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Telegram's Free Speech Ethos Cannot Excuse the Horrific Crimes It Facilitates

Pavel Durov's supporters and apologists argue that his arrest is an attack on free speech. But human trafficking, terrorism, sextortion and other atrocities are not free speech.

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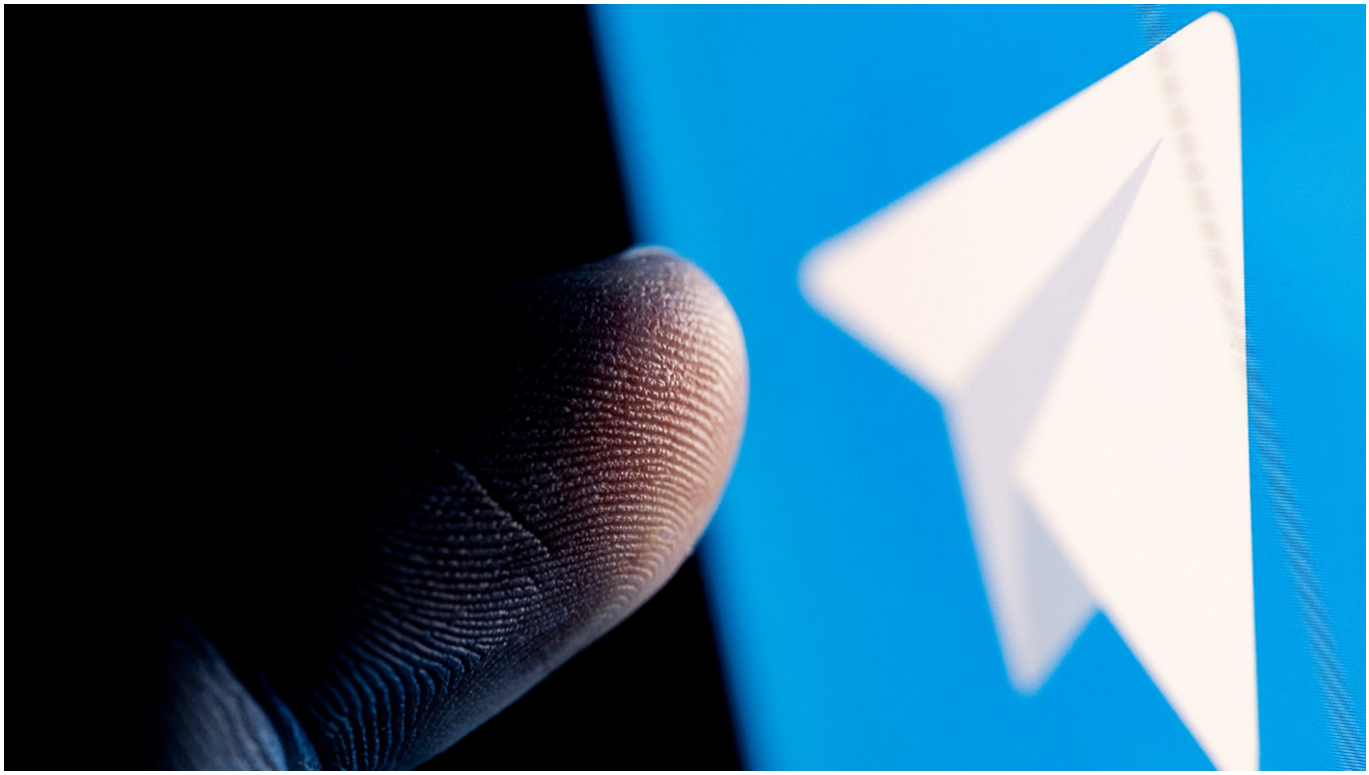

Sergei Yelagin / Business Online / TASS

Close to the Independence Monument in Phnom Penh, Cambodia, a cluster of dormitory buildings that once belonged to a university has been repurposed as a forced criminality compound.

Where students once lived are now teams of cyber slaves, tricked into traveling from abroad, sold to the criminal groups leasing space inside and forced under threat of torture to defraud strangers groomed online.

