute to the exploitation of Colombian studio workers.

In the interests of thorough and objective reporting, we would be grateful for a written response to the questions and an opportunity to discuss our findings with you during a virtual meeting. Due to our publications schedule, we would be grateful to receive your answers by October 16, 2024, so they can be reflected in our reporting. Please note that we may at our discretion publish any response either in full or in part on our website. If you have any questions, please feel free to contact our Researcher, Erin Kilbride, at [REDACTED]

Thank you for your attention to this important matter.

Yours sincerely,

[REDACTED]
Macarena Sáez
Director, Women’s Rights Division
Human Rights Watch

³ Thirty-eight of 49 models answered “yes” when asked if they had ever been pressured by studio management to perform sex acts they did not feel comfortable with. In an open-ended follow-up question, interviewees explained the acts they had been pressured to perform and the punishment they received if they refused or failed to do so.

Annex – Questions

A. General

1. What policies, if any, does your company have in place to conduct due diligence to identify and mitigate possible human rights abuses occurring in studios with registered LiveJasmin Studio Accounts? Could you please provide them?
2. How does your company identify unhygienic, dangerous or exploitative working conditions occurring in webcam studios in Colombia, such as poor ventilation, unsanitary rooms, bug infestations, or prohibitions on bathroom breaks? Are there other countries in which LiveJasmin has abuse monitoring practices in place with studios?
3. We understand that a number of performers may not know their rate of pay, what amount is fully withheld by studios, or other aspects of compensation. How does your company ensure that models are informed about the rate of pay, currency conversion, tipping procedures, and other payout practices?

B. Due Diligence with Studios

1. Human Rights Watch was unable to obtain a standard Model Contract as referenced in the company's Services Agreement. Can you provide a Model Contract and information on where it has been adopted and implemented, and how it is enforced or verified to ensure compliance with human rights norms and standards? In particular, is any such contract made available to workers in Colombia?
2. We understand that live streaming sessions can be cut if the worker is absent from the screen for a certain period of time. This impacts worker experience and appears to result in studio prohibitions on bathroom and water breaks.
 - a. What are LiveJasmin's policies or procedures that determine when to cut a feed? Could you provide us with those policies, including the length of time a worker is absent from the screen that leads to a feed being cut?
 - b. If such policies exist, to what extent is this process automated or determined by an algorithm and what are the data points that inform such a decision?
 - c. What is the impact of live streaming sessions being cut? Do such cuts impact a model's visibility, rating or rate of pay on the platform?
 - d. Can models/performers appeal a live streaming session cut, and if so, how?
3. What policies or procedures does LiveJasmin have to ensure that workers can take breaks? For example, what safeguards are in place to ensure workers can take water or bathroom breaks without facing adverse economic or other consequences? How are these policies monitored and enforced?

4. How does LiveJasmin verify each studio's attestation "that all Models with whom it has entered into contractual relationship are of legal age and are not subject to any moral or physical constraint by a third party or the Studio," as per the company's Services Agreement? Can you provide examples of how this rule is enforced in Colombia?
5. How does your company verify that studio models have signed and received a copy of a Model Contract, and are aware of the terms between them and the studio in which they are employed? In that context, how does the company verify that the individual has seen and can comply with "services to be rendered by Models (hereafter referred to as the 'Model Services') under the terms and conditions of the contract concluded between the Studio and the Models (hereafter referred to as the 'Model Contract')"?
6. What sanitation, hygiene, and health policies does your company have in place for studios with a registered LiveJasmin studio account, and how are these policies monitored and enforced?

C. Ensuring Consent

1. Does the company have any policies or procedures in place to ensure that performers create and retain control of the accounts from which they stream? Specifically, how does LiveJasmin ensure that:
 - a. Performers read and understand the Services Agreement;
 - b. Sign the Services Agreement themselves, and ensure that studio management does not sign the agreement for them;
 - c. Have complete control over the specializations, areas of expertise, areas of willingness, and fetishes advertised on their account.
2. Are models in Colombia, by matter of policy, provided with an official Spanish language Services Agreement? How does LiveJasmin monitor and verify the requirement that models "declare that [they] read, speak and understand the English language"?
3. What measures does your company take to ensure that models are not coerced, forced, or threatened into performing sex acts while streaming by studio management, monitors, or other individuals? What measures do you take to ensure models are aware of the mental health risks associated with streaming from a studio and of their ability to deny consent for any performance that causes them distress without penalty?
4. We understand that some studio management, monitors, or other studio employees may unilaterally give consent to sex acts on behalf of models through Private Chat, Free Chat, or Free Chatroom. What policies and procedures does LiveJasmin have to ensure a worker has actually provided consent for acts and how does the company enforce or monitor those policies?
5. We understand that performers are reliant on studio intermediaries to translate requests from clients, and this may result in situations in which the performer cannot give consent. What steps is your company taking to utilize available technology to provide accessibly, high-quality translation to and from Spanish in Private Chat, Free

Chat, and Free Chatroom to ensure performers and clients can speak directly to each other in order to provide consent to certain requests?

D. Recycled Accounts and Complaints Mechanisms

1. What direct channels exist for models working under Studio Accounts to contact your company to request that their account be closed? What is the response time, wait time, and service level agreement for these channels?
2. What confidential channels exist for models working under Studio Accounts to contact your company to report labor abuses, child sexual exploitation, other complaints, or violations of policy without fear of retaliation by studio management or others? What is the response time, wait time, and service level agreement for these channels?
3. What are your policies and procedures to address complaints by models? In particular, how does the company prioritize the severity of complaints, how quickly does it respond, and how does it seek to remedy those situations? Can you provide any examples of how these policies or procedures have been implemented in Colombia?

Annex IV: Human Rights Watch Letter to Stripchat

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Isabelle de Wismes
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October 2, 2024

Stripchat, Technius Ltd
334 Agiou Andreou Ag., Andreou Business Center, 2nd Floor
Limassol, Cyprus

Re: Alleged labor abuses and sexual exploitation of adults and children in Colombian webcam studios

Dear Chief Executive Officer of Stripchat,

We are writing to you on behalf of Human Rights Watch seeking further information and comment related to research that we are conducting regarding alleged labor abuses and sexual exploitation in Colombian webcam studios, as well as the risk that children could be working in studios and may appear on Stripchat due to weaknesses in age verification.

Human Rights Watch is an independent international human rights nongovernmental organization that monitors and reports on human rights in some 100 countries around the world. Human Rights Watch has previously conducted extensive research on sex work and sex workers' labor rights, including in Cambodia, China, Greece, South Africa, Spain, Tanzania, and the United States.

Our current research is based on interviews with 55 webcam models in four Colombian cities, as well as interviews with Colombian authorities from six government ministries and US State Department officials.¹ We also reviewed Stripchat's Terms of Use and conducted additional remote research between February 2023 and August 2024.

Twenty-nine models interviewed by Human Rights Watch said that they had streamed on Stripchat while employed in a studio. Human Rights Watch found that, in addition to persistent labor abuses alleged by these models, detailed below, some Colombian webcam studios may have lax age verification procedures that may have led to the employment of children.²

Webcam models interviewed by Human Rights Watch reported poor, unsanitary work conditions in some webcam studios including bed bug

¹ Human Rights Watch interviewed 55 webcam models in Colombia. 50 of those completed a structured survey. Not all questions were relevant to all interviewees, and some skipped questions they were not comfortable answering.

² Seven out of 55 interviewees told Human Rights Watch that they began webcamming as a child. 34 out of 55 interviewees told Human Rights Watch they had encountered people they believed were children working in at least one of the studios in which they had been employed.

and cockroach infestations; lack of ventilation and windows; extreme temperatures; confinement in small cubicles for up to 20 hours per day; denial of bathroom, water, and personal hygiene breaks; and unsanitary and unhygienic conditions. For example, interviewees repeatedly noted that they worked in studios in which keyboards, mice, and cubicles were covered in bodily fluids from other employees.

More than 75 percent of models interviewed by Human Rights Watch reported that studio management had threatened them into performing sex acts on camera to which they did not consent, including performances involving urination, vomit, and pretending to be children.³ Some models told Human Rights Watch that they were fined by a studio for refusing to do acts requested by clients. Many interviewees reported that monitors or “admins” employed by studios agreed to the requests of webcam clients on models’ behalf, without their consent, and then pressured those models to perform those acts.

Some models reported that upon severing their business relationship with the studio, often due to these poor working conditions, the studio retained control of their account. In some cases, models reported that the studio used their account to stream another performer. Additionally, some workers interviewed by Human Rights Watch said they had started working in a studio as children, and that studios either created a fake ID to register them for a platform account or assigned them an account that was previously created, verified, and registered to an adult performer.

As part of our research, we are writing to request information on the measures your company is taking to identify and address labor abuses in Colombian webcam studios operating Studio Accounts on Stripchat, as well as measures your company is taking to address how your own policies, or lack thereof, may contribute to the exploitation of Colombian studio workers.

In the interests of thorough and objective reporting, we would be grateful for a written response to the questions and an opportunity to discuss our findings with you during a virtual meeting. Due to our publications schedule, we would be grateful to receive your answers by October 16, 2024, so they can be reflected in our reporting. Please note that we may at our discretion publish any response either in full or in part on our website. If you have any questions, please feel free to contact our Researcher, Erin Kilbride, at [REDACTED]

Thank you for your attention to this important matter.

Yours sincerely,

[REDACTED]
Macarena Sáez
Director, Women’s Rights Division
Human Rights Watch

³ Thirty-eight of 49 models answered “yes” when asked if they had ever been pressured by studio management to perform sex acts they did not feel comfortable with. In an open-ended follow-up question, interviewees explained the acts they had been pressured to perform and the punishment they received if they refused or failed to do so.

Annex – Questions

A. General

1. What policies, if any, does your company have in place to conduct due diligence to identify and mitigate possible human rights abuses occurring in studios with registered Stripchat Studio Accounts? Could you please provide them? How does Stripchat monitor and enforce the guidelines laid out in the company's Rules for Studios / Studio Rules?
2. How does your company identify unhygienic, dangerous or exploitative working conditions occurring in webcam studios in Colombia, such as poor ventilation, unsanitary rooms, bug infestations, or prohibitions on bathroom breaks? Are there other countries in which Stripchat has abuse monitoring practices in place with studios?
3. We understand that a number of performers may not know their rate of pay, what amount is fully withheld by studios, or other aspects of compensation. How does your company ensure that models are informed about the rate of pay, currency conversion, tipping procedures, and other payout practices? How does Stripchat monitor and enforce the requirement that studios "at all times pay the corresponding commission owed to the model" as stipulated in the company's Rules for Studios / Studio Rules?

B. Due Diligence with Studios

1. Human Rights Watch was unable to obtain a standard model contract as referenced in the company's Rules for Studios / Studio Rules. Can you provide a model contract and information on where it has been adopted and implemented, and how it is enforced or verified to ensure compliance with human rights norms and standards? In particular, is any such contract made available to workers in Colombia?
2. We understand that live streaming sessions can be cut if the worker is absent from the screen for a certain period of time. This impacts worker experience and appears to result in studio prohibitions on bathroom and water breaks.
 - a. What are Stripchat's policies or procedures that determine when to cut a feed? Could you provide us with those policies, including the length of time a worker is absent from the screen that leads to a feed being cut?
 - b. If such policies exist, to what extent is this process automated or determined by an algorithm and what are the data points that inform such a decision?
 - c. What is the impact of live streaming sessions being cut? Do such cuts impact a model's visibility, rating or rate of pay on the platform?
 - d. Can models/performers appeal a live streaming session cut, and if so, how?
3. What policies or procedures does Stripchat have to ensure that workers can take breaks? For example, what safeguards are in place to ensure workers can take water or bathroom breaks without facing adverse economic or other consequences? How are these policies monitored and enforced?

4. How does Stripchat verify that studio models are not “coerced or pressured into activities without their free will and/or activities that may harm their well-being” as per the company’s Rules for Studios / Studio Rules? Can you provide examples of how this rule is enforced in Colombia?
5. How does your company verify that studio models have signed and received a copy of a model contract, and are aware of the terms between them and the studio in which they are employed? In that context, how does the company verify that the individual has seen and can comply with the contract terms?
6. What sanitation, hygiene, and health policies does your company have in place for studios with a registered Stripchat studio account, and how are these policies monitored and enforced?

C. Ensuring Consent

1. Does the company have any policies or procedures in place to ensure that performers create and retain control of the accounts from which they stream? Specifically, how does Stripchat ensure that:
 - a. Performers read and understand the Terms of Use;
 - b. Sign the Terms of Use themselves, and ensure that studio management does not sign the agreement for them;
 - c. Have complete control over the specializations, areas of expertise, areas of willingness, and fetishes advertised on their account;
 - d. “have the right to control their own content and decide how their content is used and distributed,” as per the company’s Rules for Studios / Studio Rules.
2. Are models in Colombia, by matter of policy, provided with an official Spanish language Terms of Use?
3. What measures does your company take to ensure that models are not coerced, forced, or threatened into performing sex acts while streaming by studio management, monitors, or other individuals? What measures do you take to ensure models are aware of the mental health risks associated with streaming from a studio and of their ability to deny consent for any performance that causes them distress without penalty?
4. We understand that some studio management, monitors, or other studio employees may unilaterally give consent to sex acts on behalf of models? What policies and procedures does Stripchat have to ensure a worker has actually provided consent for acts and how does the company enforce or monitor those policies?
5. We understand that performers are reliant on studio intermediaries to translate requests from clients, and this may result in situations in which the performer cannot give consent. What steps is your company taking to utilize available technology to provide accessibly, high-quality translation to and from Spanish in chat rooms to ensure

performers and clients can speak directly to each other in order to provide consent to certain requests?

D. Recycled Accounts and Complaints Mechanisms

1. What direct channels exist for studio models to contact your company to request that their account be closed, detached, or transferred? What is the response time, wait time, and service level agreement for these channels?
2. What confidential channels exist for studio models to contact your company to report labor abuses, child sexual exploitation, other complaints, or violations of policy without fear of retaliation by studio management or others? What is the response time, wait time, and service level agreement for these channels?
3. What are your policies and procedures to address complaints by models? In particular, how does the company prioritize the severity of complaints, how quickly does it respond, and how does it seek to remedy those situations? Can you provide any examples of how these policies or procedures have been implemented in Colombia?
4. Please provide examples of the circumstances under which Stripchat has exercised “the right to detach the said model without any further notice” in the case of abuse or coercion, as stipulated in the company’s Rules for Studios / Studio Rules.

Annex V: Human Rights Watch Letter to the Ministry of Labor of Colombia

5 de noviembre de 2024

Sra. Gloria Inés Ramírez Ríos
Ministra del Trabajo
Bogotá, DC - COLOMBIA

Re: Posibles abusos laborales y posible explotación sexual de adultos y niños en los estudios webcam colombianos

Estimada Ministra Ramírez Ríos,

Nos dirigimos a usted en nombre de Human Rights Watch con el objeto de, en ejercicio del derecho de petición consagrado en el artículo 23 de la constitución Política de Colombia, solicitar respetuosamente a usted información en relación a una investigación que estamos llevando a cabo sobre posibles abusos laborales y explotación sexual en los estudios webcam colombianos. Valoramos las medidas que Colombia ha adoptado para garantizar los derechos de las personas que realizan trabajo sexual y los esfuerzos para erradicar la trata de personas.

Human Rights Watch ha llevado a cabo una amplia gama de investigaciones sobre el trabajo sexual y los derechos laborales de las personas que realizan dicho trabajo en distintos países, incluidos Camboya, China, Grecia, Sudáfrica, España, Tanzania y Estados Unidos.

Nuestra investigación actual se basa en entrevistas con 55 modelos webcam en cuatro ciudades colombianas, así como con funcionarios colombianos y estadounidenses.¹ También revisamos los términos de servicio de varias plataformas multinacionales de cámaras web para adultos que operan en Colombia y realizamos entrevistas adicionales a distancia entre febrero de 2023 y octubre de 2024.

Las personas modelos de webcam entrevistadas por Human Rights Watch denunciaron condiciones de trabajo deficientes e insalubres en algunos estudios webcam, como infestaciones de chinches y cucarachas; falta de ventilación y ventanas; temperaturas extremas; confinamiento en pequeños cubículos hasta por 20 horas al día; denegación de descansos para ir al baño, beber agua y asearse; y condiciones insalubres y antihigiénicas. Por ejemplo, las personas entrevistadas señalaron repetidamente que trabajaban en estudios en los que los teclados, los mouse y los cubículos estaban cubiertos de fluidos corporales de otros empleados.

Algunas modelos también informaron a las investigadoras de Human Rights Watch que al terminar su relación comercial con el estudio, a menudo por causa de estas malas condiciones de trabajo, el estudio retenía el control de su cuenta. En algunos casos, las modelos informaron que el estudio utilizaba su cuenta para transmitir a otra modelo. Además, algunas trabajadoras dijeron que habían empezado a trabajar en un estudio cuando tenían entre 13 y 17 años, y que los estudios o bien creaban un documento de identidad falso para registrarlas en una cuenta de

¹ Human Rights Watch entrevistó a 55 modelos de webcam en Colombia. 50 de ellas completaron una encuesta estructurada. No todas las preguntas eran relevantes para todas las entrevistadas, y algunas se saltaron preguntas que no se sentían cómodas contestando.

la plataforma o bien les asignaban una cuenta previamente creada, verificada y registrada bajo una persona mayor de edad.²

Como parte de nuestra investigación, le escribimos para solicitar información sobre las medidas que el Ministerio de Trabajo está tomando para identificar y abordar los abusos laborales en los estudios webcam colombianos, así como los pasos que está dando para implementar varias decisiones clave emitidas por la Corte Constitucional, incluyendo la T-629 de 2010 y la T-109 de 2021.³ La Corte ha dejado claro que las trabajadoras sexuales (en la Sentencia T-629 de 2010⁴) y los modelos de estudio (en la Sentencia T-109 de 2021⁵) cumplen los criterios legales para ser parte de relaciones laborales. En la sentencia T-109, la Corte ordenó al Ministerio de Trabajo: desarrollar protocolos para investigar estudios webcam específicos para proteger los derechos de las y los trabajadores, incluidos los relacionados con las buenas condiciones de trabajo; regular la industria webcam y proteger los derechos de las personas modelos webcam; y preparar una propuesta para regular el trabajo sexual que priorice la salud de las trabajadoras sexuales.⁶

Le agradeceríamos que respondiera por escrito a las preguntas del anexo 1 y que nos diera la oportunidad para discutir nuestras conclusiones con usted durante una reunión virtual. Agradeceríamos sobremanera poder recibir sus respuestas antes del 20 de noviembre de 2024, para que puedan reflejarse en nuestro próximo informe. Entendemos que las autoridades tienen un plazo mayor para responder a solicitudes de esta naturaleza, pero para poder incluir la información que nos brinde en nuestro informe, necesitaríamos contar con ella en el plazo antes señalado.

HRW se reserva del derecho de publicar su respuesta de manera total o parcial en nuestra página web. Si tiene alguna pregunta, no dude en ponerse en contacto con nuestra investigadora, Erin Kilbride, a través del correo electrónico erin.kilbride@hrw.org.

Gracias por su atención a este importante asunto.

Atentamente,

Macarena Sáez
Directora, División de Derechos de la Mujer
Human Rights Watch

² Siete de los 55 entrevistados dijeron a Human Rights Watch que habían empezado a trabajar como webcams antes de los 18 años. 34 de los 55 entrevistados dijeron a Human Rights Watch que se habían encontrado con personas que creían que eran adolescentes trabajando en al menos uno de los estudios en los que habían estado empleados.

³ Nuestro informe analiza la importancia de las siguientes decisiones relacionadas con la protección de los derechos laborales de las modelos webcam que trabajan en estudios colombianos: *Sentencia T-620*, Corte Constitucional de Colombia, Expediente No. T-52600, Sentencia, Dic. 14, 1995; *Sentencia T-629*, Corte Constitucional de Colombia, Expediente No. T-2384611, Sentencia, Ago. 13, 2010; *Sentencia T-109*, Corte Constitucional de Colombia, Expediente No. T-7.961.395, Sentencia, Abr. 21, 2021.

⁴ *Sentencia T-629*, Corte Constitucional de Colombia, Caso No. T-2384611, Sentencia, 13 de agosto de 2010.

⁵ *Sentencia T-109*, Corte Constitucional de Colombia, Caso No. T-7.961.395, Sentencia, Apr. 21, 2021.

⁶ *Sentencia T-109*, Corte Constitucional de Colombia, Caso No. T-7.961.395, Sentencia, Apr. 21, 2021.

