

[Official Statement] ECPAT Korea calls on the Ministry of Justice to conduct a stringent investigation into all the ‘Welcome2Video’ participants

Today (6th July), the Ministry of Justice decided to reject the extradition request by the U.S. for ‘Welcome 2 Video(a dark-web child porn site)’ operator Son Jong-woo. Despite the fact that Son’s case fulfills legal requirements for the extradition, the court rejected Son’s deportation because ‘securing Son’s location is critical for Korean authority’s thorough investigation,’ and ‘carrying a domestic investigation within Korea is needed to raise awareness on sexual exploitation of children and to prevent recidivism.’

Giving a stringent punishment was already possible; the court ‘did not’ order such penalty. The *Act on the Protection of Children and Juvenile Against Sexual Abuse* was amended in June 2020, but intense punishment could be given to perpetrators even before the amendment. According to the law, anyone who distribute, rent, sell, exhibit, or screen any forms of child sexual abuse material(CSAM) for the commercial purpose can be imprisoned up to 10 years. However, the Ministry of Justice has sentenced only 18 months of incarceration to Son – an operator of one of the biggest child porn website that distributed 220,000 CSAMs, including materials abusing a six-months-old toddler, and made about four hundred million won of criminal proceeds. In this reality, how could we trust the word of Ministry of Justice that a thorough investigation will be carried?

And reflecting such concerns, more than 70,000 people agreed to the national petition for disqualification of the judge who claimed ‘solutions can be made through domestic investigation and trial’ as of 2 p.m. today. It was only 2 hours after the trial result was reported.

Today’s ruling is no different from encouraging crimes. From Dark Web to Telegram sexual exploitation, there are far too many perpetrators – revealed so far. And the fact that a person who made money through sexual exploitation of numerous children received only 18 months of imprisonment and will become a free man can be a precedent for such perpetrators. It will be evidence that one can earn a considerable amount of money if one can endure one and a half years of imprisonment.

The court should no longer neglect the authority’s duty. Let us believe that we can punish brutal criminals like Son Jong-woo in Korea without having to lean on the U.S. We can take an example of the case in 2017; Korean Ministry of Justice requested the extradition of a Russian who fled to Russia after committed murder in Korea, but Russian Supreme Prosecutors’ Office rejected the request and sentenced him to life in prison. (“‘Bucheon elevator murder’ a fled Russian, sentenced to life in prison in Russia”, *SBS News*, 2017.7.12.)

We want to believe that our court can do the same. The court clearly said that “the decision should not be interpreted as exonerating the perpetrator.” Also, the Ministry indeed acknowledged that the public’s keen interest in Son’s case is due to a lack of fair punishment despite the atrocious and anti-humanitarian nature of child sexual exploitation crimes.

If Son Jong-woo were extradited to the U.S., the criminal charge on him would be limited to 3 cases of illegal money laundering(due to prohibition of double jeopardy); however, he could still be sentenced to up to 60 years in prison, theoretically. Extradition of Son can also open a possibility to punish Son for distribution of CSAM in the U.S. (“‘Welcome 2 Video’ Son Jong-woo’s level of punishments when extradited to the U.S.” *Legal Press Opinion*, 2020.6.22.)

Since the court rejected extradition request stating that “[f]rom now on, we may need to investigate the members of the world’s largest child porn site, W2V, and in order to do so, we need to secure the operator’s whereabouts; and we need to enforce thorough investigation within Korea to raise awareness on sexual exploitation of children and to prevent recidivism”, the court must track down and heavily punish not just Son but all the members of W2V. And the level of punishment should be in line with the people’s legal sentiment that the case was handled fairly without extraditing Son. Please fulfill the duty as the Ministry of Justice so that the people can live in a safe and protected society protected by the country. We will be watching to the end. .

2020. 7. 6.

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