Anexo - Preguntas

1. De acuerdo con la Sentencia T-109 de 2021 de la Corte Constitucional Colombiana, ¿qué medidas ha tomado el Ministerio de Trabajo para adoptar "las medidas necesarias y pertinentes para salvaguardar los derechos de las mujeres que trabajan como modelos webcam en establecimientos" de acuerdo con las facultades de inspección, vigilancia y control del Ministerio?
2. ¿Dispone el Ministerio de Trabajo de procedimientos específicos de orientación, registro e inspección para los estudios de cámaras web?
 - a. En caso afirmativo, ¿está disponible públicamente esta documentación o podría compartirla?
 - b. En caso negativo, ¿qué medidas ha adoptado el Ministerio para crear tales procedimientos de orientación, registro e inspección?
3. ¿Dispone el Ministerio de Trabajo de procedimientos específicos de orientación, registro e inspección para los estudios que ofrecen alojamiento a las modelos?
 - a. En caso afirmativo, ¿Está disponible públicamente esta documentación o podría compartirla?
 - b. En caso negativo, ¿qué medidas ha adoptado el Ministerio para crear tales procedimientos de orientación, registro e inspección?
4. ¿Inspecciona regularmente el Ministerio de Trabajo los estudios para comprobar el cumplimiento de la normativa laboral y sanitaria? En caso afirmativo,
 - a. Explique cómo se realizan estas inspecciones. ¿Podría facilitar las normas con las que se evalúa dicho cumplimiento?
 - b. Detalle qué protocolos existen para los establecimientos que no superan las inspecciones de salud y seguridad; y
 - c. Facilite una lista de las inspecciones que se han llevado a cabo en los estudios de cámaras web tras la sentencia T-109/21 del Tribunal Constitucional.
5. ¿Cómo asegura el Ministerio de Trabajo que los y las trabajadores de los estudios pueden expresar sus preocupaciones al Ministerio sin riesgo de intimidación por parte de los propietarios de los establecimientos? ¿cómo se Investigan estas quejas?
6. ¿Recoge y publica regularmente el Ministerio de Trabajo datos sobre lesiones, enfermedades y condiciones inseguras en los establecimientos? En caso afirmativo:
 - a. ¿Puede proporcionar detalles relevantes y datos disponibles de los últimos cinco años?
 - b. ¿Puede describir las salvaguardas específicas que el Ministerio está exigiendo que los establecimientos adopten en respuesta a lesiones, enfermedades y condiciones inseguras específicas documentadas?

7. ¿Ofrece el Ministerio de Trabajo formación sobre sexo, género, raza, etnia, trabajo sexual y modelaje webcam para los inspectores que trabajan con estudios? En caso afirmativo, ¿en qué consiste esta formación?
8. En línea con las decisiones de la Corte Constitucional en T-629 de 2010, T-736 de 2015 y T-594 de 2015, por favor describa los pasos que el Ministerio de Trabajo ha tomado para:
 - a. Elaborar y producir orientaciones que diferencien el trabajo sexual legal de la inducción a la prostitución, la explotación sexual y la trata de seres humanos; y
 - b. Desarrolle una campaña que socialice y difunda esta orientación entre las fuerzas del orden, las instituciones sanitarias y los ministerios gubernamentales.

Annex VI: Response from BongaCams to Human Rights Watch

Wednesday, October 16, 2024 at 15:34:24 Central Standard Time

Subject: Response from Bongacams
Date: Wednesday, October 16, 2024 at 6:18:15 AM Central Standard Time
From: legal@bncta.com
To: Erin Kilbride
Priority: High
Attachments: ENHANCED INFORMATION FROM BONGACAMS, 16.10.2024.pdf

Dear Macarena Saez, dear Erin Kilbride!

Thank you for reaching out. We deeply appreciate the invaluable work Human Rights Watch continues to do in protecting the most vulnerable members of society. Your mission is crucial, and we have the utmost respect for your unwavering commitment to safeguarding human rights.

At Bonagacams.com, we take our responsibilities very seriously, and we strive to be a model of diligence in our industry.

We have reviewed the concerns raised in your request and wish to address them thoroughly. It appears there may be some misunderstandings about our platform's operations, and we would like to clarify our position.

Firstly, we are fully committed to ensuring that all users - whether models, studios, or users/subscribers - are treated with respect, dignity, and safety, regardless of their country of origin, race, gender, or background.

Platform Bongacams.com is fully compliant with all relevant legal frameworks and industry regulations, both locally and internationally. We have implemented a range of robust measures designed to ensure the safety, well-being, and protection of everyone using our platform. These measures include comprehensive models vetting, rigorous compliance protocols, and ongoing monitoring systems. Through our commitment to transparency and best practices, we continue to raise the standards for platforms in this space.

Additionally, we actively participate in the Association of Sites Advocating Child Protection (ASACP) and sponsor PineApple Support to further enhance our commitment to safety and well-being.

We have created multiple reporting channels so that users can swiftly notify us of any concerns, and we take prompt, decisive action when necessary. Our platform has a zero-tolerance policy toward any content or activity that violates our terms of service. As a clear example, we explicitly prohibit activities such as those you referenced, where studios require models to engage in inappropriate or harmful behaviour. Any such violations result in immediate sanctions, including fines and account closures.

It is important to highlight that the models (performers) and studios, who work with Bongacams.com are independent contractors, and we do not directly manage or control their operations. However, we hold them to the highest standards, ensuring they fully understand their responsibilities, including the need to comply with human rights standards and lawful content creation, as outlined in Clause 1.A. of bongamodels.com. This clause states that models agree to provide high-quality, lawful services on their own free will and assume full responsibility for their content and conduct. They are independent of the Website Operator and are not classified as employees.

Given the serious nature of the allegations mentioned, particularly concerning certain studios in Colombia, we are eager to investigate further. We kindly ask for additional information or evidence regarding the studios involved, which will enable us to conduct a comprehensive internal review. If we find any violations of human rights or legal standards, we will immediately terminate our cooperation with those studios and work to support the affected models, including helping them find alternative employment opportunities if they wish to do so.

Lastly, we are open to collaboration and dialogue. Should you have suggestions for improving the safety

1 of 2

and working conditions for web models in Colombia or elsewhere, we would be grateful to receive your insights. We are always looking for ways to strengthen our platform and are committed to making any necessary adjustments that could further enhance user safety and well-being.

Please find our detailed responses to your specific questions attached in the PDF file named "**Enhanced Information from BongaCams.**" We hope this document clarifies any concerns and reinforces our commitment to maintaining the highest standards of conduct and care.

Alexandr Fatejev
Authorized Representative
BNC TECHNOLOGY AND ADVERTISING LTD

ENHANCED INFORMATION FROM BONGACAMS

A. General

1. **What policies, if any, does your company have in place to conduct due diligence to identify and mitigate possible human rights abuses occurring in studios with registered BongaCams accounts? Could you please provide them?**

At Bongacams.com, we are fully committed to conducting rigorous due diligence to identify and mitigate potential human rights abuses that may occur within studios registered on our platform. We have implemented several comprehensive policies and procedures to ensure that all studios and performers comply with our strict standards, as well as international human rights regulations.

1.1. **Age and Identity Verification:**

Our platform employs a thorough process of age and identity verification for every performer and studio owner before they are allowed access to our services. This process is meticulously documented in our internal policy, titled “**Brief Instruction of ID Verification.**” This document outlines the step-by-step procedure for verifying both age and identity, including:

- Detailed inspection of the Machine-Readable Zone (MRZ) on identification documents.
- Visual checks to ensure there has been no alteration of photos or information on IDs.
- Escalation to senior personnel for further review in cases of uncertainty or suspicion of document fraud.
- Immediate rejection of any forged documents to prevent underage access or the use of false identities.

1.2. To reinforce the integrity of this process, we have partnered with **iDenfy UAB**, a market-leading identity and age verification service provider. iDenfy operates under the highest industry standards, holding ISO 27001, 27017, 27018, 9001, and 30107 certifications, and ensures compliance with Know Your Customer (KYC) and Anti-Money Laundering (AML) regulations. Their automated verification technology provides us with an advanced layer of security, preventing unauthorized individuals from accessing the platform. Additional details about iDenfy can be found on their official website: <https://www.idenfy.com>.

1.3. **Content Policy:**

We have established a comprehensive “**Content Policy**” that defines the rules and standards governing all content provided by performers and studio models on our platform. Studios are required to ensure that their models adhere to these rules, and the policy includes a detailed list of activities and content that are strictly prohibited. Bongacams.com has a zero-tolerance approach to any violation of this policy, ensuring that prohibited activities, especially those that might involve exploitation or human rights abuses, are dealt with swiftly and decisively.

1.4. **Moderation and Monitoring:**

Our dedicated Moderation Team works around the clock, 24/7, to monitor all live streams and interactions on our platform. This ensures that we can quickly identify and address any potential violations of our policies, including our “**Content Policy.**” The internal document, “**Brief Instruction on Website**

Monitoring,” provides our team with guidelines on how to efficiently identify signs of abuse or prohibited activities in real time. Our constant surveillance of the platform guarantees immediate response to any suspicious activity or potential violations.

1.5. Safety and Anti-Human Trafficking Policy:

Platform Bongacams.com has instituted a “**Safety and Anti-Human Trafficking Policy**” that outlines our firm stance against human trafficking, forced labor, slavery, prostitution, sex trafficking, child exploitation, and any form of coercion or physical abuse. This policy serves as a clear statement of our zero-tolerance approach toward any human rights violations, ensuring that any potential issues are escalated and dealt with swiftly.

2. How does your company identify unhygienic, dangerous or exploitative working conditions occurring in webcam studios in Colombia, such as poor ventilation, unsanitary rooms, bug infestations, or prohibitions on bathroom breaks? Are there other countries in which BongaCams has abuse monitoring practices in place with studios?

Our website relies on Moderation Team monitoring and users’ complaints in order to identify harmful working conditions of Performers.

Moderation Team is trained to identify any types of harmful environments, illegal substances and overall abuse by monitoring broadcast that are available on our website. In the “**Brief instruction on Website Monitoring**” document there is a specific instruction to send a direct link to the broadcast that contains “**Bad environment**” to the Support Department, who should take appropriate actions, such as consult with the upper management on whether the situation should be reported, should the stream yield evidence of abuse or unhealthy environment.

Subscribers of our website have access to the dedicated reporting form to bring to our attention any content located on our website that violates our Terms and Conditions of Use, laws, regulations, or standards. All such complaints are reviewed in highest priority and resolved within 7 business days. This resolution process also includes escalation to the upper management and appropriate authorities, if necessary.

Performers on our website also have several points of contact available to them at all times and include email address, online chat with Support Department, DMCA webform, Content Removal (Complaint) webform, and phone number which can be easily located on our website. We encourage all our users to immediately notify us of any instances of abuse of human rights.

Bongacams.com’ abuse monitoring practices are not limited to any specific country. While the question references conditions in Colombia, we maintain the same high standards of oversight in all countries where studios operate. We firmly believe that human rights are universal and must be upheld in every region. Our platform’s abuse monitoring protocols are designed to ensure the safety and well-being of all individuals, regardless of their location, and we enforce these protocols uniformly to protect performers worldwide.

3. We understand that a number of performers may not know their rate of pay, what amount is fully withheld by studios, or other aspects of compensation. How does your company ensure that models are informed about the rate of pay, currency conversion, tipping procedures, and other payout practices?

Platform Bomngacams.com operates with a commitment to full transparency regarding payout practices, ensuring that performers have easy access to all relevant financial information regarding their earnings.

Each registered performer has access to their personal account, which contains detailed information about their income from services rendered on the platform. The account dashboard provides clear and comprehensive data on settlements with the Website Operator, performance statistics, and other financial metrics. This includes information on:

- Earnings from tokens, which are the primary medium of exchange on our platform.
- Rev Share percentages (the revenue share model) that apply to each performer.
- Easy reference to the prices of tokens in relation to USD, allowing performers to calculate withheld amounts and payouts accurately.

In many cases, performers operate under agreements with studios that manage certain aspects of their work, including financial matters. These agreements should govern the relationship between performers and studios, including how earnings are distributed. While Platform Bongacams.com provides clear information on the financial aspects of the services rendered through the website, most questions about individual payouts and withheld amounts are typically addressed directly by the studios with which the performers have agreements.

To further enhance transparency, Bongacams.com provides a clear explanation of token pricing, allowing performers to understand the value of their earnings. We also offer a **“Token to USD” calculator**, which helps performers convert their tokens into real-world currency and see the exact value they will receive based on the number of tokens earned. This ensures that performers are fully aware of the monetary value of their earnings at all times.

The Performer’s Agreement on our platform includes detailed clauses regarding payout procedures. These clauses outline:

- The timing of payouts;
- Minimum payout amounts;
- Any special conditions for on-demand or early payouts.

This ensures that performers are fully informed about when and how they will be paid, and it removes any ambiguity about payout schedules and conditions.

Our Support Department is always available to assist performers with any questions related to compensation. Whether it involves payout procedures, currency conversion, tipping, or withheld amounts, performers can reach out directly to our support team, who are trained to provide comprehensive guidance and information.

To specifically address the needs of performers in Colombia, we have a contractual partnership with a local entity responsible for communication and support services. This dedicated partner ensures that Colombian models receive the assistance they need in understanding payout practices and any other financial matters. The partner’s services are tailored to the specific needs of Colombian performers, ensuring their satisfaction with our platform’s practices.

B. Due Diligence with Studios

- 1. Does BongaCams require studios to issue a written contract to each model for whom they create a BongaCams account? If so, can you provide such a contract, information on where it has been adopted and implemented, and how it is enforced or verified to ensure compliance with human rights norms and standards? In particular, is any such contract made available to workers in Colombia?**

Yes, our Agreement between Performers/Studios and our platform stipulates that studios are required to draft and enforce their own written contracts with each model for whom they create a BongaCams account. This contractual obligation extends globally, including in Colombia, and is designed to ensure compliance with both our internal policies and international human rights standards.

Specifically, the Agreement mandates that studios independently determine the terms and conditions of their contracts without undue influence from the Website Operator. Upon request, studios must present these contracts to us to verify their compliance. The key provisions of this mandate are detailed as follows:

Clause 1.B. Studio: The Studio acknowledges and agrees that it bears the sole responsibility for formulating the terms and conditions of the Studio Model Contract autonomously and independently, without any influence from the Website Operator. This stipulation is contingent on the requirement that such contracts do not contravene the Studio's obligations under the present Agreement and that they ensure Studio Models adhere to rules substantially similar to those outlined in Clause 1.A.

Clause 1.A. Models: This clause delineates that Performers registered under a Model Account agree to provide high-quality, lawful services on the Website of their own volition. They take full responsibility for their content and actions, and acknowledge that they are not employees of the Website Operator.

- 2. We understand that live streaming sessions can be cut if the worker is absent from the screen for a certain period of time. This impacts worker experience and appears to result in studio prohibitions on bathroom and water breaks.**
 - a. What are BongaCams's policies or procedures that determine when to cut a feed? Could you provide us with those policies, including the length of time a worker is absent from the screen that leads to a feed being cut?**

Our platform employs a system that captures snapshots of the live stream every 4 to 5 minutes. These snapshots are subsequently reviewed by our Moderation Team. If a model is absent from the stream, moderators will wait for two consecutive snapshots (a minimum of 8 to 10 minutes) before marking the session as "away." The session is only terminated after this period of absence.

This information is documented in the "**Brief Instruction on Website Monitoring**" under the clause "4.1. Violations and actions with them."

- b. If such policies exist, to what extent is this process automated or determined by an algorithm and what are the data points that inform such a decision?**

The decision to set sessions to "Away Mode" is entirely controlled by our Moderation Team. While the snapshots are captured automatically, the final decision to mark the session as "away" is based on the moderator's review.

c. What is the impact of live streaming sessions being cut? Do such cuts impact a model's visibility, rating or rate of pay on the platform?

Terminating a stream or setting it to "Away Mode" does not directly affect the performer's pay or rating. However, since the performer's rating is partly based on the time spent online and tokens received, terminating a session or setting it to "Away Mode" may indirectly impact potential earnings and ranking. Repeated or intentional violations involving absence during broadcasts can be perceived as abuse of our systems. Such abuse can lead to unfair competition.

Models are free to exit and re-enter the broadcast at any time, provided it is done in compliance with our policies and does not entail system abuse.

d. Can models/performers appeal a live streaming session cut, and if so, how?

Performers can appeal against any decision to cut a session or set it in "Away mode" by contacting our Support Department. Each appeal is reviewed and resolved on a case-by-case basis. Our contact email is listed on the footer of the website and is easily accessible for anyone. Alternatively, Performers can contact us via online support chat.

3. What policies or procedures does BongaCams have to ensure that workers can take breaks? For example, what safeguards are in place to ensure workers can take water or bathroom breaks without facing adverse economic or other consequences? How are these policies monitored and enforced?

At BongaCams, we are committed to ensuring that performers and studios retain full autonomy over their working conditions, including the ability to take breaks as needed. The platform does not impose any restrictions on how long models must work or when they are allowed to pause their streams for water or bathroom breaks.

The performers and studios registered on our platform are independent contractors, and they are not subject to any restrictions or controls by BongaCams regarding their work hours or schedules. This principle is clearly outlined in our agreements:

Clause 1.A – Model: This clause certifies that the performer works independently and that the Website Operator does not possess any authority to direct or subordinate the performer. As such, the platform does not dictate the performer's place of work, schedule, or conditions for rendering their services. Performers have full autonomy to pause their streams whenever they choose, including for bathroom or water breaks, without any adverse consequences.

Clause 1.B – Studio: Similarly, this clause establishes that studios operate independently of the Website Operator. The platform does not have any power of direction or control over studio operations, including when models or studio personnel can take breaks. This independence ensures that studios can manage their own working conditions freely.

Our only concern is preventing abuse of the system, such as leaving an empty stream running for long periods, which could be seen as abuse of our system, as explained above, and affect user experience. Performers **can pause their live streams** at any time to take breaks, such as for water, bathroom use, or any other reason. **There are no penalties or economic consequences for pausing a stream.** This system empowers performers to take necessary breaks without fear of losing income or facing any platform-imposed sanctions.

While BongaCams does not dictate break times, we maintain safeguards to ensure that performers can take necessary breaks without facing any undue pressures. In cases where any concerns are raised about working conditions, performers are encouraged to contact our Support Department. This department is available 24/7 and is trained to handle reports regarding potential abuses.

4. How does BongaCams verify that all studio-based models are performing by their own free will?

Our Terms and Conditions, which are also an Agreement between Performer/Studio and us, requires every registering person to certify that they are not under influence or pressure to enter into this contract.

4th clause – declarations: Moreover, I certify that I am not under the influence of drugs or alcohol, and that I am, and as the case may be, Studio Models are, rendering the Services/Studio Models Services in the video/film and appearance(s) at my/their own free will.

Our platform relies on constant monitoring by its Moderation Team. These moderators observe streams 24/7, ensuring adherence to our guidelines and policies. If moderators will suspect that a model may be streaming under duress, they should document their concerns and escalate the issue to management for further investigation.

In addition to our internal monitoring, we take third-party reports or complaints very seriously. When such reports are received, the company collaborates with its legal and management teams to address any concerns promptly. Performers or concerned individuals can submit complaints via a designated webform located in the footer of our website, labeled **“Complaints & Content Removal.”**

By maintaining these monitoring procedures and providing accessible reporting mechanisms, BongaCams strives to create a safe and supportive environment for all performers, ensuring that their participation is always voluntary and respectful of their autonomy.

5. How does BongaCams verify that studio-based models have signed and received a copy of a contract with the studio in which they work, and are aware of the terms between them and the studio in which they are employed? In that context, how does the company verify that the individual has seen and can comply with the terms of the contract?

BongaCams is committed to ensuring that all performers and studios operate under voluntary and transparent conditions. The following procedures are in place to verify that studio-based models are performing of their own free will and are fully aware of the terms of their contract:

Upon registering, every performer is required to certify that they are not under any influence or pressure to enter into the contract. Our Agreement includes a specific clause where performers declare, "I certify that I am not under the influence of drugs or alcohol, and that I, and as the case may be, Studio Models are, rendering the Services/Studio Models Services in the video/film and appearance(s) at my/their own free will."

While we do not have specific procedures to verify performer autonomy beyond this certification, our platform relies on constant monitoring by our Moderation Team. These moderators observe streams 24/7, ensuring adherence to our guidelines and policies. If any signs suggest a model may be streaming under duress, the concern is documented and escalated to management for further investigation.

Furthermore, performers are required to accept the **Consent Form** through their model account, ensuring that they have read and understood the terms clearly. This acceptance process adds an extra layer of verification, affirming that performers are willingly and consciously agreeing to the conditions set forth.

Additionally, we take third-party reports or complaints seriously. Upon receiving such reports, the company collaborates with its legal and management teams to address any concerns promptly. Complaints can be submitted via a designated web form "Complaints & Content Removal."

The website's oversight ensures that performers and studios sign and agree to their Agreements during the account registration process. Performers can access, review, and download this Agreement at any time from their account. For ease of access, our Agreement is publicly available on <https://bongamodels.com/terms>.

In the event of any issues accessing their accounts, performers are instructed to contact our Support Department, which will verify their identity and help regain account control. This process ensures that performers are always aware of the terms of their engagement.

6. What sanitation, hygiene, and health policies does your company have in place for studios with a registered BongaCams studio account, and how are these policies monitored and enforced?

While BongaCams is committed to maintaining a safe and professional environment, it is important to acknowledge the limitations of our control over the physical conditions within studios, including sanitation and hygiene. Our platform does not have direct oversight of the environments where studio models operate, as all performers and studios are independent contractors. However, we have implemented certain policies and monitoring mechanisms that aim to mitigate risks and promote safety to the extent that our platform can influence these factors.

Our Agreement and Content Policy include restrictions against unsanitary or harmful activities being displayed during live streams. Content that involves bodily fluids, waste, or dangerous activities is strictly prohibited. However, it is important to note that we do not have direct physical access to studio environments, and as such, our ability to enforce these rules is limited to what can be observed during live broadcasts.

Our Moderation Team monitors streams 24/7 to identify any visible violations of these policies, such as performances that appear to involve unsafe or unsanitary conditions. Moderators are trained to flag and report any concerning content. However, it is important to recognize that the Moderation Team can only assess what is visible on the stream. As we do not control the physical studios, there may be conditions - such as poor hygiene, ventilation issues, or other hazards that are not apparent during the broadcast.

We also rely on user and subscriber reports to help identify content that may violate our sanitation and hygiene guidelines. Viewers can report any concerns via a dedicated reporting form, and our Support Team reviews these reports to take appropriate action when necessary. However, much like our moderation efforts, this process is limited to what can be observed from the streams, and it does not extend to monitoring the physical working conditions in studios.

When violations of our policies are identified, we take action within the scope of our platform. This can include issuing warnings, suspending accounts, or banning repeat offenders. However, given that performers and studios are independent contractors, our ability to enforce standards related to physical environments is inherently limited. We rely primarily on the visible content to make enforcement decisions, which may not fully capture all aspects of the conditions in which models are working.

In summary, while we strive to promote a safe and hygienic environment through the policies we have in place, it is important to acknowledge the limitations of our control. We monitor and enforce these policies to the best of our ability based on what is visible during broadcasts, but we cannot directly control or verify the physical conditions in which performers work.

7. The BongaCams “Terms and Conditions of Use” (last updated February 13, 2024, available at <https://bongamodels.com/terms>), removed 161 references to Studio Models, Studio Model Accounts, Studio Model Services which were present in BongaCams “Terms & Conditions” (last updated July 25, 2023, available at <https://bongacams.com/terms>). This includes the removal of a requirement that studios attest that “Studio Models are, rendering the Services/Studio Models Services in the video/film and appearance(s) at my/their own free will.” Please clarify the circumstances of this removal, and how BongaCams ensures that all models are performing by their own free will.

To address the query regarding the removal of certain requirements from the “Terms and Conditions of Use,” it is important to clarify that our terms for subscribers have never included requirements for Studio Models. This discrepancy seems to stem from a misunderstanding between the two different websites, each of which has its own specific set of Terms and Conditions.

The “Terms and Conditions of Use” available at www.bongacams.com/terms are focused on subscribers of our service and do not encompass requirements for Performer accounts.

Conversely, the BongaModels.com website is designed specifically for the registration of **Performer and Studio accounts**, and thus contains all necessary requirements relevant to Studio Models, as outlined in the “Terms and Conditions” at www.bongamodels.com/terms. Since both individual models and Studio Models manage their accounts via the BongaModels website, it is both efficient and appropriate for these requirements to be explicitly stated there.

In conclusion, we can confirm that we have not removed any requirements regarding Studio Models providing their consent and rendering services of their own free will. The terms and conditions relevant to Studio Models have always been maintained on the BongaModels website, where they are appropriately applicable.

Studio Models have autonomous access to their accounts and can operate independently of the Studio account. They can disable their accounts or contact Live Support Chat without Studio intervention. This autonomy is intended to prevent exploitation and ensure Studio Models have an open channel for assistance. In cases of suspected coercion, BongaCams acts according to our “Safety and Anti-Human Trafficking Policy,” contacting relevant parties and authorities if necessary.

C. Ensuring Consent

1. Does the company have any policies or procedures in place to ensure that performers create and retain control of the accounts from which they stream? Specifically, how does BongaCams ensure that:

- a. Performers read and understand the Agreement;

BongaCams is committed to ensuring that performers have full control over their accounts and can independently manage their streaming activities. We offer several mechanisms to safeguard this control and support performers in maintaining access to their accounts:

1.1. Performers have 24/7 access to the Agreement through their account, ensuring transparency and the ability to review or download it at any time. If a performer encounters any issues accessing their account, they can easily reach out to our Support Department for identity verification and account recovery, ensuring they regain control of their account.

1.2. To further assist Colombian performers, we offer specialized support in Spanish. Performers can access this support via a dedicated email address at colombia@bongamodels.com and a local phone number at (+57 304 234 5005). This ensures that performers in Colombia receive timely and culturally relevant assistance whenever needed.

1.3. Performers sign the Agreement themselves and can also withdraw their consent if they choose. In the event of account issues or changes, performers can directly request assistance from our Support Team to ensure they retain full control of their streaming activities.

1.4. Performers maintain autonomy over their areas of specialization and preferences. If they feel their account does not accurately reflect their choices, they can reach out to our Support Team to address the issue, ensuring their preferences are respected.

Sign the Agreement themselves, and ensure that studio management does not sign the agreement for them;

We have established safeguards to ensure that performers retain full control over their accounts and agreements.

1.5. Performers are required to sign the Agreement themselves when registering on the platform. They manage their account credentials and always have access to the Agreement through their account. Should a performer lose access to their account, they can contact our Support Department, which will verify their identity and help them regain control of the account, ensuring that only the rightful owner has access.

1.6. Performers have the autonomy to fill out their own **Consent Form** directly within their account, and they have the option to withdraw this consent at any time if they wish to stop participating. This gives performers complete control over their participation and activities on the platform, ensuring that all decisions are made by them and not by third parties.

1.7. If a performer disagrees with any aspect of the Agreement or Consent Form, they can independently disable their account or withdraw consent, further safeguarding their ability to manage their participation on their terms.

2. Are models in Colombia, by matter of policy, provided with an official Spanish language Agreement?

While our Agreement and Consent Form are currently available online only in English, we are dedicated to ensuring that Colombian performers fully understand the terms and conditions. To this end, we have established a business cooperation with a trusted business partner in Colombia, who offers comprehensive support and translation services in Spanish. This ensures that performers receive clear and accurate information regarding their agreements and platform-related details.

Our trusted business partner assists Colombian performers in understanding the platform's working mechanisms and provides them, upon request, with Spanish versions of the Agreement, the Consent Form, and any other relevant documents. Additionally, performers in Colombia can directly reach out to this partner for assistance through our dedicated communication channels, including a specialized email address at colombia@bongamodels.com and a local phone number at (+57 304 234 5005). This ensures they receive timely and culturally relevant support.

Due to a Non-Disclosure Agreement, we cannot publicly disclose the name of our Colombian partner, but we are confident in their role to bridge any language gaps and ensure performers are fully informed and empowered to make decisions about their participation on our platform.

What measures does your company take to ensure that models are not coerced, forced, or threatened into performing sex acts while streaming by studio management, monitors, or other individuals? What measures do you take to ensure models are aware of the mental health risks associated with streaming from a studio and of their ability to deny consent for any performance that causes them distress without penalty?

One of the fundamental requirements in our Agreements is that performers must enter into the contract while not being under the influence of any substances and must render services of their own free will. This is clearly outlined in the 4th clause of the declarations section:

4th clause – declarations: I certify that I am not under the influence of drugs or alcohol, and that I am, and as the case may be, Studio Models are, rendering the Services/Studio Models Services in the video/film and appearance(s) at my/their own free will.

Furthermore, our platform has a dedicated Moderation Team that monitors all streams 24/7. If the moderators observe behavior that raises suspicion of coercion or non-consensual activity, they escalate the issue to the appropriate department for a thorough investigation. Immediate action is taken to suspend the stream if necessary, and the model is contacted to ensure their safety and well-being.

In addition to real-time monitoring, we have a clear process for handling third-party reports of coercion or abuse. When such information is provided, an internal investigation is conducted involving senior management and the legal department as necessary. This multi-layered process is designed to ensure the safety and welfare of performers.

We emphasize the performers' ability to deny consent for any performance that causes them distress without facing any penalties. This right is explicitly stated in our Agreement and Consent Form, ensuring that performers understand they can reject any activities they do not wish to perform without any fear of repercussions.

By combining contractual agreements, continuous monitoring, and clear processes for addressing concerns, we strive to create a safe and supportive environment for all performers on our platform.

3. We understand that some studio management, monitors, or other studio employees may unilaterally give consent to sex acts on behalf of studio-based models? What policies and procedures does BongaCams have to ensure a worker has actually provided consent for acts and how does the company enforce or monitor those policies?

Firstly, the Consent Form that performers confirm from their own account have the following wording: I hereby state that I participate in 18+ content on Bongacams.com consensually, of my own free will and without enforcement from any third parties.

The Agreement emphasizes the performer's autonomy and responsibility for their own actions.

The 4th clause of the Agreement clearly declares that performers are responsible for their own actions as consenting adults. This clause ensures that performers, not studio management or any third party, have the sole authority to give or withhold consent for any activities during their streaming sessions.

The 8th clause further safeguards performers' autonomy by setting clear expectations around the types of performances that can be offered. Performers are not obligated to fulfill any requests they do not agree with. In the event that a member is misled about the performer's preferences or activities, the member may request a refund, but performers are fully protected in their right to decline any requests.

Our Moderation Team continuously monitors streams to ensure compliance with our policies. If any behavior suggests that a performer may be engaging in non-consensual acts, moderators flag the stream, document their concerns, and escalate the issue for internal investigation by our management and legal teams.

4. We understand that performers are reliant on studio intermediaries to translate requests from clients, and this may result in situations in which the performer cannot give consent. What steps is your company taking to utilize available technology to provide accessibly, high-quality translation to and from Spanish in chat rooms to ensure performers and clients can speak directly to each other in order to provide consent to certain requests?

To facilitate direct and clear interactions between performers and clients, we have implemented an integrated translation tool available to both performers and subscribers. This tool allows communication in public chats as well as private messages, enabling performers and clients to speak directly in their preferred languages, including Spanish.

By offering this advanced translation feature, performers are better equipped to engage with clients and provide informed consent for any requests. This ensures that all communications, especially regarding consent, are accurately understood without the need for third-party involvement. The integrated translation

tool enhances transparency and promotes direct communication, thereby protecting performers' autonomy and ensuring that they can make fully informed decisions in real-time.

D. Recycled Accounts and Complaints Mechanisms

1. What direct channels exist for studio-based models to contact your company to request that their account be closed? What is the response time, wait time, and service level agreement for these channels?

Studio-based Performers have several direct channels to contact our company for account closure requests. These channels are designed to provide timely and efficient service while ensuring that Performers' needs are met with the utmost professionalism.

Performers can independently delete their accounts through the account settings at any time. For those who no longer have access to their accounts, they may contact our Support Department to verify their identity, after which their accounts can be either restored or deleted as per their request.

The available channels for contacting us include email (support@bongamodels.com), Online chat (<https://bongamodels.com/support-live-chat>) and phone number ((+420) 739 660 098). Even though Colombian Performers can access our Support via the above-mentioned methods, we have dedicated email address (colombia@bongamodels.com) and phone number (+57 304 234 5005) for Colombian Performers.

Furthermore, our Privacy Policy provides the email address of our data protection officer (dpo@bongamodels.com), which Performers can use to direct their inquiries regarding these matters. Performers can expect a response within 48 hours, with requests being processed and resolved within seven (7) business days.

2. What confidential channels exist for studio-based models to contact your company to report labor abuses, child sexual exploitation, other complaints, or violations of policy without fear of retaliation by studio management or others? What is the response time, wait time, and service level agreement for these channels?

Performers can contact us through all the channels mentioned above anonymously, as our contact forms do not require users to be logged in for reporting purposes. Additionally, we offer a "Complaints & Content Removal" webform <https://bongacams.com/content-removal> that allows for anonymous submissions. This ensures that performers can report sensitive issues without fear of reprisal.

Upon receiving a complaint, our team initiates a thorough review process. Complaints are typically reviewed within 48 hours, and actions are taken within seven (7) business days. In cases involving clearly illegal activities, such as labor abuse or exploitation, immediate action is taken to address the issue promptly.

Moreover, our complaint handling procedure includes validating the complaint, conducting an initial investigation, documenting the findings, and resolving the issue. If necessary, we report the incident to the relevant authorities. The entire process is meticulously documented in our "Complaint Handling Guidance," which is accessible to all employees.

3. **What are your policies and procedures to address complaints by models? In particular, how does the company prioritize the severity of complaints, how quickly does it respond, and how does it seek to remedy those situations? Can you provide any examples of how these policies or procedures have been implemented in Colombia?**

Our platform's structured complaint handling system ensures that all complaints are directed to the appropriate department based on their nature and severity. The general process involves the following steps:

- Validation: Each complaint is first validated to ensure it is legitimate and within our scope of responsibility.
- Initial Investigation: A preliminary investigation is conducted to gather essential details and ascertain the facts.
- Documentation: All findings and actions taken are meticulously documented for accountability and future reference.
- Resolution: Based on the investigation, appropriate actions are taken to resolve the issue. This may include corrective measures, policy changes, or disciplinary actions.
- Reporting to Authorities: In instances involving illegal activities or severe violations, the matter is promptly reported to the relevant authorities.

Complaints are assessed to determine their severity. Typically, complaints are reviewed and responded to within 48 hours, with the goal of resolving issues within seven (7) business days. Urgent or illegal activities, such as child sexual exploitation or serious labor violations, receive the highest priority. For critical cases, immediate action is taken to address violations of law or clear human rights concerns.

Our comprehensive complaint handling procedure is documented in our **“Complaint Handling Guidance,”** which is accessible to all employees to ensure consistency and transparency in the process.

These policies are implemented globally and are applicable in every country where our platform is accessible, including Colombia. We are committed to maintaining high standards of service and addressing complaints promptly and effectively to uphold the rights and welfare of our models.

In conclusion, we trust that the information provided has been both sufficient and insightful in addressing your inquiries.

Regarding the internal Policies and Guidelines mentioned, we would be pleased to share them with you upon receiving your official written confirmation that these documents will remain confidential. Given the sensitive nature of these materials, including business secrets and security measures, it is critical that they are not made publicly available to prevent misuse by malicious actors who may attempt to circumvent our protections.

We look forward to your response and kindly ask you to confirm receipt of this letter via email at legal@bncta.com.

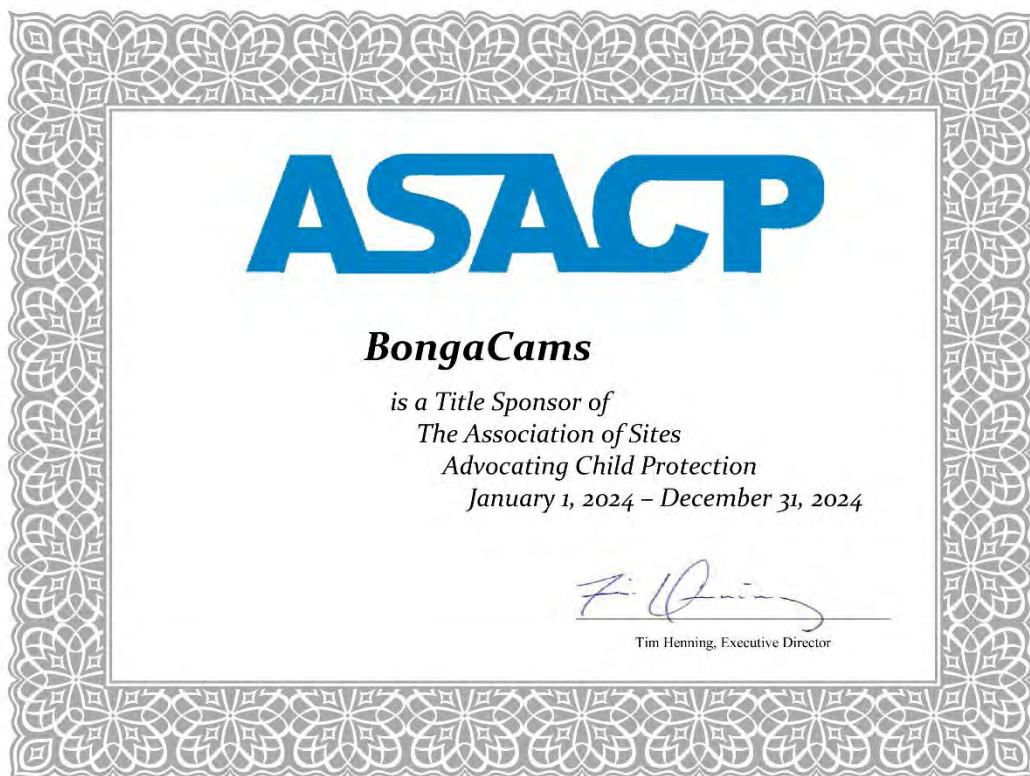
Thank you for your attention, and we remain at your disposal for any further clarifications.

Kind regards,

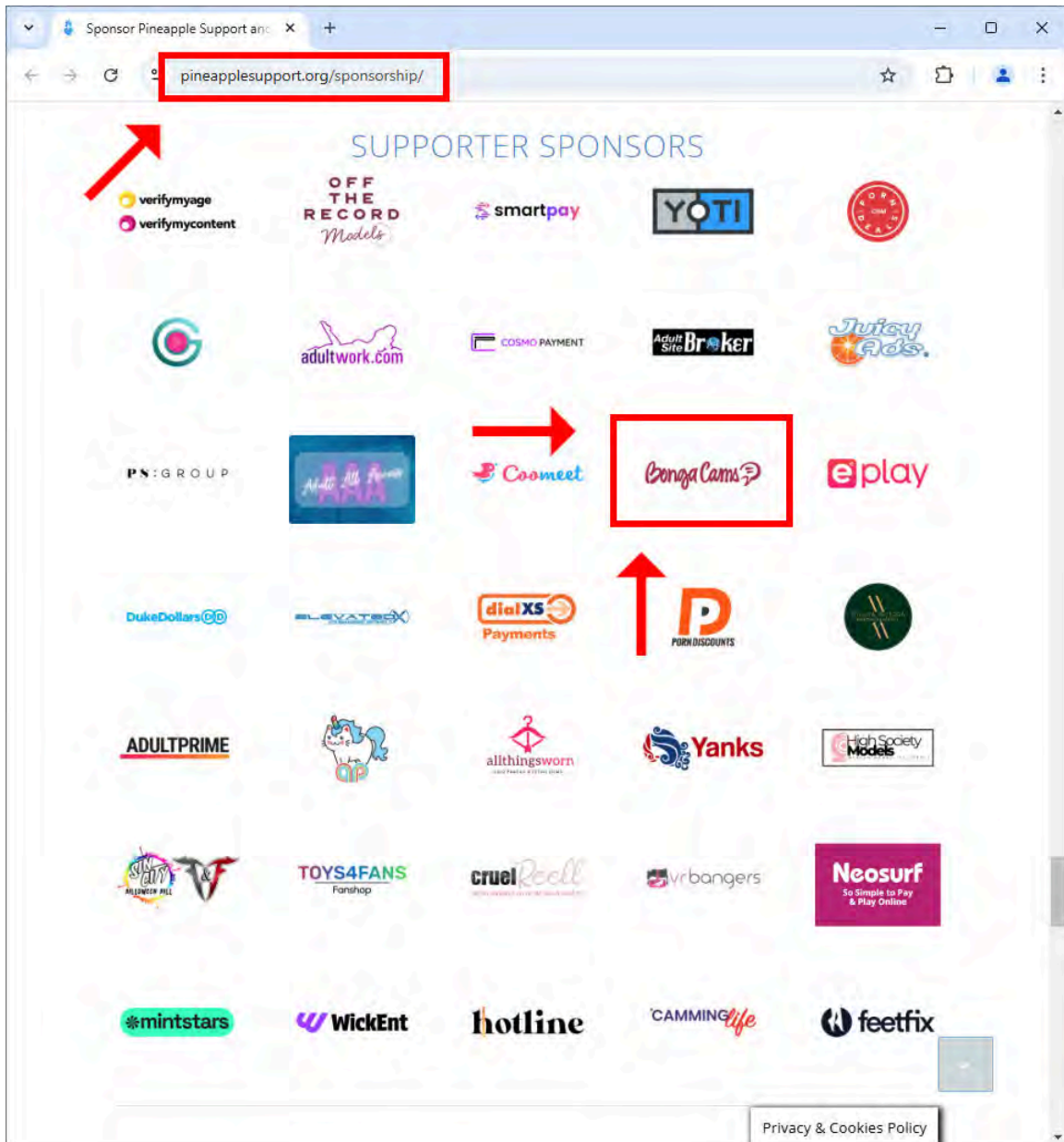
Alexandr Fatejev
Authorized Representative
BNC TECHNOLOGY AND ADVERTISING LTD

Annex VII: BongaCams Certificates and Policies

ASACP Certificate



Pineapple Support Sponsor



BongaCam Policies



BongaCams.com

Abuse Policy

This Abuse Policy outlines the measures BongaCams.com implements to prevent the upload and distribution of illegal, non-consensual, including sharing personal information or content, or infringing of intellectual property rights content and content that otherwise is not in compliance with laws, regulations, card brand rules, or standards on our platform. We are committed to maintaining a safe and legal digital environment, respecting intellectual property rights, and upholding the privacy and rights of our users.

Content that infringes upon intellectual property rights, including but not limited to copyright and trademarks, or is illegal or non-consensual, is strictly prohibited. Users must ensure they have the necessary rights and consents before sharing or uploading content. Any content found to be in violation of these guidelines will be subject to immediate removal.

Users can report illegal or non-consensual content by contacting our support team via email at support@bongacams.com or through our dedicated web form at <https://bongacams.com/content-removal>. Issues regarding intellectual property violations should be reported through the dedicated webform at <https://bongacams.com/dmca>. Alternatively, reports can be made by calling our support phone number (+420) 603 888 399. When submitting a complaint, please include as much information as possible, such as direct URL links and a detailed description of the issue, to facilitate a prompt and effective review process.

Upon receipt of a complaint, our dedicated content review team will assess the report and initiate an investigation. Complainant will receive the acknowledgment reply via email. Should the initial report not contain enough evidence or description to promptly locate or identify the reported content, the content review team will contact you and request additional information in order to begin investigation.

Our general response time for acknowledging receipt of complaints is within 48 hours, but the resolution time may vary depending on the complexity and nature of the reported issue, however, in any case, it will be reviewed and resolved within seven (7) business days. We prioritize the identification and removal of clearly illegal content, which is deleted immediately upon verification.

In cases where the complainant is not satisfied with the resolution of their complaint, we may review and reassess the case, escalate the complaint to the senior manager and, depending on the results of this investigation, promptly provide a final decision to the complainant.

All reports are treated with strict confidentiality. The identity of the reporting party will not be disclosed to the person whose content is being reported. We ensure that all personal information provided during the reporting process is protected and used solely for the purpose of resolving the complaint.



BongaCams.com complies with all applicable laws, including the Digital Millennium Copyright Act (DMCA), and card brand rules in the enforcement of this policy. We are dedicated to swift compliance with legal standards to ensure that all content on our platform adheres to the law.

For any questions regarding this policy or its implementation, users are encouraged to contact our support team through the provided contact methods.

Last update 30.05.2024



BongaCams.com

Age Verification Policy

BongaCams.com is committed to ensuring compliance with legal regulations and industry standards regarding the minimum age requirement for accessing certain services or content provided on our website. In order to prevent minors from accessing age-restricted content and to uphold responsible online practices, we have implemented an age verification process. This policy delineates our methodology for age verification, including the techniques employed, the jurisdictions in which this process is applicable, and the third-party services utilized for this purpose.

1. Methods of age verification

1.1. BongaCams.com employs various methods to verify the age of consumers accessing our website, including but not limited to:

1.1.1. **Integration with third-party age verification services** provided by Yoti Ltd. (Yoti), that authenticate users' age using government-issued identification or other verification methods. A detailed description of the verification methods used by Yoti is provided in "Third-party age verification services" further below.

1.1.2. Upon the initial visit to the website, visitors are presented with a "**Warning 18+**" notification. This warning informs users of the adult nature of the content and serves as an initial deterrent for underage visitors. Moreover, this notification requires visitors to agree with the **Terms and Conditions** of the BongaCams.com website, which include following statements:

1.1.2.1. **3.2.** BongaCams's services are only available for persons over the Age of Majority.

1.1.2.2. **3.3.** Persons under the Age of Majority are also not allowed to be Adult Service Providers (ASP). Consequently, all Adult Service Providers (ASP) were of Age of Majority during the time of photography, as per proof of age held by the custodian of records. Under no circumstances does BongaCams present Adult Service Providers (ASP) as children.

1.1.2.3. **4.1.** In order to Subscribe (register an account) at BongaCams it is mandatory to be at least the Age of Majority, in compliance with the local regulations applicable to the Subscriber.

1.1.2.4. **6.2.** I am fully aware that viewing adult content is only allowed for viewers of at least the Age of Majority.

1.1.2.5. **6.3.** I expressly declare that, on the present date, I have reached the necessary age to view adult content in accordance to my local regulations.

1.1.3. **Visitors are required to pay using credit cards.** The use of credit cards adds an additional layer of age verification, as credit card companies have their own age verification processes in place, thereby further ensuring that our consumers are of legal age.

1.2. In the event that there is a reasonable suspicion that a visitor may be below the age of majority in their jurisdiction, the administration of the website may suspend the use of the account in question and request an ID document for the purpose of identity and age verification. Reasonable suspicion encompasses a range of circumstances, including, but not limited to:

1.2.1.1. In the event that the user provides inconsistent information.



- 1.2.1.2. It is also possible that the user may exhibit suspicious behavior in the chat function.
- 1.2.1.3. The use of messages to impersonate a minor.
- 1.2.1.4. The reports were provided by users of the website.
- 1.2.1.5. Third-party reports were also received.

2. Countries and states where applicable

- 2.1. The age verification requirements applicable to our website may vary depending on the legal jurisdiction in which it is operated. BongaCams.com ensures compliance with age verification laws and regulations in countries and states where such requirements are applicable.
- 2.2. Mandatory age verification for visitors of the website prior to accessing any of the content of the website is implemented for the following jurisdictions:
 - 2.2.1. United States
 - 2.2.1.1. Texas
 - 2.2.1.2. Arkansas
 - 2.2.1.3. Utah
 - 2.2.1.4. Montana
 - 2.2.1.5. Mississippi
 - 2.2.1.6. Louisiana
 - 2.2.1.7. North Carolina
 - 2.2.1.8. Virginia
- 2.3. The list of applicable jurisdictions will be expanded in accordance with the enactment of new legislation in specific countries or states, or in response to amendments to existing laws and regulations.

3. Third-party age verification services

- 3.1. In order to facilitate the age verification process for visitors accessing bongacams.com, the company has entered into a partnership with Yoti LTD, a leading provider of digital identity verification solutions.
- 3.2. Yoti offers a comprehensive age verification service that utilizes advanced technologies, including document scanning, facial recognition, and biometric matching, to authenticate users' age securely and reliably.
- 3.3. The age verification process may involve the collection and processing of the following data:
 - 3.3.1. Personal information provided by the user during registration, including name, date of birth, and contact details.
 - 3.3.2. Scanned images of government-issued identification documents, such as passports or driver's licenses.
 - 3.3.3. Selfies captured by the user using the Yoti application for facial recognition purposes.
- 3.4. Yoti provides three different methods of age verification, from which our visitors can freely choose the most appropriate age verification method based on their concerns. These methods include automated cross checking of identification documents with the photo of face, age estimation, and digital identification confirmation via Yoti application.
 - 3.4.1. Cross checking requires visitor to take a picture of their ID and face, which will be analyzed by Yoti's advanced algorithms to determine whether the document is in the rightful possession of the holder and the holder is of the Age of Majority in their jurisdiction.



- 3.4.2. Age estimation requires explicit consent for processing biometrical data of the visitor which will be collected via photo by Yoti. Biometric data will be analyzed by Yoti to estimate the age of the visitor.
- 3.4.3. Digital ID is a method to provide visitors with a secure way to verify their age using the Yoti mobile application. Visitors can create a digital ID on the Yoti app by scanning their government-issued identification documents and taking a selfie for facial recognition purposes. Once verified, visitors can use their Yoti digital ID to authenticate their age on BongaCams.com by scanning QR-code with their Yoti application.
- 3.5. Upon completion of the verification process Yoti will send us the results indicating whether the visitor is of appropriate age to access the content of the BongaCams.com website.
- 3.6. All data transmitted between Yoti and BongaCams.com is encrypted in order to ensure confidentiality and integrity of personal data processed. Yoti retains the data only for as long as necessary for the verification process and deletes it promptly thereafter to protect user privacy.

4. Data protection

- 4.1. BongaCams.com is committed to protecting the privacy and confidentiality of visitor data collected during the age verification process.
- 4.2. All data collected and processed for age verification purposes is handled in compliance with applicable data protection laws and regulations, including the EU General Data Protection Regulation (GDPR) and the California Consumer Privacy Act (CCPA).
- 4.3. Data security measures are implemented to safeguard visitor information against unauthorized access, disclosure, or misuse. These measures include encryption, secure storage, and regular security audits.
- 4.4. Any data collected by Yoti to facilitate the age verification process is removed from their systems as soon as they are no longer required for the purposes of age verification, meaning that photos of visitor's ID and face are promptly and securely deleted after verification process is completed.
- 4.5. In the event of a data breach, BongaCams.com will promptly notify affected visitors and relevant authorities in accordance with legal requirements. This notification will include details about the nature of the breach, the types of data affected, and any steps visitors should take to protect themselves from potential harm. Additionally, BongaCams.com will provide information on measures taken to contain the breach, mitigate its impact, and prevent future occurrences.

5. Transparency

- 5.1. Visitors accessing our website are provided with clear information about the age verification process, including the reasons for age verification and the methods used in website's Privacy Policy.
- 5.2. Prior to undergoing age verification, visitors are required to provide explicit consent. Visitors are entitled to decline age verification processes if they are unwilling to provide the requisite information or undergo verification. However, access to the website will not be granted in jurisdictions indicated in clause 2.2 unless age verification is completed.
- 5.3. Any modifications to the age verification policy are disseminated to users via the website and other pertinent channels, including, but not limited to, email correspondence and pop-up notifications. Users are afforded the opportunity to review and consent to the revised terms.



6. Visitors' rights

- 6.1. Visitors have rights regarding their processed personal data under the EU General Data Protection Regulation. These rights include:
 - 6.1.1. **Right of access:** visitors have the right to obtain confirmation as to whether or not personal data concerning them is being processed, and, where that is the case, access to the personal data and information about the processing.
 - 6.1.2. **Right to rectification:** visitors have the right to request the correction of inaccurate or incomplete personal data.
 - 6.1.3. **Right to erasure (Right to be forgotten):** visitors have the right to request the deletion of their personal data under certain circumstances, such as when the data is no longer necessary for the purposes for which it was collected or when the visitor withdraws his or her consent.
 - 6.1.4. **Right to withdraw consent:** visitors have the right to withdraw consent they have previously given for the processing of their personal data.
- 6.2. Visitors who are residents of California have specific rights provided under the California Consumer Privacy Act. These rights include:
 - 6.2.1. **Right to know:** visitors have the right to request access to specific pieces of personal information that have been collected about them by covered businesses, as well as information about how that data has been used or disclosed.
 - 6.2.2. **Right to deletion:** visitors have the right to request the deletion of their personal information collected by covered businesses, subject to certain exceptions.
 - 6.2.3. **Right to opt out:** visitors have the right to opt out of the sale of their personal information to third parties.
 - 6.2.4. **Right to non-discrimination:** visitors have the right not to be discriminated against for exercising their rights under the CCPA, including the right to access, delete, or opt out of the sale of their personal information.
- 6.3. Visitors of BongaCams.com website can exercise their right under the GDPR (EU) and CCPA by contacting our Support team via the Online chat at <https://bongacams.com/contact-support> or email addresses support@bongacams.com and dpo@bongacams.com.

7. Continuous compliance

- 7.1. BongaCams.com regularly conducts reviews of its age verification policy and methods to ensure ongoing compliance with legal requirements, industry standards, and best practices.
- 7.2. In the event of any amendments to the age verification policy, these will be implemented as and when necessary, in order to reflect any changes in regulations, technology, or business practices. In addition, users will be duly informed of any material changes in accordance with the established notification protocols.
- 7.3. Regular employee training programs are conducted to ensure that our team is kept apprised of the most recent compliance requirements and best practices related to age verification and data protection.

Last update: 05.06.2024



BongaCams.com

Basic Rules for the Provision of Services

The below-mentioned rules must be followed by all Performers rendering Services through the Websites. The Studios undertake to guarantee that Studio Models rendering Services on their behalf respect the rules below as well.

Performers must have a valid and approved registration on the Websites. Performer, or as the case may be, Studio Model appearing in the camera area or in the pictures through bongamodels.com must be registered under the given Account.

Broadcasting a pre-recorded video or still image instead of live camera stream is against the rules of the Websites. Violation of the rules is considered a breach of this Agreement and might result in monetary deduction, suspension of the Account, immediate ban from the Websites or the discontinuance of payouts.

Giving out and asking for personal information, including personal information of Members and Performer or Studio Models is against the rules. E-mail addresses from outside the Websites, online messenger IDs (such as: Yahoo!, MSN, ICQ, Skype, etc.), permanent addresses, social accounts (Facebook, LinkedIn), etc. are considered personal information and are forbidden to be asked and/or provided. This rule will not apply for links to Model's or Studio's accounts in Instagram, Twitter, Snapchat, Reddit nor to Model's/Studio's personal website which are allowed to be added by the Model/Studio to their BongaCams Profile.

Any kind of personal contact with Members of the Websites, soliciting for escort service, prostitution, asking for any form of compensation, is against the rules.

Underage sexual activity, bestiality, incest, demonstration of blood or animals and mimicking the above mentioned is against the rules. Role playing that includes an underage role is against the rules. Any attempt to display text material that is a celebrity name, offensive, suggests pedophilia, adolescence, bestiality or zoophilia, referring to elimination or consumption of any bodily waste or implying words that are unacceptable by the standards of good taste will lead to immediate and permanent suspension of the concerned account.

Advertising other websites or services is strictly prohibited, unless expressly allowed by the Website Operator in this Agreement.

All registered persons of an Account must be visible and recognisable in the camera area and in the pictures all the time (showing body parts only is not acceptable). Performers need to follow the basic category rules described in the Websites for each category of the Services regarding the number of persons, proper outfit, activities, etc.

In case the Performer or Studio Model, as the case may be, misled the paying Member about his/her/their gender, preferences, or activities, the Member is entitled to claim back any amounts paid. Promising Members certain performances for their tips or paid shows (private, fully private, group) and not acting on these promises after being tipped is also considered misleading and may result in returning any amounts received. Rejecting members' offers or requests (either in free or paid chats) is not considered misleading.

Sleeping in the camera area is prohibited.



You/Studio Models have the option to remove, expel, eject or ban impolite Members from your/their chat room, although it is against the rules to misuse this privilege. Making derogatory statements about other Performers/Studio Models or Members is prohibited. Performers/Studio Models are obliged to respect and follow the instructions of the Customer Service staff. If you need help, do not hesitate to contact our Customer Service.

In case of offence or violation of the rules, the Performer would be first warned by the Website Operator. However, in case of the egregious violation (e.g. advertising of other webcam websites and/or referring their direct links) the Website Operator reserves the right to fine the Performer immediately without giving a prior warning. The Website Operator reserves the right to fine the Performer in the case of offence, with the amount to be fined depending on the nature of such offence. The Website Operator is entitled to deduct such fines from any payments due to the Performer in accordance with the fine system listed below:

Leaving the camera image (being out of camera view)	\$ 25.00
Broadcasting alone on couple accounts in Free chat	\$ 25.00
Sleeping or passing out (Performer or/and partner)	\$ 25.00
Exchanging, giving out, asking for or accepting personal/contact information (On such proposals, the Performer should refuse to provide/accept personal information or ignore the request. The answer, which does not contain a direct refusal, for example, "Later, I can't now" — will be considered as a violation of the rule).	\$ 25.00
Misleading about gender	\$ 25.00
Animals/pets in the broadcast area	\$ 25.00



Publishing of links to other Internet resources	\$ 25.00
Sending own referral link to BongaCams members/guests in Free/Private Chat (it is prohibited to spam by own referral link)	\$ 25.00
Referring to other live adult websites by text material, logos, pictures, videos etc.	\$ 50.00
Asking for and/or receipt of the payment from the members outside the website (without the provision of the requisites)	\$ 50.00
Asking for and/or receipt of the payment from the members outside the website with the provision of the requisites	\$ 100.00
Referring, advertising, propaganda and/or promotion of other live adult websites by Performer by sending/ broadcasting or posting their links on the website	\$ 100.00

WE HAVE ZERO-TOLERANCE REGARDING THE VIOLATIONS LISTED BELOW AND WILL CLOSE THE PERFORMER'S ACCOUNT SHOULD MENTIONED VIOLATIONS OCCUR.

Minors, children, babies on camera or in the same room	closure of account
Model presenting as minor	closure of account
Urination, defecation, "going to the bathroom", enema play, Breastfeeding	closure of account

Consumption of any bodily waste, vomiting	closure of account
Menstrual bleeding	closure of account
Illegal drugs, or drugs that may be perceived as illegal in other locations	closure of account
Excessive consumption of alcohol or other legal or prescribed medicines or narcotics	closure of account
Incest (sexual relations involving family members)	closure of account
Broadcasting a pre-recorded video or still image instead of live camera stream	closure of account
Violence, blood, torture, pain, erotic asphyxiation, or any actions associated with bringing harm to yourself in any way	closure of account
Discussing or arranging prostitution or escort services	closure of account
Arranging other forms of employment with Website Members	closure of account
Bestiality, or animals/pets on camera in a sexual or provocative context (zoophilia)	closure of account



Discussing or arranging pedophilia, adolescence	closure of account
Unregistered person in the broadcast area	closure of account
Using the Model account of the other person	closure of account
Being online with inappropriate camera quality	temporary suspension of account
Role playing that includes an underage role, incest, violence, cruelty, blood, torture, pain, erotic asphyxiation, or any actions associated with bringing harm	closure of account
Fraudulent actions concerning the earnings of the Performer (including but not limited to unfair winning in contests and awards, dishonest gain, breach of the Model's / Studio's or Member's accounts, participation in fraudulent schemes with stolen/bogus credit cards, accompliceship in covins against other Performers and/or website and/or Website Operator, etc.)	closure of account
Accepting/asking for personal meeting/contact with Members	closure of account
Actions causing financial damage and/or impairment of goodwill of the Website Operator and /or the website	closure of account
Frivolous and/or disrespectful attitude toward the website and/or the website Administration and/or its staff on the website and/or on the third parties	closure of account



media resources (websites, forums, chats, blogs, social medias, TV, radio, billboards, etc.)	
Constant disregard of the warnings received from the Administration of the website	closure of account
The Performer's identity doesn't comply with the ID documents previously provided to the website	closure of account
Using fake IDs for the account registration on the website	closure of account

Please be advised that the Website Operator reserves the right to suspend and/or to close the Model's/Studio's Account in case of repeated violations by the Performer of the rules.

Please be advised, that in case of recurrent violations, the amount of the fine can be doubled.

This basic list of rules is non-exclusive and does not contain all possible violations of this Agreement. Therefore, an act not mentioned above may still qualify as a breach of this Agreement when taking into consideration the situation and analyzing the general intent of this Agreement. In these cases the Website Operator is also entitled to impose the fine on the Performer and/or to suspend the Model's/Studio's Account subsequently giving to the Model /Studio Model the notice containing grounds for the implemented fine.

Model is prohibited from registering new Performer accounts with her/his participation within the Referral Program.

In case you do not wish to accept any part of the above statements, or you are not aware of pertinent laws and regulations, please DO NOT ENTER OR SUBSCRIBE TO THE WEBSITE!

Last update: 10.05.2024



BongaCams.com

Complaint Handling Guidance

1. Introduction

This document outlines the procedures for handling complaints and reports regarding illegal, non-consensual, or infringing content on BongaCams.com. This includes content not compliant with laws, regulations, or standards. The aim is to ensure a swift and efficient resolution of all complaints to maintain compliance and uphold the integrity of our platform.

2. Complaint receipt and acknowledgment

Complaints can be received from subscribers, performers, and website visitors via the following channels:

- **Email:** support@bongacams.com
- **Online chat:** <https://bongacams.com/contact-support>
- **DMCA webform:** <https://bongacams.com/dmca>
- **Content Removal webform:** <https://bongacams.com/content-removal>
- **Phone:** (+420) 603 888 399

2.1 Ticketing system

- **Unique ticket ID**

All complaints, except those received via phone, must be assigned a unique ticket ID and marked as high priority. This ensures that each complaint is tracked and handled efficiently.

- **Manual ticket creation for phone calls**

For phone complaints, manually create a ticket. This can be done by entering the details into the complaint management system. Alternatively, you can request the complainant to provide evidence via email, which will automatically generate a ticket.

3. Complaint validation

To validate a complaint, collect all relevant information. This ensures that the complaint has sufficient evidence to proceed with an investigation. Relevant information includes:

- **Complainant's name or username:** identify who is making the complaint.
- **Contact information:** necessary for follow-up communication.
- **Direct link to the reported content:** allows quick access to the content in question.
- **Description of the reported content:** provides context about the complaint.
- **Nature of the violation:** specifies what the complainant believes is wrong.
- **Date and time of the encountered content:** helps in pinpointing the exact time of the issue.
- **Screenshots:** visual evidence to support the complaint.
- **Additional information:** any other information that can assist in the investigation.



4. Request for additional information

If the complaint lacks sufficient evidence, request the necessary information via email. Use the following template for such requests:

Dear [Complainant's Name],

*Thank you for your complaint regarding [brief description of the issue]. To proceed with the investigation, we need additional information: - [Specific information required]
Please provide this information at your earliest convenience.*

Best regards,

[Your Name]

[Your Position]

If the complainant refuses to provide the required details, deem the complaint invalid and notify the complainant with reasons for the decision.

5. Acknowledgment of receipt

Upon receiving a valid complaint, acknowledge receipt within 48 hours and inform the complainant that an internal investigation has commenced. Use the following template for acknowledgment:

Dear [Complainant's Name],

We have received your complaint regarding [brief description of the issue]. Our team has started an internal investigation, and we will keep you updated on the progress.

Thank you for bringing this to our attention.

Best regards,

[Your Name]

[Your Position]

6. Internal investigation

During the investigation, determine the following key points:

- **Cross-check information provided by the reporter:** ensure the details match the reported content.
- **Capture necessary screenshots:** document visual evidence of the violation.
- **Inspect message history:** review communications that can be related to the complaint.
- **Communicate with both the reported and reporting parties:** Gather information from all involved parties.
- **Verify content ownership and consent validity:** confirm the reported content's ownership and whether proper consent was given.



- **Ensure compliance with laws, regulations, Terms and Conditions, standards, and intellectual property rights:** check that the content adheres to all relevant guidelines.

7. Documentation

Document all findings and attach them to the designated ticket. Use the following checklist for documentation:

- Summary of the complaint
- Collected evidence
- Investigation steps taken
- Communication records
- Conclusion and recommended actions

8. Resolution

Based on the investigation, take appropriate actions, which may include:

- **Content removal:** if the content violates guidelines.
- **Suspension of the reported account:** for serious violations.
- **Communication with the affected party to request content removal:** if the violation is minor and can be rectified without suspension.
- **Requesting additional evidence from the reporting party:** if more information is needed.
- **Notifying both parties of actions taken:** to keep them informed.
- **Issuing a warning for Terms and Conditions violations:** for less severe issues.
- **Notifying authorities if necessary:** for legal or regulatory violations.

9. Reporting to authorities

Notify authorities in cases involving:

- Child Sexual Abuse Materials (CSAM)
- Human trafficking or sex trafficking
- Revenge porn
- Illegal drugs or substances
- Terrorism-related content
- Non-consensual porn

10. Priority handling

Illegal content must be removed immediately upon receiving a valid complaint. All complaints should be reviewed, addressed, and resolved within seven (7) business days.

11. Escalation and appeals

If the complainant is dissatisfied with the resolution, review and reassess the case, escalating to a senior manager if necessary. Provide a final decision promptly. Use the following template for escalations:

Dear [Complainant's Name],



We have reviewed your appeal regarding [brief description of the issue]. After reassessment, we have determined [final decision].

Thank you for your patience.

Best regards,

[Your Name]

[Your Position]

12. Confidentiality

Treat all reports with strict confidentiality. Do not disclose information that may reveal the identity of the reporting party to the affected party. Minimize collected and processed information to what is strictly necessary.

13. Reporting to Acquirer

All complaints received should be documented along with their resolutions. These details will be compiled into monthly reports and reported to the card processing providers. Such reports should include:

- Flagged content
- Requests for content removal
- Reports of illegal and non-consensual content
- Contact methods used for communication with the reporting party
- Resolutions
- Timelines of actions undertaken to address the reported issues

Reporting must be done according to the instructions provided by the card processing providers, which may include merchant portal, web form, and/or email address.

14. Continuous improvement

Analyze complaints and feedback to identify trends and areas for improvement. Share suggestions with the senior manager and participate in regular audits.

Last update 30.05.2024



BongaCams.com

Complaint and Vulnerable Customers Policy

1. Introduction

Bongacams.com is committed to providing fair, efficient, and empathetic handling of complaints, especially those involving vulnerable customers, in accordance with the PSA 14th Code of Practice. This policy outlines our approach to identifying and supporting vulnerable customers and ensuring their complaints are handled with sensitivity and priority.

2. Definitions

- **Vulnerable Customer:** vulnerable customers may include without limitations individuals who are elderly, disabled, experiencing financial hardship, suffering from mental health issues, or facing other circumstances that make them more susceptible to harm or disadvantage.
- **Complaint:** a complaint is any expression of dissatisfaction by a customer regarding our services or the conduct of our support team.

3. Identification of Vulnerable Customers

- Vulnerable customers are hard to define and even harder to identify therefore, we will encourage customers to inform us if they have any specific needs or circumstances that may require additional support.
- We will regularly review customer interactions with our support team and feedback to identify vulnerable customers and ensure they receive appropriate assistance.

4. Complaints from Vulnerable Customers

- Our complaints handling process will be accessible to all customers, including those with disabilities or special requirements, through various channels, which can be found at <https://bongacams.com/contact-support> such as phone (+420 603 888 399), email (support@bongacams.com), or online chat (<https://bongacams.com/support-live-chat>).
- Support team will handle complaints from vulnerable customers with empathy, patience, and sensitivity, considering their individual circumstances and needs to ensure timely resolution and prevent further distress or harm.
- We will communicate with vulnerable customers in clear, plain language, avoiding jargon or technical terms that may cause confusion.
- Complaints from vulnerable customers will be investigated thoroughly, with a focus on understanding their specific concerns and needs. We strive to resolve complaints from vulnerable customers promptly and fairly, keeping them informed of progress and any actions taken.
- After the resolution of a complaint, we will follow up with vulnerable customers to ensure their satisfaction and offer any additional support or assistance if needed.



5. Customer Feedback

- We receive feedback from all customers through our communication channels. Online chat has designated fields for customers to rate the support they receive and leave a comment regarding interactions with customer support team.
- All feedback will be analyzed to identify areas for improvement and address any recurring issues or concerns. We will take appropriate action based on customer feedback to enhance our services, and customer care processes, especially regarding vulnerable customers.

6. Training

- Our staff will receive ongoing training on how to handle complaints from vulnerable customers effectively, including techniques for communication, empathy, and conflict resolution. We are constantly raising awareness among our staff about the importance of supporting vulnerable customers and the potential signs of vulnerability to look out for.

7. Compliance

- We will ensure that our vulnerable customer care handling practices comply with the standards outlined in the PSA 14th Code of Practice.
- Customer data will be handled in accordance with relevant data protection laws and regulations, including GDPR, CCPA, and other relevant regulations, ensuring confidentiality and security of the customer personal data.

8. Monitoring and Review

- We are constantly monitoring key performance indicators related to vulnerable customer care, such as response times, resolution rates, and customer satisfaction scores. Such monitoring is used to address reoccurring issues more effectively and to improve our vulnerable customer care processes.
- This policy will be reviewed periodically to ensure its effectiveness and relevance, with updates made as necessary to reflect changes in regulations or business practices.

Last update 05.03.2024



BongaCams.com

CONTENT POLICY

The basic rules for the provision of services must be followed by all Performers rendering Services through the Websites. The Studios undertake to guarantee that Studio Models rendering Services on their behalf respect the rules as well. Performers must have a valid and approved registration on the Websites.

Underage sexual activity, bestiality, necrophilia, incest, demonstration of blood or animals, and mimicking the above mentioned is against the rules. Role-playing that includes an underage role is against the rules. Any attempt to display text material that is a celebrity name, offensive, suggests pedophilia, adolescence, necrophilia, bestiality, or zoophilia, referring to elimination or consumption of any bodily waste or implying words that are unacceptable by the standards of good taste will lead to immediate and permanent suspension of the concerned account.

The Webcam Operator has zero-tolerance regarding the violations listed below and will close the Performer's account should mentioned violations occur:

- Minors, children, babies on camera or in the same room
- Model presenting as minor
- Urination, defecation, "going to the bathroom", enema play,
- Breastfeeding
- Consumption of any bodily waste, vomiting
- Menstrual bleeding
- Illegal drugs, or drugs that may be perceived as illegal in other locations
- Excessive consumption of alcohol or other legal or prescribed medicines or narcotics
- Incest (sexual relations involving family members)
- Broadcasting a pre-recorded video or still image instead of a live camera stream
- Violence, blood, torture, pain, erotic asphyxiation, or any actions associated with bringing harm to yourself in any way
- Discussing or arranging prostitution or escort services
- Arranging other forms of employment with Website Members
- Bestiality, or animals/pets on camera in a sexual or provocative context (zoophilia)
- Discussing or arranging pedophilia, adolescence
- Unregistered person in the broadcast area
- Using the Model account of the other person
- Being online with inappropriate camera quality



- Role-playing that includes an underage role, incest, violence, cruelty, blood, torture, pain, erotic asphyxiation, or any actions associated with bringing harm
- Fraudulent actions concerning the earnings of the Performer (including but not limited to unfair winning in contests and awards, dishonest gain, breach of the Model 's / Studio's or Member's accounts, participation in fraudulent schemes with stolen/bogus credit cards, accomplices in covers against other Performers and/or website and/or Website Operator, etc.)
- Accepting/asking for personal meeting/contact with Members
- Actions causing financial damage and/or impairment of goodwill of the Website Operator and /or the website
- Frivolous and/or disrespectful attitude toward the website and/or the Website Administration and/or its staff on the website and/or on the third party.

Last update 08.08.2024

MODEL'S CONSENT TO PARTICIPATE IN 18+ CONTENT ON BONGACAMS.COM

Model is providing their informed consent to the following provisions:

- ☒ I attest I am a participant in 18+ content on Bongacams.com.
- ☒ I am the age of majority in the country where I reside.

I have provided a valid government-issued identity document to Bongacams.com, and Bongacams.com has verified my age by reviewing the following document (please check applicable box):

- ☐ my driver's license OR
- ☐ my country-issued passport OR
- ☐ a state issued identity card.

I consent to being depicted in the content on Bongacams.com and associated websites. I hereby state that I participate in 18+ content on Bongacams.com consensually, of my own free will and without enforcement from any third parties.

I consent to my content being uploaded, published and/or live streamed on Bongacams.com and associated websites.

I hereby give my explicit consent to Bongacams.com to public distribution of my content. I am aware that such distribution includes uploading, downloading and live streaming of my content in whole or in parts.

I give my consent to Bongacams.com to promote, advertise, broadcast, alter, edit, copy, and/or otherwise make use of my content without any additional compensation.

I give my consent to Bongacams.com to publish my content on the "Bongacams" channels on the official websites Pornhub.com and Xvideos.com and their affiliate networks with free and unrestricted access.

I am fully aware that my content or any part of it may appear in the search results of search engines (e.g., Google, Bing, DuckDuckGo, etc.) and I confirm that this does not violate my rights to privacy.

Upon signing this document, I provide my explicit consent to use my content on Bongacams.com and associated websites.

I also agree to Bongacams.com storing my consent and producing my consent to a third party under contract, as required by law, or pursuant to network rules.

Model's Legal Name and Username:	Name Surname	Username
Model's signature:	_____	Date: DD.MM.YYYY
Bongacams.com	/BongaCams.com/	Date: DD.MM.YYYY



BongaCams.com

Safety and Anti-Human Trafficking Policy

BNC TECHNOLOGY AND ADVERTISING LTD (Website Operator) and BongaCams.com uphold a zero-tolerance approach to human trafficking, forced labor, labor trafficking, slavery, prostitution, sex trafficking, exploitation, child exploitation, coercion, and physical abuse. This policy is a cornerstone of our commitment to protecting human rights and maintaining a safe and respectful environment for all users. We require all users to adhere strictly to this policy and to respect the human rights of others at all times. We unequivocally condemn any form of human trafficking, forced labor, labor trafficking, slavery, prostitution, sex trafficking, exploitation, child exploitation, coercion, and physical abuse and have implemented rigorous policies and procedures to prevent these activities on our platform. Furthermore, we are committed to combating human trafficking through our active participation in the Association of Sites Advocating Child Protection (ASACP) and sponsorship of PineApple Support.

1. Definitions

Child exploitation: the use of a child for the benefit of others in criminal activities, including, but not limited to, child labor, child prostitution, child pornography, and the involvement of children in drug trafficking.

Coercion: the practice of persuading someone to do something by using force or threats, including threats of serious harm to or physical restraint against any person, or any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person.

Drugs or other psychoactive substances: substances that, when taken in or administered into one's system, affect mental processes, e.g., cognition or mood. This includes illegal drugs, prescription medications used in a manner not intended by the prescribing doctor, and other substances such as alcohol and inhalants.

Exploitation: taking unfair advantage of another person, including but not limited to forced labor, sexual exploitation, and forced prostitution.

Forced labor: all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered themselves voluntarily.

Human trafficking: the recruitment, transportation, transfer, harboring, or receipt of persons by means of threat, use of force, coercion, abduction, fraud, deception, abuse of power, or exploitation.

Labor trafficking: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

Physical abuse: the intentional use of physical force that can result in physical injury, pain, or impairment, including but not limited to hitting, beating, shaking, burning, or otherwise harming a person.

Prostitution: the practice or occupation of engaging in sexual activity with someone for payment.

Sex trafficking: the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act, in which the sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act is under the age of 18 years.

Slavery: The condition in which one human being is owned by another and is forced to work without any personal freedom.

2. Prohibited activities

BongaCams.com strictly prohibits any form of human trafficking, forced labor, labor trafficking, slavery, prostitution, sex trafficking, exploitation, child exploitation, coercion, and physical abuse.



This prohibition extends to all forms of content that depict, promote, or glorify such activities, including but not limited to:

- Actual or simulated acts of human trafficking or sex trafficking.
- Suggested, simulated, or actual prostitution.
- Content that portrays or suggests physical abuse, even in the context of role-playing.
- Any form of coercion, exploitation, or abuse depicted or suggested in the content.
- Content that depicts, promotes, or glorifies use of drugs or other psychoactive substances.
- Any content that infringes on the dignity and rights of individuals.

Broadcasts or content featuring such activities will be immediately suspended, and user accounts involved will be disabled indefinitely. Furthermore, appropriate legal action will be taken against those involved to ensure compliance with legal standards and to protect the integrity of our platform. BongaCams.com has zero tolerance for any employee, contractor, or affiliate engaging in or facilitating any form of human trafficking, forced labor, or exploitation, including prostitution and will take appropriate action against any employee, contractor, or affiliate found to be engaging in human trafficking, sex trafficking, including prostitution, forced labor, or exploitation, which may include termination of employment or contracts and reporting to the relevant authorities.

3. Responsibilities

The management of the Website Operator ensures that all employees and contractors are aware of and comply with this policy. Responsibilities of the management includes conducting regular training and audits to prevent human trafficking and exploitation, handling internal reports and taking appropriate action in response to such reports.

Employees and contractors are contractually obligated to adhere to the principles of this policy and report any suspected cases of human trafficking, forced labor, exploitation, or prostitution to management immediately.

4. Reporting mechanisms and response

We encourage all users, moderators, viewers, or any other individuals who encounter content or activities related to human trafficking, forced labor, labor trafficking, slavery, prostitution, sex trafficking, exploitation, child exploitation, coercion, illegal drugs, and physical abuse on BongaCams.com to report such instances promptly. Reports can be submitted through the following channels:

- **Support live chat:** available 24/7 at <https://bongacams.com/contact-support> for immediate assistance.
- **Content removal:** use the dedicated online form for reporting content on BongaCams.com at <https://bongacams.com/content-removal>.
- **Email:** send detailed reports to support@bongacams.com.

In order to facilitate the reporting of suspicious activities, users are permitted to submit such reports anonymously. All reports are treated with the utmost urgency and confidentiality. Our team will prioritize these reports and take immediate action to investigate and address the issues raised. It is our policy to ensure that every report is handled with the utmost sensitivity and seriousness, reflecting our commitment to maintaining a safe platform.

BongaCams.com will investigate all reports of human trafficking, forced labor, labor trafficking, slavery, prostitution, sex trafficking, exploitation, child exploitation, coercion, and physical abuse thoroughly and confidentially and will take appropriate action against any employee, contractor, affiliate, or user of the BongaCams.com website found to be engaging in such activities, which may include termination of employment or contracts, suspension of account, and reporting to the relevant authorities.



5. Cooperation with law enforcement agencies

The platform BongaCams.com is fully committed to cooperating with law enforcement agencies in the investigation and prosecution of individuals involved in any form of human trafficking, sex trafficking, or physical abuse. We will provide any necessary information and assistance to authorities as required by law. This cooperation may include, but is not limited to:

- Providing user data and activity logs as evidence.
- Assisting in identifying and locating suspects.

We believe that our collaboration with law enforcement is an important step in effectively combating human trafficking and related crimes. We hope that this collaboration will ensure that perpetrators are brought to justice.

6. Content moderation

To prevent misuse of our platform, BongaCams.com employs robust content moderation techniques and technologies. These measures are designed to detect, remove, and prevent any content related to human trafficking, sex trafficking, exploitation, or physical abuse. Our content moderation strategy includes:

- **Automated detection:** utilizing algorithms to identify and flag suspicious content.
- **Human review:** a dedicated team of trained moderators who manually review flagged content to ensure accuracy and context.
- **User reporting:** empowering users to report inappropriate content, which is then reviewed by our moderation team.

7. Content verification and standards

All content produced, distributed, or hosted on BongaCams.com comply with strict verification procedures to ensure that all performers are of legal age and have provided informed consent. Performers must provide government-issued identification to verify their age and identity before participating in any live performance or content upload.

BongaCams.com maintains records of performer consent and age verification documentation in compliance with applicable laws and regulations.

BongaCams.com accepts only consensual content. All performers must provide explicit consent for their participation in uploaded content or live performance. Only individuals who have passed verification and identification processes as well as provided their informed consent are allowed to broadcast live on or upload their content to the Company's website.

BongaCams.com ensures that all explicit material complies with community standards and legal requirements. The expression of violence during live performances is strictly prohibited and can lead to immediate account suspension and report to the relevant authorities. Content that is deemed to be excessively violent, degrading, or otherwise unacceptable will be reviewed and removed if necessary. The consumption of drugs and alcohol during live performances is strictly prohibited to ensure the safety and well-being of all participants. Performers must not be under the influence of drugs or other psychoactive substances. Performers must maintain a neat and presentable appearance to ensure that they are not under pressure from third parties and to maintain the professional standards of BongaCams.com.

8. User verification

The platform BongaCams.com has implemented comprehensive user verification processes to ensure the legitimacy of Performer accounts. These measures include:

- **Identity verification:** requiring valid government-issued identification to verify the identity of users.
- **Periodic reviews:** conducting regular audits and reviews of user accounts and online live performances to detect and prevent the use of fake or compromised accounts.



- **Two-factor authentication:** encouraging users to enable two-factor authentication to enhance account security.

Verification processes for Subscribers of the BongaCams.com website include:

- **Warning 18+:** users are notified of the nature of the website upon their initial visit to the BongaCams.com.
- **Age verification via ID:** in certain jurisdictions, visitors to the website are required to confirm their age with a government-issued identification document.
- **Credit card payment:** the use of a credit card adds an additional layer of age verification, as credit card companies have their own age verification processes in place.

These verification processes are critical in maintaining the integrity of our platform and preventing unauthorized or malicious activities. BongaCams.com is committed to preventing the exploitation of minors and implemented the above-mentioned measures to prevent child exploitation. Any content found to depict individuals under the age of majority will be immediately removed, and the incident will be reported to the relevant authorities.

9. Rights and welfare

BongaCams.com is committed to the welfare and rights of our Performers. Performers have the right to a safe and hygienic working environment, free from coercion, harassment, and exploitation. Performers must carefully read their Agreement to be fully informed of the nature of the content they will be involved in.

Explicit consent of the Performer must be provided prior to any content upload or broadcasting. BongaCams.com has a zero-tolerance policy towards non-consensual content and will not host the content of the Performer without their consent. Any non-consensual content will be immediately removed from the website upon identification of such content.

Performers are entitled to refuse participation in any production or live performances without any repercussions. Furthermore, Performers have the right to revoke their consent to being depicted in the content of the BongaCams.com website.

Our support team will provide Performers with any information, should the Performer require assistance or any additional explanation.

10. Compliance with laws

The platform BongaCams.com adheres to all local, national, and international laws pertaining to human trafficking, forced labor, labor trafficking, slavery, prostitution, sex trafficking, exploitation, child exploitation, coercion, and physical abuse.

We are dedicated to ongoing enhancement of our initiatives to deter such illicit activities. This policy will be promptly revised to reflect any amendments to applicable laws and regulations. Our commitment to legal compliance encompasses:

- **Regular legal audits:** conducting regular audits to ensure compliance with all relevant laws and regulations.
- **Legal counsel:** consulting with legal experts to stay informed about changes in the legal landscape and to ensure our policies remain up to date.

11. Commitment to continuous improvement

BongaCams.com is dedicated to continuously enhancing our policies and practices to combat human trafficking and related abuses. We regularly review and update our procedures to ensure the highest standards of safety and compliance. Our commitment to continuous improvement includes:

- **Feedback mechanism:** soliciting feedback from users and stakeholders to identify areas for improvement.



- **Best practices:** adopting best practices from industry leaders and experts to enhance our anti-trafficking measures.
- **Innovation:** investing in new technologies and methodologies to improve detection and prevention efforts.

12. Training and awareness

We offer regular training opportunities and awareness programs for employees with the aim of fostering an understanding of and commitment to the prevention of human trafficking, forced labor, exploitation, prostitution, sex trafficking, and physical abuse. This ensures that our team is adequately prepared to identify and report any suspicious activities in an effective manner.

13. Regular audits and reviews

Website Operator conducts regular audits and reviews of its compliance with anti-human trafficking policies to ensure ongoing effectiveness and adherence to best practices, laws and regulations. Our audit and review process includes:

- **Internal audits:** performing internal audits to assess compliance with our policies and identify areas for improvement.
- **External reviews:** engaging third-party experts to conduct independent reviews of our practices and provide recommendations.
- **Performance metrics:** tracking key performance metrics to measure the effectiveness of our anti-trafficking efforts.

We will conduct regular audits and assessments to ensure adherence to this policy and to identify and address any potential risks related to human trafficking, forced labor, exploitation, sex trafficking, and prostitution.

14. Partnerships and collaborations

BongaCams.com collaborates with NGOs, law enforcement, and other organizations dedicated to combating human trafficking to strengthen efforts and share best practices. Our collaborative efforts include:

- **Joint initiatives:** participating in joint initiatives and projects aimed at preventing human trafficking and supporting victims.
- **Information sharing:** sharing information and insights with partners to enhance collective efforts.

We encourage any victims of human trafficking, forced labor, exploitation, or sex trafficking to seek help and support. Victims can reach out to international organizations and NGOs that specialize in providing assistance, such as:

- Polaris Project: www.polarisproject.org
- International Organization for Migration (IOM): www.iom.int
- United Nations Office on Drugs and Crime (UNODC): www.unodc.org
- Anti-Slavery International: www.antislavery.org
- ECPAT International: www.ecpat.org
- Local authorities and law enforcement agencies.

Last Update: 07.06.2024

Annex VIII: Response from Chaturbate to Human Rights Watch

Friday, December 6, 2024 at 10:59:46 Central Standard Time

Subject: Re: Inquiry from Human Rights Watch
Date: Thursday, November 14, 2024 at 11:51:36 AM Central Standard Time
From: Shirley
To: Erin Kilbride
CC: Chris CB, Shirley, Chaturbate Support, Macarena Sáez

Hi Erin.
Below is the revised write up for your review.

Attached is the revised response given your email letting us know that our responses would be attached to your report. These revisions have been made both for protection of proprietary processes and broadcaster safety.

A. General

1. What policies, if any, does your company have in place to conduct due diligence to identify and mitigate possible human rights abuses occurring in studios with registered Chaturbate Studio Accounts? Could you please provide them?

We monitor - on a constant 24/7, 365-day live basis - all broadcasts utilizing both automated and manual monitoring by members of a worldwide review team. This team has well over 1,000 members (with our average reviewer to broadcaster ratio being 1 reviewer to fewer than 10 broadcasters at any given time). Members of the review team are trained over a period of months to be able to spot indications of force and trafficking. As a part of this training, compliance personnel are required to take and pass various testing to ensure accurate flagging of questionable or concerning content/conduct indicative of possible non-consent.

This program has been developed over our years in operation through both transactional and longtime relationships with local, federal, and international law enforcement.

The manual "eyes on the stream" monitoring alerts are further supplemented by the millions of incredible and proactive Chaturbate users, who we call community members in recognition of their important contribution to the vibe of the platform. Community members are an appreciated and valuable source for both Chaturbate and new broadcasters. While we discuss their benefits to the broadcasters in response to another question later in this response, for us, from an operational and monitoring perspective, community members are wonderfully passionate about broadcasters and very active in reporting concerns about rules violations and broadcaster safety, even reaching out to us to voice their disdain when a broadcaster receives a warning the community member and/or the broadcaster received.

All of these various alerts and monitoring activities, supported by machine learning, are designed, and we believe are effective, to provide real time alerts in cases where there are prohibited content discussions (such a violent content) and identify concerning discussions with respect to abusive person, such as bosses, partners withholding funds, withholding identification, prohibiting breaks, requiring the independent broadcaster to broadcast when he/she/they don't want to or for longer than the broadcaster wants, etc.

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As and when an alert is received and a concern is confirmed, carefully considered appropriate action is taken. We write “carefully considered” because we must always be cognizant that if a broadcaster is in an abusive, risky, or unethical environment, any action we take could further imperil the broadcaster. For that reason, action can include innocuous pop-up messages checking on the broadcaster to put a method of contact in front of the broadcaster, contacting investigators for quiet in-person review of the individual, reports to law enforcement and/or NGOs, and other appropriate and proprietary actions. As discussed more fully below in response to D.4., any account associated with a terminated studio is converted to a fully independent account where the broadcaster is required to receive payment directly.

2. How does your company identify unhygienic, dangerous or exploitative working conditions occurring in webcam studios in Colombia, such as poor ventilation, unsanitary rooms, bug infestations, or prohibitions on bathroom breaks? Are there other countries in which Chaturbate has abuse monitoring practices in place with studios?

Without in anyway detracting from the importance of your question, it is important to note, at the outset, that we are NOT employers. As the operators of the Chaturbate platform, we believe we have two very important responsibilities. First, and not as important as the second, it is important to ensure an efficient, rarely down platform for the entire Chaturbate community. The second and most important task is to devote necessary resources to conduct the crucial compliance activities referenced above.

We couldn't be prouder that we have enabled global independent broadcaster entrepreneurs who appear through the Chaturbate platform to operate their content creation business from the safety of their homes where they are their own boss determining when, for how long, and from where they broadcast. Independent broadcasters appearing through the Chaturbate platform are overwhelmingly **not** associated with a studio. Although, as implicitly recognized in your question, independent broadcasters from certain parts of the world are more likely to be associated with a studio as compared to broadcasters performing from other locations.

Although studios can be very beneficial to independent broadcasters by providing top broadcasting equipment, private broadcasting space, high speed internet connections, make up services, etc., we do not provide studios with any competitive advantage, and being with a studio has no effect on being considered for inclusion in newsletters, our social media feeds, etc. While being associated with a studio can be a “value add” for new and even existing creators (similar to the value add a performer in the mainstream world might want to realize the benefits of a professional soundstage for their independent film production), there is always the concern of a studio that might be exploitative or unethical in some way.

Although we do not prohibit studios, we certainly do not encourage them and have established rules to strenuously and steadfastly support broadcasters' rights to control their image and disassociate from a studio (including allowing broadcasters to have multiple accounts at the same time regardless of studio association, including in multiple studios).

Moreover, we have zero tolerance for any information that comes to us regarding any type of abuse or mistreatment; and we are certainly attuned to any situation where a broadcaster appears to be under distress or exploited which would

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certainly include most, if not all, of the examples mentioned above.

The monitoring and response practices outlined in response to question A.1. above are universal to all broadcasts regardless of where the individual is located and, again, consider all considerations outlined in this question.

3. We understand that a number of performers may not know their rate of pay, what amount is fully withheld by studios, or other aspects of compensation. How does your company ensure that models are informed about the rate of pay, currency conversion, tipping procedures, and other payout practices?

We publicize this information through the FAQ together with other important information. With that written we understand it is possible and even likely that many independent broadcasters, regardless of studio association, have not reviewed the FAQ or Terms. As noted above, we are not employers; and independent broadcasters are, in our eyes, individual entrepreneurs and performers. Although we are not suggesting in any way that any broadcaster that might be having an inappropriate portion of the revenues the broadcaster generates retained by a studio is the fault of the broadcaster, given the very real concern of exploitation of the broadcaster, we publish all payout and other important information in the Terms and in FAQ. We have a native feature to translate the platform's language into Spanish, including an official copy of the Terms and all appendices. We are working on updated informational videos in various languages as well as a simplified broadcaster guide which will also be in various languages.

Touched on in several later questions, it's important to highlight that any broadcaster can contact us at any time through the well-known support@chaturbate.com email (or through any of the various support ticket forms through the platform) with any question, even from an email address not associated with their account. Non account specific questions (such as payout dates, payout method options, token conversion rate) can be quickly resolved, but even account specific questions can be answered by the person completing a security challenge. Although we do not keep the stats, and if we did, they would likely be proprietary, we can assure you that we have regular contact and check-ins with broadcasters through, as noted above, innocuous pop up messages checking on the broadcaster to put our contact information in front of the person, contacting investigators for quiet in-person review of the individual, reports to law enforcement and/or NGOs, and other appropriate and proprietary actions.

B. Due Diligence with Studios

1. Does Chaturbate require Studio Account holders to issue written contracts to models working on Sub Accounts? If so, can you provide such a contract, information on where it has been adopted and implemented, and how it is enforced or verified to ensure compliance with human rights norms and standards? In particular, is any such contract made available to workers in Colombia?

Keeping in mind the independent nature of the broadcaster relationship, we obtain a consent agreement directly from each broadcaster. Any agreement, exclusivity, etc. is a matter between the independent broadcaster and their selected studio. Without digressing from the substance of your question for more than a moment, we would note that although "requiring Studio Account holders to issue written contracts to the models working on Sub Accounts" would in effect deputize studios and empower them to state to their employees that they are agents of or a part of

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Chaturbate, making it even more unlikely that a broadcaster would speak up or reach out.

Anecdotally, there are regular instances, where some individual, whether a studio owner or aspiring talent manager, claims that they have a “special” relationship with Chaturbate to try to gain and exert undue control and influence on the broadcaster. Whenever these assertions are called to our attention we immediately and very publicly disclaim any relationship with the purported “insider” making the false claims that they have a “special” relationship with Chaturbate which gives them special or secret access to special features or promotion.

In summary, at the risk of being repetitive, while we do not prohibit studios, we certainly do not encourage them. Studios should only exist in a scenario where the broadcaster is the controlling party who has elected to work with a studio because of what the broadcaster believes is a “value add” brought by the studio. Our apologies for the digression.

2. We understand that live streaming sessions can be cut if the worker is absent from the screen for a certain period of time. This impacts worker experience and appears to result in studio prohibitions on bathroom and water breaks.

A. What are Chaturbate’s policies or procedures that determine when to cut a feed? Could you provide us with those policies, including the length of time a worker is absent from the screen that leads to a feed being cut?

Although it is correct that Chaturbate has a policy that a live broadcast cannot be unattended for more than 30 minutes, there is absolutely no prohibition, or risk of having the “feed...cut” if a broadcaster takes a break for any reason at all (bathroom, phone call, going for a stroll), which happens thousands, if not tens of thousands, of times per day. The only request is that they leave a screensaver containing a BRB or other appropriate message in place of their broadcast to avoid anyone inadvertently appearing through their stream. Additionally, Chaturbate has no adverse consequences – economic or otherwise – as a result of a broadcast being interrupted or “cut” as you call it.

As referenced a few sentences earlier, while the general policy is to limit non-interactive content (such as a BRB screen) to 30 minutes, this is not a policy that is strongly enforced except when there is no BRB screen, again, due to concerns of an unwitting individual (potentially a roommate or sibling, or, in a studio, a cleaning person) walking through the empty broadcast space and ending up appearing through an adult platform without the person’s consent.

Putting aside for a moment that it is our experience that very few viewers (intentionally) stay in a room after 30 minutes of no activity (even without a pop-up warning), the ONLY consequence to the independent broadcaster receiving a pop-up warning is that the broadcast box turns black. To underscore this very minimal consequence, from a viewer’s perspective, the difference is that pre pop-up they see a live view of an empty room and post pop-up they see a plain black box where the empty room was with chat being completely uninterrupted, and community members continuing chatting with each other.

Your one follow-up question to the initial draft of this document asked where the 30 min policy is published. Although, as noted above, this is not a strictly enforced policy, and the only consequence is the live feed being terminated (with all users who have not voluntarily left after 30 mins of no activity remaining active in the broadcaster’s chat), we would point you to item 2.ix of CB’s code of conduct, which

- requires that all streamed content must be live and interactive.
- B. If such policies exist, to what extent is this process automated or determined by an algorithm and what are the data points that inform such a decision?
- Sending a pop-up notice is a manual decision by a team member after a minimum of 30 minutes of non-activity, with this time period often stretching even past 45 minutes if there is a BRB screen and no risk of an unwitting individual appearing through the account. This is, again, in the context of a live streaming site where it is our experience very few viewers intentionally stay in a broadcast with no activity for more than 30 minutes.
- C. What is the impact of live streaming sessions being cut? Do such cuts impact a model's visibility, rating or rate of pay on the platform?
- As noted above, when a broadcast is found to have been unattended for a minimum of 30 minutes, the ONLY consequence is the independent broadcaster receiving a pop-up warning regarding broadcasting non-live content. From a viewer's perspective, the difference is that pre-pop up they see a live view of an empty room and post pop-up they see a plain black screen – chat is completely uninterrupted. This is the same experience a user would have if the broadcaster took a private show. There is absolutely no change in token payout and no viewers are removed from the broadcast.
- Again, even without a pop-up warning, it is our experience that very few viewers intentionally stay in a room after 30 minutes of no activity because a non-active broadcast on a live broadcasting site is a bad experience for the viewer.
- D. Can models/performers appeal a live streaming session cut, and if so, how?
- All community members (including independent broadcasters) are welcome to appeal any action on their account; however, given that the only consequence is a non-active broadcast being ended, with no viewers removed from the room (although they may have already left for the reasons detailed above) and the broadcaster's account still logged in and ready for use, there would not be much benefit to any such appeal.
3. What policies or procedures does Chaturbate have to ensure that workers can take breaks? For example, what safeguards are in place to ensure workers can take water or bathroom breaks without facing adverse economic or other consequences? How are these policies monitored and enforced?
- As noted above, independent contractors can and do take all the breaks they wish without worrying about having their account terminated, being logged out, etc.; and, in those instances where there is an interruption to the broadcast, such interruption would be of no consequence because no viewers are removed and the broadcaster can simply turn their broadcast back on when they are ready as they remain logged in with their account otherwise active.
- With that written, there are many independent broadcasters, not associated with any studio, who make incredibly significant sums of money for themselves (and often their support staff) who smartly and intentionally structure their broadcasting schedule such that their broadcasts are not interrupted with breaks, recognizing that time spent away from their broadcast can and almost always does result in some viewers choosing to leave the broadcast due to inactivity, with the number of viewers lost increasing the longer a break is. These broadcasters embrace camming as the independent self-owned business that it is by smartly establishing and maintaining regular broadcasting schedules designed around high traffic times

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for the platform. This intentional worktime structuring (including putting private and ticket shows at the end of a broadcast) results in these broadcasters being in the top percentile of revenue earners and is common with successful professionals in various professions around the world.

4. How does Chaturbate verify that all models working on Studio Sub Accounts are of legal age and are not subject to any moral or physical constraint by a third party or the studio? Can you provide examples of how this rule is enforced in Colombia?

All independent broadcasters, regardless of location and studio association, are required to complete the same age and consent process directly through the Chaturbate platform which requires the individual submit live images of him/her/themself as well as their unexpired government issued photo identification containing a recent and recognizable photo of the individual. These images are reviewed both manually and using software licensed from Incode Technologies. This software reviews the images using both biometrics and government records. In Colombia specifically, part of this automated review includes all information being submitted through a government portal to confirm all data and the image on the identification provided matches government records. The manual review reconfirms the automated review including a manual review of the live image looking for any areas of concern including stress, bruising, etc. Any indication of fraudulent identification, altered identification, or an attempt to use someone else's identification would result in immediate reports to appropriate law enforcement entities.

Again, at the risk of being repetitive, all broadcasts are subject to constant 24/7 review by our worldwide team of reviewers trained over an extensive and intensive period of weeks to identify indicators of force, coercion, etc.

5. How does your company verify that studio models working on Studio Sub Accounts have signed and received a copy of a model contract, and are aware of the terms between them and the studio in which they are employed? In that context, how does the company verify that the individual has seen and can comply with the specific services to be rendered?

While any contract between the studio and the independent broadcaster is their individual agreement entirely between them, we make the Terms and FAQ easily accessible and already have a Spanish language version of the Terms and their appendices which spell out what is permitted through the platform.

6. What sanitation, hygiene, and health policies does your company have in place for studios with a registered Chaturbate Studio Account, and how are these policies monitored and enforced?

We would again highlight our worldwide review team which is constantly monitoring each and every broadcast identifying possible areas of concern.

C. Ensuring Consent

1. Does the company have any policies or procedures in place to ensure that performers create and retain control of the accounts from which they stream? Specifically, how does Chaturbate ensure that:

- a. Performers read and understand the Terms & Conditions;
- b. Sign the Terms & Conditions themselves, and ensure that studio management does not sign the agreement for them;
- c. Can freely contact Chaturbate to request removal of their content or account termination, as per the Terms & Conditions;

d. Have complete control over the specializations, areas of expertise, areas of willingness, and fetishes advertised on their account.

Yes, the company has policies and procedures in place to ensure the performers create and retain control of their image, likeness, and their streams. The Terms are accessible from any page on the platform and are natively available in various languages in addition to English, including of course, Spanish to ensure they are easy to find and review.

Independent broadcasters always retain the right to revoke their consent to the continued distribution of specific content or all content. Regarding account deletion, while the general policy is that only account owners are able to request account deletion, in line with our policy to respect not just temporary but continuing consent, independent broadcasters are welcome to request the removal of their age verification from an account at any time which not only requires the removal of content containing the individual but also prevents any further distribution of content containing the individual through the account. These requests can be accomplished through our support email address or any of the support requests forms located throughout the platform such as the DMCA/Content Removal link at the bottom of every page. Of course appropriate exceptions are made with accounts that have not been accessed in an extended period and through which only the requesting party broadcast.

With respect to a person's areas of "expertise" etc, while these are not prompts through the Chaturbate platform, we understand that people may publish some of this information under their bio. We absolutely consider consent to be the cornerstone of not just Chaturbate but all adult work (and, really, life) which is why we have our worldwide review team working 24/7 to check every single livestream. It's why we spend the extensive weeks in training before allowing anyone to join this important team. Of course, we are also aware of the limitations meaning we cannot possibly be privy to off-platform conversations and interactions that may take place, but we do take every step to monitor on-platform activity.

2. Are models in Colombia, by matter of policy, provided with an official Spanish language Terms & Conditions?

Yes.

3. What measures does your company take to ensure that models are not coerced, forced, or threatened into performing sex acts while streaming by studio management, monitors, or other individuals? What measures do you take to ensure models are aware of the mental health risks associated with streaming from a studio and of their ability to deny consent for any performance that causes them distress without penalty?

Again, we would point to our constant 24/7 monitoring of all broadcasts by our thoroughly trained review team. We are also very proud of the active and caring community that has formed on the platform which very strongly encourages broadcasters to voice and enforce their boundaries and is very active in reporting their concerns both by email and using the "REPORT ROOM" link in the top right corner of every broadcast. The FAQ contains detailed information regarding mental health, enforcing boundaries, and other important information.

4. We understand that some studio management, monitors, or other studio employees may unilaterally give consent to sex acts on behalf of models. What policies and procedures does Chaturbate have to ensure a worker has actually provided consent for acts and how does the company enforce or monitor those policies?

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Again, we would point to our extensive and constant monitoring of all accounts, both manually and through technology, together with our wonderfully proactive community. The action taken, as noted above, can include innocuous pop-up messages checking on the broadcaster to put a method of contact in front of the broadcaster, contacting investigators for quiet in-person review of the individual, reports to law enforcement and/or NGOs, and other appropriate actions.

5. We understand that performers are reliant on studio intermediaries to translate requests from clients, and this may result in situations in which the performer cannot give consent. What steps is your company taking to utilize available technology to provide accessibly, high-quality translation to and from Spanish in various private and public chatrooms to ensure performers and clients can speak directly to each other in order to provide consent to certain requests?

Without in any way suggesting that there are no instances where performers might be reliant on an intermediary to understand a community member's message or request, we would refer you to our processes to identify any broadcaster who might not be freely and voluntarily performing. We do have significant site developments that will be rolled out over the next quarter which will further provide content and creator tools and will give broadcasters even more insight into their broadcaster dashboard, in their native language, to make communications between the broadcaster and community members, more seamless and effective. This is something that our team has been working on as we have major upcoming updates. We would note on the topic of language, that the Chaturbate has an apps and bot page where creative community members can make apps and bots available to independent broadcasts for their user in their broadcasts, including several translation apps.

With that written, we believe, with the exceptions of one-off rare instances, that our systems – again, comprised of 24/7 worldwide reviewers, automated reviews, and our proactive community keeping eyes on each and every content creator - are effective tools, identifying and preventing situations where a broadcaster is in any way required or tricked into providing any services that the person has not freely or knowingly consented to.

We would also add that language is not the sole reason that independent broadcasters may use assistance with operating the chat. Obviously when broadcasters are performing and interacting either by themselves or with others, they cannot be at their screen reading the various messages but want to be aware of the messages and particularly requests and tips as they come in. Additionally, in popular broadcasts it can be difficult to keep up with the flurry of messages coming in. With that written, we do hope that the upcoming update will result in a better broadcaster and user experience.

D. Recycled Accounts and Complaints Mechanisms

1. What direct channels exist for models working under Studio Sub Accounts to contact your company to request that their account be closed? What is the response time, wait time, and service level agreement for these channels?

2. What confidential channels exist for models working under Studio Sub Accounts to contact your company to report labor abuses, child sexual exploitation, other complaints, or violations of policy without fear of retaliation by studio management or others? What is the response time, wait time, and service level agreement for these channels?

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We are answering 1 and 2 together as they touch on similar communication issues. Broadcasters are always welcome to reach out by email at the well-known support@Chaturbate.com email but we also have 2 reporting links that could be used for such these matters at the bottom of each page, specifically, the “DMCA/Remove Content” link and the “Report Nonconsensual/Abusive Content” link. Reports through the latter link are always answered within 7 days, although typically much sooner (within 24 hours). If the broadcaster uses an email not associated with the account they are contacting us about, the broadcaster is requested to pass a security question using the broadcaster’s ID. This is done to confirm that it is not an angry viewer or competitor attempting to interfere with a broadcaster’s account; however, appropriate exceptions are made with these security checks if it can be quickly confirmed that the account has not been active in an extended period or that the person writing in has not broadcast through the account in an extended period. Finally, anyone can submit a completely anonymous report about an account using the “REPORT ROOM” link in the top right corner of every broadcast.

3. What are your policies and procedures to address complaints by models? In particular, how does the company prioritize the severity of complaints, how quickly does it respond, and how does it seek to remedy those situations? Can you provide any examples of how these policies or procedures have been implemented in Colombia?

Anything concerning alleged minors or any type of lack of consent situation (such as trafficking and abuse) are always the top priorities. Depending on the complexity of the report and the activity it describes, the actual substantive response (rather than the automated response requesting additional information) to the reporting person may take longer, but the internal response to investigate as quickly and thoroughly as possible is always the immediate priority. A report about a broadcaster being suspected of being a minor is often very quick to be internally resolved because of the review team and our thorough age verification records. Reports of off-platform communications and interactions can take more time as the ability to confirm off-platform matters can be complicated. With reports of suspected abuse, these reviews take time as our team immediately and thoroughly reviews not just the reported account but other accounts within the same studio.

4. The Terms & Service stipulate that the “followers, images, and data associated with all Studio Sub Accounts may not be transferred away from or shared with another Account without the applicable Studio’s consent, absent what we may deem, in our sole and exclusive determination, to be extraordinary circumstances.” Please detail the human rights due diligence that Chaturbate has conducted to ensure that this policy does not:

1. Force or coerce models to remain in studios with poor or exploitative conditions;
2. Allow studios to retain control of Sub Accounts after the registered model has left the studio and use the account to stream content from a person other than the registered Sub Account holder.

We can certainly understand concerns about the policy that studio accounts are owned by the studio but we would highlight that we have always tried to empower independent broadcasters by allowing broadcasters to have multiple accounts, including in the same or multiple studios and/or completely independent accounts. The reason for the general policy is that during the sign-up process it is the studio that creates the account within the studio (which you and our Terms highlight is just

a general policy) and presumably it is the account holder, the studio, that has invested the start-up and fixed costs associated with operating a studio including providing a facility, decorated broadcast spaces, equipment, high speed internet etc.

When it comes to “extraordinary circumstances,” we would note that the term “extraordinary” may be a bit misleading. While “extraordinary circumstances” can include those rare and terrible situations where unethical studio practices are found or strongly suspected, they also include mundane situations like the broadcaster was the only broadcaster to ever broadcast through an account and the account hasn’t been accessed or used in over 1 year, these latter scenarios being far and away the most common “extraordinary” circumstances where an exception is not only appropriate but made. In the rare instance where the extraordinary circumstance is an unethical studio, any active studio sub accounts are removed from the studio and the corresponding independent broadcasters are contacted to let them know the account is now their personal account and providing them with any support, suggestions or guidance to help them control their own accounts without being dependent upon a controlling studio. Anecdotally, not a week goes by that we do not assist an independent broadcaster who has previously worked with a studio in helping them to build and operate an independent account with the most common reason being that they were able to earn enough with the studio to buy their own equipment, etc.

While it is permitted for a studio to reallocate an account to either a new broadcaster or, more often, the exited independent broadcaster’s broadcasting partner, whomever is to appear through that account would be required, like every other broadcaster, to complete our age and consent verification process prior to broadcasting through the account.

Now, this is a bit of an aside but something we think important to highlight as it may not have jumped out in your research. If someone appears through an account who has not completed this process, the account is immediately terminated, and other appropriate action taken BUT, importantly, no action is taken against the broadcaster when an unverified person appears unless there is reason to believe the broadcaster was involved in the individual’s appearance such as the broadcaster being present and interacting with the person [By contrast, studios where this repeatedly happens can have action taken against them as they are responsible for the security of all accounts associated with them] This policy is particularly important as we have seen unethical studios attempt to interfere with independent broadcasters’ continued use of the platform when they depart the studio or otherwise have some form of disagreement with the studio. This is just one type of unethical behavior that we do not tolerate.

Again, we appreciate this is lengthy and not the most polished, but we truly appreciate the work you are doing and want to provide you these details not just for your article but hopefully as a starting point for future communications regarding supporting the incredible broadcasting and creator community, particularly our women and LGBT+ members.

-Shirley

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On Nov 13, 2024, at 2:39PM, Shirley <shirley.a.lara@gmail.com> wrote:

Erin,
Tomorrow at 12 PM EST works. We appreciate your flexibility on such short notice.
-Shirley

On Nov 13, 2024, at 2:31PM, Erin Kilbride <kilbrie@hrw.org> wrote:

Hi Shirley,

Would 12pm ET tomorrow be a useful extension? I am working to a very tight timeline but certainly want to include your latest feedback. Thank you for your efforts to engage with us on this.

Best,

Erin

From: Shirley [REDACTED]
Date: Wednesday, November 13, 2024 at 1:48 PM
To: Erin Kilbride [REDACTED]
Cc: Chris CB [REDACTED], Shirley [REDACTED], Chaturbate Support [REDACTED], Macarena Sáez [REDACTED]
Subject: Re: Inquiry from Human Rights Watch

Hi Erin,
We received your email on Monday. Could we request more time? Ideally, an additional day would be great, but if that's not possible, a few hours today.

-Shirley

On Nov 13, 2024, at 1:16 PM, Erin Kilbride [REDACTED] wrote:

Dear Shirley and Chris,

I hope you are well. I am writing in regard to my email from

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Monday and the three qualifying questions which will allow us to better represent Chaturbate in our reporting. We would be grateful to receive your response as soon as possible to allow us to meet our publications deadline.

Very best,

Erin

From: Erin Kilbride <[REDACTED]>
Date: Monday, November 11, 2024 at 12:17 PM
To: CB Chris <[REDACTED]>, Shirley <[REDACTED]>, Chaturbate Support <[REDACTED]>
Cc: Macarena Sáez <[REDACTED]>
Subject: Re: Inquiry from Human Rights Watch

Dear Chris and Shirley,

I hope that you both are well. I am writing to thank you for taking the time to respond to our inquiry letter and to ask three qualifying questions which will allow us to better represent Chaturbate in our reporting.

1. Related to Chaturbate's "policy that a live broadcast cannot be unattended for more than 30 minutes," referenced in your below email, could you please provide a copy of this policy or indicate where it is available publicly? We were unable to locate it.
2. If there are additional policies referenced below which you would like us to reflect in our reporting, we will be glad to receive them.
3. In the name of accurately reflecting efforts your company is taking to mitigate and address abuses in studios, we endeavor to include company responses as Annexes to the report. If you would like to send a "final draft" to be included, we will be glad to receive it. Please indicate in this final draft if you remove any text from the below email, as we have already endeavored to reflect the below information in our report. Please note that if any information is removed, we will no longer be able to reflect that information in our reporting. This, in turn, may diminish our ability to report on the steps you are taking to mitigate abuses.

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We are able to accept additional documents and/or policies until **17:00 Eastern Time, Wednesday, November 13, 2024**. If you have any questions, please do not hesitate to let me know.

With gratitude,

Erin

From: CB Chris [REDACTED]
Date: Friday, October 18, 2024 at 12:37 PM
To: Erin Kilbride [REDACTED] >
Subject: Re: Inquiry from Human Rights Watch

Dear Erin,

Thank you for the important work you do for women and members of the LGBT + community. Our apologies for the delay in getting this to you and, in all candor, this would not normally be a final draft. In an effort to get this to you, even though not complete, so that our responses reach you before your deadline completely passes. If you think it'll be any value to you, we will send you a final draft.

We have set forth your questions below immediately followed with our response to each question. Although we have endeavored to be as responsive as we can to your questions, at times giving details which, for reasons of competitive intel and to maintain the effectiveness of our enforcement activities, we would very much appreciate if you would be sensitive to these concerns and perhaps not be too specific regarding some of the details provided. With that noted, please do not interpret that context as a suggestion that you cannot use what you choose to use. We just wanted you to be aware of that sensitivity on our part with the request that you accommodate our concern to the extent you feel appropriate without reducing the value of your research.

A. General

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1. What policies, if any, does your company have in place to conduct due diligence to identify and mitigate possible human rights abuses occurring in studios with registered Chaturbate Studio Accounts? Could you please provide them?

We monitor - on a constant 24/7, 365-day live basis - all broadcasts utilizing both automated and manual monitoring by members of a worldwide review team. This team has well over 1,000 members (with our average reviewer to broadcaster ratio being 1 reviewer to fewer than 10 broadcasters at any given time). Members of the review team are trained over a period of months to be able to spot indications of force and trafficking. As a part of this training, compliance personnel are required to take and pass various testing to ensure accurate flagging of questionable or concerning content/conduct. Non-exhaustive examples of what can cause alerts include indicators of stress (signs of a stress rash and/or sweating while not engaged in physical activity to eyes repeatedly darting away for direction) to crying (which we recognize can also be from the joy of a large tip from a community member) to more obvious signs like injuries or cover up of injuries. This program has been developed over our years in operation through both transactional and longtime relationships with local, federal, and international law enforcement. The manual "eyes on the stream" monitoring alerts are further supplemented by the millions of incredible and proactive Chaturbate users who we call community members in recognition of their important contribution to the vibe of the platform. Community members are an appreciated and valuable source for both Chaturbate and new broadcasters. While we discuss their benefits to the broadcasters in response to another question later in this response, for us, from an operational and monitoring perspective, community members are wonderfully passionate about broadcasters

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and very active in reporting concerns about rules violations and broadcaster safety, even reaching out to us to voice their disdain when a broadcaster receives a warning the community member and/or the broadcaster received.

All of these various alerts and monitoring activities, supported by machine learning, are designed, and we believe are effective, to provide real time alerts in cases where there are prohibited content discussions (such a violent content) and identify concerning discussions with respect to abusive person, such as bosses, partners withholding funds, withholding identification, prohibiting breaks, requiring the independent broadcaster to broadcast when he/she/they don't want to or for longer than the broadcaster wants, etc.

As and when an alert is received and a concern is confirmed, carefully considered appropriate action is taken. We write "carefully considered" because we must always be cognizant that if a broadcaster is in an abusive, risky, or unethical environment, any action we take could further imperil the broadcaster. For that reason, action can include innocuous pop-up messages checking on the broadcaster to put a method of contact in front of the broadcaster, contacting investigators for quiet in-person review of the individual, reports to law enforcement and/or NGOs, and, frankly, finding vague reasons to take action on the studio itself without implicating any individual broadcaster(s). As discussed more fully below in response to D.4., any account associated with a terminated studio is converted to a fully independent account where the broadcaster is required to receive payment directly.

2. How does your company identify unhygienic, dangerous or exploitative working conditions occurring in webcam studios in Colombia, such as poor ventilation, unsanitary rooms, bug infestations, or prohibitions on bathroom breaks? Are there other countries in which Chaturbate has abuse monitoring practices in place

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with studios?

Without in anyway detracting from the importance of your question, it is important to note, at the outset, that we are NOT employers. As the operators of the Chaturbate platform, we believe we have two very important responsibilities. First, and not as important as the second, it is important to ensure an efficient, rarely down platform for the entire Chaturbate community. The second and most important task is to devote necessary resources to conduct the crucial compliance activities referenced above. We couldn't be prouder that we have the enabled global independent broadcaster entrepreneurs who appear through the Chaturbate platform to operate their content creation business from the safety of their homes where they are their own boss determining when, for how long, and from where they broadcast. Independent broadcasters appearing through the Chaturbate platform are overwhelmingly **not** associated with a studio. Although, as implicitly recognized in your question, independent broadcasters from certain parts of the world are more likely to be associated with a studio as compared to broadcasters performing from other locations. While we do not publicize this, and we certainly do not try to control independent broadcasters from associating with studios, we certainly do not favor the studio structure because, although we understand that many studios provide added value to independent broadcasters (much like a performer in the mainstream world might want to realize the benefits of a professional soundstage for their independent film production), there is always the concern of a studio that might be exploitative or unethical in some way. Although we do not prohibit studios, we certainly do not encourage them and have established rules to strenuously and steadfastly support broadcasters' rights to control their image and disassociate from a studio (including allowing broadcasters to have multiple accounts at the

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same time regardless of studio association, including in multiple studios). Moreover, we have zero tolerance for any information that comes to us regarding any type of abuse or mistreatment; and we are certainly attuned to any situation where a broadcaster appears to be under distress or exploited which would certainly include most, if not all, of the examples mentioned above. The monitoring and response practices outlined in response to question A.1. above are universal to all broadcasts regardless of where the individual is located and, again, consider all considerations outlined in this question.

3. We understand that a number of performers may not know their rate of pay, what amount is fully withheld by studios, or other aspects of compensation. How does your company ensure that models are informed about the rate of pay, currency conversion, tipping procedures, and other payout practices?

We would agree that it is very likely that a number of performers may not receive all revenues they generate with a portion, in varying amounts, being retained by the studio. As noted above, we are not employers; and independent broadcasters are, in our eyes, individual entrepreneurs and performers. Although we are not suggesting in any way that any broadcaster that might be having an inappropriate portion of the revenues the broadcaster generates retained by a studio is the fault of the broadcaster, given the very real concern of exploitation of the broadcaster, we publish all of payout and other important information in the Terms and in FAQ. We have a native feature to translate the platform's language into Spanish, including an official copy of the Terms and all appendices. We are working on updated informational videos in various languages as well as a simplified broadcaster guide which will also be in various languages. Touched on in several later questions, it's important to highlight that any broadcaster can

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contact us at any time through the well-known support@chaturbate.com email (or through any of the various support ticket forms through the platform) with any question, even from an email address not associated with their account. Non account specific questions (such as payout dates, payout method options, token conversion rate) can be quickly resolved, but even account specific questions can be answered by the person completing a security challenge. Although we do not keep the stats, and if we did, they would likely be proprietary we can assure you that we have regular contact and check-ins with broadcasters through, as noted above, innocuous pop up messages checking on the broadcaster to put our contact information in front of the person, contacting investigators for quiet in-person review of the individual, reports to law enforcement and/or NGOs, and even have the ability to place an active broadcast into a private chat with a team member to inquire about areas of concern.

B. Due Diligence with Studios

1. Does Chaturbate require Studio Account holders to issue written contracts to models working on Sub Accounts? If so, can you provide such a contract, information on where it has been adopted and implemented, and how it is enforced or verified to ensure compliance with human rights norms and standards? In particular, is any such contract made available to workers in Colombia?

Keeping in mind the independent nature of the broadcaster relationship, we obtain a consent agreement directly from each broadcaster. Any agreement, exclusivity, etc. is a matter between the independent broadcaster and their selected studio. Without digressing from the substance of your question for more than a moment, we would note that although “requiring Studio Account holders to issue written contracts to the models working on Sub Accounts” would in effect deputize studios and empower them to state to

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their employees that they are agents of or a part of Chaturbate, making it even more unlikely that a broadcaster would speak up or reach out. Anecdotally, there are regular instances, where some individual, whether a studio owner or aspiring talent manager, claims that they have a “special” relationship with Chaturbate to try to gain and exert undue control and influence on the broadcaster. Whenever these assertions are called to our attention we immediately and very publicly disclaim any relationship with the purported “insider” making the false claims that they have a “special” relationship with Chaturbate which gives them special or secret access to special features or promotion. In summary, at the risk of being repetitive, while we do not prohibit studios, we certainly do not encourage them. Studios should only exist in a scenario where the broadcaster is the controlling party who has elected to work with a studio because of what the broadcaster believes is a “value add” brought by the studio. Our apologies for the digression.

2. We understand that live streaming sessions can be cut if the worker is absent from the screen for a certain period of time. This impacts worker experience and appears to result in studio prohibitions on bathroom and water breaks.

A. What are Chaturbate’s policies or procedures that determine when to cut a feed? Could you provide us with those policies, including the length of time a worker is absent from the screen that leads to a feed being cut?

Although it is correct that Chaturbate has a policy that a live broadcast cannot be unattended for more than 30 minutes, there is absolutely no prohibition, or risk of having the “feed...cut” if a broadcaster takes a break for any reason at all (bathroom, phone call, going for a stroll),

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which happens thousands, if not tens of thousands, of times per day.

Additionally, Chaturbate has no adverse consequences – economic or otherwise – as a result of a broadcast being interrupted or “cut” as you call it. The only request is that they leave a screensaver containing a BRB or other appropriate message in place of their broadcast to avoid anyone inadvertently appearing through their stream.

As referenced a few sentences earlier, while the general policy is to limit non-interactive content (such as a BRB screen) to 30 minutes, this is not a policy that is strongly enforced except when there is no BRB screen, again, due to concerns of an unwitting individual (potentially a roommate or sibling, or, in a studio, a cleaning person) walking through the empty broadcast space and ending up appearing through an adult platform without their consent.

Putting aside for a moment that it is our experience that very few viewers (intentionally) stay in a room after 30 minutes of no activity (even without a pop-up warning), the ONLY consequence to the independent broadcaster receiving a pop-up warning is that the broadcast box turns black. To underscore this very minimal consequence, from a viewer’s perspective, the difference is that pre pop-up they see a live view of an empty room and post pop-up they see a plain black box where the empty room was with chat being completely uninterrupted, and community members continuing chatting with each other.

B. If such policies exist, to what extent is this process automated or determined by an algorithm and what are the data points that inform such a decision?

Sending a pop-up notice is a manual decision by a team member after a minimum

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of 30 minutes of non-activity, with this time period often stretching even past 45 minutes if there is a BRB screen and no risk of an unwitting individual appearing through the account. This is, again, in the context of a live streaming site where it is our experience very few viewers intentionally stay in a broadcast with no activity for more than 30 minutes.

C. What is the impact of live streaming sessions being cut? Do such cuts impact a model's visibility, rating or rate of pay on the platform?

As noted above, when a broadcast is found to have been unattended for a minimum of 30 minutes, the ONLY consequence is the independent broadcaster receiving a pop-up warning regarding broadcasting non-live content. From a viewer's perspective, the difference is that pre-pop up they see a live view of an empty room and post pop-up they see a plain black screen – chat is completely uninterrupted. This is the same experience a user would have if the broadcaster took a private show. There is absolutely no change in token payout and no viewers are removed from the broadcast.

Again, even without a pop-up warning, it is our experience that very few viewers intentionally stay in a room after 30 minutes of no activity because a non-active broadcast on a live broadcasting site is a bad experience for the viewer.

D. Can models/performers appeal a live streaming session cut, and if so, how?

All community members (including independent broadcasters) are welcome to appeal any action on their account; however, given that the only consequence is a non-active broadcast being ended, with no viewers removed from the room (although they may have already left for the reasons detailed above) and the broadcaster's

account still logged in and ready for use, there would not be much benefit to any such appeal.

3. What policies or procedures does Chaturbate have to ensure that workers can take breaks? For example, what safeguards are in place to ensure workers can take water or bathroom breaks without facing adverse economic or other consequences? How are these policies monitored and enforced?

As noted above, independent contractors can and do take all the breaks they wish without worrying about having their stream interrupted; and, in those instances where there is an interruption, such interruption would be of no consequence because no viewers are removed and the broadcaster can simply turn their broadcast back on when they are ready as they remain logged in with their account otherwise active.

With that written, there are many independent broadcasters, not associated with any studio, who make incredibly significant sums of money for themselves (and often their support staff) who smartly and intentionally structure their broadcasting schedule such that their broadcasts are not interrupted with breaks, recognizing that time spent away from their broadcast can and almost always does result in some viewers choosing to leave the broadcast due to inactivity, with the number of viewers lost increasing the longer a break is. These broadcasters embrace camming as the independent self-owned business that it is by smartly establishing and maintaining regular broadcasting schedules designed around high traffic times for the platform. This intentional worktime structuring (including putting private and ticket shows at the end of a broadcast) results in these broadcasters being in the top percentile of revenue earners and is common with successful professionals in various professions around the world.

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4. How does Chaturbate verify that all models working on Studio Sub Accounts are of legal age and are not subject to any moral or physical constraint by a third party or the studio? Can you provide examples of how this rule is enforced in Colombia?

All independent broadcasters, regardless of location and studio association, are required to complete the same age and consent process which requires the individual submit live images of him/her/themselves as well as their unexpired government issued photo identification containing a recent and recognizable photo of the individual. These images are reviewed both manually and using software licensed from Incode Technologies. This software reviews the images using both biometrics and government records. In Colombia specifically, part of this automated review includes all information being submitted through a government portal to confirm all data and the image on the identification provided matches government records. The manual review reconfirms the automated review including a manual review of the live image looking for any areas of concern including stress, bruising, etc. Any indication of fraudulent identification, altered identification, or an attempt to use someone else's identification would result in immediate reports to appropriate law enforcement entities. Again, at the risk of being repetitive, all broadcasts are subject to constant 24/7 review by our worldwide team of reviewers trained over an extensive and intensive period of weeks to identify indicators of force, coercion, etc.

5. How does your company verify that studio models working on Studio Sub Accounts have signed and received a copy of a model contract, and are aware of the terms between them and the studio in which they are employed? In that context, how does the company verify that the individual has seen and can comply with the specific services to be rendered?

While any contract between the studio and the independent broadcaster is their individual agreement entirely between them, we make the Terms and FAQ

easily accessible and already have a Spanish language version of the Terms and their appendices which spell out what is permitted through the platform.

6. What sanitation, hygiene, and health policies does your company have in place for studios with a registered Chaturbate Studio Account, and how are these policies monitored and enforced?

We would again highlight our worldwide review team which is constantly monitoring each and every broadcast identifying possible areas of concern.

C. Ensuring Consent

1. Does the company have any policies or procedures in place to ensure that performers create and retain control of the accounts from which they stream? Specifically, how does Chaturbate ensure that:
- a. Performers read and understand the Terms & Conditions;
 - b. Sign the Terms & Conditions themselves, and ensure that studio management does not sign the agreement for them;
 - c. Can freely contact Chaturbate to request removal of their content or account termination, as per the Terms & Conditions;
 - d. Have complete control over the specializations, areas of expertise, areas of willingness, and fetishes advertised on their account.

Yes, the company has policies and procedures in place to ensure the performers create and retain control of their image, likeness, and their streams. The Terms are accessible from any page on the platform and are natively available in various languages in addition to English, including of course, Spanish to ensure they are easy to find and review.

Independent broadcasters always retain the right to revoke their consent to the continued distribution of specific content or all content. Regarding account deletion, while the general policy is that only account owners are able to request account deletion, in line with our policy to respect not just temporary but continuing consent, independent broadcasters are welcome to

request the removal of their age verification from an account at any time which not only requires the removal of content containing the individual but also prevents any further distribution of content containing the individual through the account. These requests can be accomplished through our support email address or any of the support requests forms located throughout the platform such as the DMCA/Content Removal link at the bottom of every page. Of course appropriate exceptions are made with accounts that have not been accessed in an extended period and through which only the requesting party broadcast.

With respect to a person's areas of "expertise" etc, while these are not prompts through the Chaturbate platform, we understand that people may publish some of this information under their bio. We absolutely consider consent to be the cornerstone of not just Chaturbate but all adult work (and, really, life) which is why we have our worldwide review team working 24/7 to check every single livestream. It's why we spend the extensive weeks in training before allowing anyone to join this important team. Of course, we are also aware of the limitations meaning we cannot possibly be privy to off-platform conversations and interactions that may take place, but we do take every step to monitor on-platform activity.

2. Are models in Colombia, by matter of policy, provided with an official Spanish language Terms & Conditions? Yes.

3. What measures does your company take to ensure that models are not coerced, forced, or threatened into performing sex acts while streaming by studio management, monitors, or other individuals? What measures do you take to ensure models are aware of the mental health risks associated with streaming from a studio and of their ability to deny consent for any performance that causes them distress without penalty?

Again, we would point to our constant 24/7 monitoring of all broadcasts by our thoroughly trained review team. We are also very proud of the active and caring

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community that has formed on the platform which very strongly encourages broadcasters to voice and enforce their boundaries and is very active in reporting their concerns both by email and using the “REPORT ROOM” link in the top right corner of every broadcast. The FAQ contains detailed information regarding mental health, enforcing boundaries, and other important information.

4. We understand that some studio management, monitors, or other studio employees may unilaterally give consent to sex acts on behalf of models. What policies and procedures does Chaturbate have to ensure a worker has actually provided consent for acts and how does the company enforce or monitor those policies?

Again, we would point to our extensive and constant monitoring of all accounts, both manually and through technology, together with our wonderfully proactive community. The action taken, as noted above, can include innocuous pop-up messages checking on the broadcaster to put a method of contact in front of the broadcaster, contacting investigators for quiet in-person review of the individual, reports to law enforcement and/or NGOs, and even finding vague reasons to take action on the studio itself without implicating any individual broadcaster(s).

5. We understand that performers are reliant on studio intermediaries to translate requests from clients, and this may result in situations in which the performer cannot give consent. What steps is your company taking to utilize available technology to provide accessibly, high-quality translation to and from Spanish in various private and public chatrooms to ensure performers and clients can speak directly to each other in order to provide consent to certain requests?

Without in any way suggesting that there are no instances where performers might be reliant on an intermediary to understand a community member’s message or request, we would refer you to our processes to identify any broadcaster who might not be freely and voluntarily performing. We do have significant

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site developments that will be rolled out over the next quarter which will further provide content and creator tools and will give broadcasters even more insight into their broadcaster dashboard, in their native language, to make communications between the broadcaster and community members, more seamless and effective. This is something that our team has been working on as we have major upcoming updates. We would note on the topic of language, that the Chaturbate has an apps and bot page where creative community members can make apps and bots available to independent broadcasts for their user in their broadcasts, including several translation apps. With that written, we believe, with the exceptions of one-off rare instances, that our systems – again, comprised of 24/7 worldwide reviewers, automated reviews, and our proactive community keeping eyes on each and every content creator - are effective tools, identifying and preventing situations where a broadcaster is in any way required or tricked into providing any services that the person has not freely or knowingly consented to.

We would also add that language is not the sole reason that independent broadcasters may use assistance with operating the chat. Obviously when broadcasters are performing and interacting either by themselves or with others, they cannot be at their screen reading the various messages but want to be aware of the messages and particularly requests and tips as they come in. Additionally, in popular broadcasts it can be difficult to keep up with the flurry of messages coming in. With that written, we do hope that the upcoming update will result in a better broadcaster and user experience.

D. Recycled Accounts and Complaints Mechanisms

1. What direct channels exist for models working under Studio Sub Accounts to contact your company to request that their account be closed? What is the response time, wait time, and service level agreement for these channels?

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2. What confidential channels exist for models working under Studio Sub Accounts to contact your company to report labor abuses, child sexual exploitation, other complaints, or violations of policy without fear of retaliation by studio management or others? What is the response time, wait time, and service level agreement for these channels?

We are answering 1 and 2 together as they touch on similar communication issues. Broadcasters are always welcome to reach out by email at the well-known support@Chaturbate.com email but we also have 2 reporting links that could be used for such these matters at the bottom of each page, specifically, the “DMCA/Remove Content” link and the “Report Nonconsensual/Abusive Content” link. Reports through the latter link are always answered within 7 days, although typically much sooner (within 24 hours). If the broadcaster uses an email not associated with the account they are contacting us about, the broadcaster is requested to pass a security question using the broadcaster’s ID. This is done to confirm that it is not an angry viewer or competitor attempting to interfere with a broadcaster’s account; however, appropriate exceptions are made with these security checks if it can be quickly confirmed that the account has not been active in an extended period or that the person writing in has not broadcast through the account in an extended period. Finally, anyone can submit a completely anonymous report about an account using the “REPORT ROOM” link in the top right corner of every broadcast.

3. What are your policies and procedures to address complaints by models? In particular, how does the company prioritize the severity of complaints, how quickly does it respond, and how does it seek to remedy those situations? Can you provide any examples of how these policies or procedures have been implemented in Colombia?

Anything concerning alleged minors or any type of lack of consent situation (such as trafficking and abuse) are always the top priorities. Depending on the complexity of the report and the activity it describes, the actual substantive response (rather than the automated

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response requesting additional information) to the reporting person may take longer, but the internal response to investigate as quickly and thoroughly as possible is always the immediate priority. A report about a broadcaster being suspected of being a minor is often very quick to be internally resolved because of the review team and our thorough age verification records. Reports of off-platform communications and interactions can take more time as the ability to confirm off-platform matters can be complicated. With reports of suspected abuse, these reviews take time as our team immediately and thoroughly reviews not just the reported account but other accounts within the same studio.

4. The Terms & Service stipulate that the “followers, images, and data associated with all Studio Sub Accounts may not be transferred away from or shared with another Account without the applicable Studio's consent, absent what we may deem, in our sole and exclusive determination, to be extraordinary circumstances.” Please detail the human rights due diligence that Chaturbate has conducted to ensure that this policy does not:
 1. Force or coerce models to remain in studios with poor or exploitative conditions;
 2. Allow studios to retain control of Sub Accounts after the registered model has left the studio and use the account to stream content from a person other than the registered Sub Account holder.

We can certainly understand concerns about the policy that studio accounts are owned by the studio but we would highlight that we have always tried to empower independent broadcasters by allowing broadcasters to have multiple accounts, including in the same or multiple studios and/or completely independent accounts.

The reason for the general policy is that during the sign-up process it is the studio that creates the account within the studio (which you and our Terms highlight is just a general policy) and presumably it is the account holder, the studio, that has invested the start-up and fixed costs associated with operating a studio including

providing a facility, decorated broadcast spaces, equipment, high speed internet etc.

When it comes to “extraordinary circumstances,” we would note that the term “extraordinary” may be a bit misleading. While “extraordinary circumstances” can include those rare and terrible situations where unethical studio practices are found or strongly suspected, they also include mundane situations like the broadcaster was the only broadcaster to ever broadcast through an account and the account hasn’t been accessed or used in over 1 year, the latter being far and away the most common “extraordinary” circumstance where an exception is not only appropriate but made. In the rare instance where the extraordinary circumstance is an unethical studio, any active studio sub accounts are removed from the studio and the corresponding independent broadcasters are contacted to let them know the account is now their personal account and providing them with any support, suggestions or guidance to help them control their own accounts without being dependent upon a controlling studio. Anecdotally, not a week goes by that we do not assist an independent broadcaster who has previously worked with a studio in helping them to build and operate an independent account with the most common reason being that they were able to earn enough with the studio to buy their own equipment, etc. While it is permitted for a studio to reallocate an account to either a new broadcaster or, more often, the exited independent broadcaster’s broadcasting partner, whomever is to appear through that account would be required, like every other broadcaster, to complete our age and consent verification process prior to broadcasting through the account.

Now, this is a bit of an aside but something we think important to highlight as it may not have jumped out in your research. If someone appears through an account who has not completed this process, the account is immediately terminated, and other appropriate action taken BUT, importantly, no action is taken against the broadcaster when an unverified person appears unless there is reason to believe the broadcaster was involved in the individual’s appearance

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such as the broadcaster being present and interacting with the person [By contrast, studios where this repeatedly happens can have action taken against them as they are responsible for the security of all accounts associated with them] This policy is particularly important as we have seen unethical studios attempt to interfere with independent broadcasters' continued use of the platform when they depart the studio or otherwise have some form of disagreement with the studio. This is just one type of unethical behavior that we do not tolerate and has resulted in the ban of multiple studios.

Again, we appreciate this is lengthy and not the most polished, but we truly appreciate the work you are doing and want to provide you these details not just for your article but hopefully as a starting point for future communications regarding supporting the incredible broadcasting and creator community, particularly our women and LGBT+ members.

Regards,
Chris from Chaturbate

Annex IX: Response from Stripchat to Human Rights Watch



Macarena Sáez
Director, Women's Rights Division
Human Rights Watch
350 Fifth Avenue, 34th Floor
New York, NY 10118-3299

19th of November 2024
Limassol, Cyprus

**Subject: Alleged labor abuses and sexual exploitation of adults and children
in Colombian webcam studios**

Dear Sir/Madam,

With regard to the serious issues surrounding labor abuses and exploitation in Colombian webcam studios, Stripchat appreciates your efforts to investigate these matters and your commitment to protect the rights of webcam models.

At Stripchat, the safety and well-being of its models are prioritized through a range of measures designed to protect them from harm. Stripchat recognizes the critical importance of ensuring safe working conditions in the studios associated with its platform. However, factors like the nature of the online business, the legal and ethical level of duty of care of each party involved, the appropriateness and proportionality of mitigation measures should also be taken into account. Nevertheless, Stripchat is fully committed to doing everything within its power to uphold the highest practices. One of its key initiatives is the forthcoming implementation of a Know Your Business (KYB) process for all Studios. Through our third party specialized in KYB partner, Stripchat will be able to verify whether a studio is a registered business entity, ensuring accountability for any violations of our policies, procedures and rules. Stripchat understands that accountability is crucial in creating a safer environment, and is committed to preventing studios that fail to meet its standards from operating on its platform.

In addition to the KYB initiative, to further support its models, Stripchat provides access to third-party mental health services through its established partnership with "Unseen" (www.unseenuk.org), which assists victims of sexual violence. Models can confidentially reach out to Unseen to report incidents and receive the necessary support. Stripchat also maintains an active membership with ASACP, it's an active supporter of RTA and a sponsor of Pineapple Support. Additionally, and most related to protection of models, Stripchat is an active supporter of Free Speech Coalition, an organization which primary mission is to protect the rights and

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freedoms of all individuals working within adult entertainment industry. Stripchat also collaborates with anti-slavery organizations to enhance its practices and create a safer environment for everyone involved.

To further enhance the safety of its models, Stripchat is also introducing soon a stricter banning system for studios found to violate its guidelines. This system will hold studios responsible for any misconduct involving models under their supervision, ensuring appropriate consequences for any wrongdoing.

All models must pass through an age verification process to be able to broadcast on the platform. This procedure involves one of the leading KYC providers around the world which ensures the legitimacy of the documents submitted for age verification purposes. Stripchat maintains a firm zero-tolerance policy regarding sexual exploitation, requiring all models to undergo a **liveness check** to confirm their identity and presence on the platform. Consent must come directly from the model involved, as Stripchat does not accept third-party consent. Stripchat performs a premoderation of all the content available in its site to ensure that the content is not illegal, does not violate the applicable standards, and Stripchat's internal rules and that the person depicting in it consents to the distribution of the content. Stripchat over and above the requirements and standards set, only accepts content depicting persons registered and verified in its website. Stripchat does not rely on third parties to collect the consent of the persons depicted in the content available in its website. By applying this rule, Stripchat aims to eliminate any possible distribution of non-consensual content through its website. A dedicated in-house moderation team manually monitor and screen the content which has been submitted for publication to Stripchat's website on a 24/7 basis.

Stripchat recognizes the importance of clear communication regarding rights and responsibilities. Its Terms and Conditions are translated into more than 20 languages, including Spanish, so that models can understand their rights and responsibilities. The Support and Moderation team of Stripchat consists of experts covering a wide range of languages allowing them to accurately moderate content and communicate with models in different languages.

In addition to the multiple measures implemented by Stripchat with the aim of eliminating any violations within the website (including human trafficking and sexual exploitation), Stripchat is strongly encouraging the users and models to actively report to the moderation team any violations identified. Stripchat offers a convenient way for both models and users to report any violations directly from its website using any of the multiple reporting buttons available in every page of the platform. To further safeguard its models against risks imposed by Studios, Stripchat has established another reporting procedure under which a model can contact Stripchat's team discreetly through an unregistered email address and submit reports related to human trafficking or violence. Once the model verifies its identity, and submits their report, our Support and Moderation Team will ensure its prompt investigation of the specific case based on the confidential information provided through the report. This process allows any model to voice their concerns without fear of repercussions from studios. As an additional step to protect its studio models, Stripchat has implemented a team of community managers who act as a trusted resource within its platform. These managers are available for models to reach out to directly, allowing them to

share any concerns or information in complete confidence. Community managers are attending conferences and events related to adult industry and visiting studios with the purpose of ensuring that any concerns that models may have been easily communicated to the platform. Stripchat values the input from its models and treats all communications seriously, using this information to help improve their safety and overall experience. This open line of communication encourages models to speak up about any issues they encounter without worrying about potential backlash, reinforcing Stripchat's commitment to their well-being and security.

The moderation team takes reports of human trafficking or exploitation very seriously. Moderation specialists thoroughly review all evidence provided, and when violations are confirmed, prompt action is taken, including blocking the offending studio involved. In addition to manual moderation, Stripchat employs AI-ML based CV safeguard to identify any potential unregistered persons appearing in live-streams and trigger moderation actions if necessary as well as to ensure that minors are not featured in any content by verifying all registered models with government-issued IDs. Third-party verification services, such as "Jumio" are used to further validate model's identities and enhance security measures.

Stripchat currently employs a thorough Know Your Customer (KYC) process, combining advanced third-party verification tools with comprehensive human moderation, as mentioned above. This dual system ensures that all models meet age requirements and that the authenticity of their documentation is verified before they can begin streaming on the platform.

Equally important is the fact that Stripchat also empowers its models to set their own rates, determine their performance boundaries, and work independently if they choose to leave their studios. The platform allows models to block unwanted interactions and manage their own content freely.

Stripchat is committed to creating a transparent environment within its platform and publishes transparency reports twice per year and performs risk assessments exercises annually to ensure that all risks related to its industry are promptly identified and addressed. In addition to this, Stripchat is performing specific risk and safety model surveys to collect feedback on any new safeguards and prevention measures that would help maintaining a pleasant and safe environment for everyone on Stripchat.

The measures described in this letter do not represent the full list of measures implemented in Stripchat and the company therefore encourages any organization to review its published policies and procedures for a more comprehensive understanding of its efforts to keep any unwanted practices outside the platform.

The platform is actively engaging in communication with regulators and private organizations around the world, sharing its knowledge and expertise, getting feedback on its current protection measures and any possible new protection measures. Stripchat is inviting organizations to submit their views and suggest new meaningful risk mitigation measures and its ready to engage in an open and transparent dialogue to ensure a safe environment within its platform. Moreover, any verified information that an organization can provide in relation to human trafficking and sexual

exploitation is more than welcome and Stripchat is committed on taking prompt actions to keep such incidents out of the platform.

We hope this information demonstrates our commitment to the safety, rights, and empowerment of models on our platform. The company takes this matter very seriously and continually strives to improve its practices.

Sincerely,

Stripchat Team

“I Learned How to Say No”

Labor Abuses & Sexual Exploitation in Colombian Webcam Studios

Adult webcam platforms based in Cyprus, Luxemburg, and the United States connect audiences to models streaming from around the world. Many of these models work from webcam studios, who retain a large percent of the payouts that models receive from platforms. In the absence of comprehensive platform policies and legal systems to protect their rights, workers can be subject to abuse.

“I Learned How to Say No” examines labor abuses and sexual exploitation in webcam studios in Colombia, based on interviews with 55 webcam models who had worked at studios in Bogotá, Medellín, Cali, and Palmira; Colombian and US officials; anti-trafficking organizations; and experts in platform-mediated sex work. Human Rights Watch also reviewed dozens of policy documents and terms of service agreements from platforms BongaCams, Chaturbate, LiveJasmin, and Stripchat, contacting each company for comment.

Workers reported streaming on global platforms in studios with bed bug and cockroach infestations; shifts of up to 24 hours in small cubicles; lack of ventilation; keyboards, mice, and furniture covered in bodily fluids from other employees; rashes, infections, and lack of mental health support; verbal, physical, and sexual abuse by studio management; and regularly being coerced to perform sex acts to which they did not consent.

Because webcam studios create and control workers accounts, most interviewees had never seen nor signed a terms of service agreement for the platforms they streamed on. Studios denied them access to basic information about their account and pay structure, leading to wage theft and sexual exploitation.

Multinational platforms operating in Colombia have a responsibility to avoid contributing to rights abuses by the studios. Human Rights Watch calls on them to conduct adequate human rights and supply chain due diligence, and to adopt comprehensive policies and protocols for studio account holders related to sanitation, hygiene, adequate rest, and a range of other labor rights issues.



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