We know this because victims inside made desperate calls to their embassy, and senior law enforcement from that country told us that Cambodian police and government refused to shut it down.

Signs outside suggest the compound is owned by one of Cambodia's biggest business tycoons. Clearly, he does not care what his tenants are up to. Nor do the police — typically in Cambodia, they are paid to protect such places. Looking the other way is big business for government officials, too. Why bite the hand that feeds them? It's not like they are torturing the victims themselves. All they do is make sure the gangsters have a secure, secretive space to commit horrific crimes.

Most people would find this morally reprehensible. Providing physical infrastructure and security to a customer you have been told is using your services to commit some of the worst crimes imaginable surely makes you complicit.

But for some reason, when a company provides digital infrastructure and security to criminal groups to enable exactly the same crimes, the question of responsibility splits opinion. That was clear following the arrest of Telegram founder Pavel Durov on Aug. 24, when his private jet touched down in France.

Telegram is a messaging app that offers end-to-end encryption and various ways for users to hide their identities. This makes it popular with people who need secrecy to stay safe, like anti-government protesters or journalists protecting sources, but also — inevitably — criminals. The bizarre thing about Telegram is that, because users can be anonymous and the company is so reluctant to interfere, much of the illicit activity happens out in the open. Such channels are easy to join, making it incredibly easy to flag abusive behavior. The problem is that Telegram does not care about shutting these down.

Prosecutors from the Paris Cybercrime Unit indicted Durov on charges that he was complicit in administering an online platform to facilitate illicit transactions, laundering money derived from organized crime, and in offenses including the organized distribution of child pornography, drug trafficking, organized fraud and conspiracy to commit other crimes. Furthermore, he is accused of refusing to hand over information requested by authorities to intercept criminal activity.

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France is taking the rare step of treating Durov as an accomplice to crimes taking place on his platform on the basis that he is continuing to facilitate them and prevents authorities from stopping them. Durov's lawyer, David-Olivier Kaminski, claimed it was "absurd" to say his client was involved in crimes "that don't concern him either directly or indirectly."

But this isn't the first time a platform owner has been arrested for facilitating criminal activity. Daphne Keller, Director of Stanford Cyber Policy Center's Platform Regulation Program, compared Durov to Ross Ulbrich, who ran the dark web marketplace Silk Road and is serving a life sentence on similar charges. Keller also pointed out that if Telegram refused to remove channels of designated terrorist groups after being notified, most countries' legal

systems could hold them liable.

Telegram shut down some public ISIS channels after the 2015 terror attack in Paris. The perpetrators used the app's channels to spread propaganda, while other ISIS groups used Telegram to recruit for and direct attacks in Germany and Turkey. But these efforts were minimal. Because individual users are not banned, the same ISIS militants are free to create new channels. Telegram is also now the platform of choice for the white supremacist terrorist movement the Accelerationists, who use it to train up would-be attackers, encourage them to carry out bombings, and illegally trade firearms.

In July, blockchain analysts Elliptic reported that adverts on Huione Guarantee — a Telegram-based marketplace comprising thousands of channels connected to a Cambodian payment platform — predominantly promoted services related to cyber scams, money laundering sextortion, human trafficking and products like shackles that give electric shocks to slaves trying to escape. Elliptic calculated that transactions on Huione Guarantee totaled at least $11 billion.

Huione Guarantee is still going strong. Telegram has not shut the channels down and some get hundreds of new posts each day. Ironically, while criminal actors on this network can say whatever they want, one of the Huione Group directors — Hun To, the Cambodian prime minister's cousin — is suing Al Jazeera and recently settled out of court with The Australian over reports that alleged he was connected to scam compounds.

Durov's supporters and apologists, including Elon Musk and Edward Snowden, argue that his arrest is an attack on free speech. It is true that the platform is used by communities fearful of censorship or oppressive regimes. From 2013-2014, Durov angered the Russian government by refusing to hand over data on Ukrainians involved in the Maidan resistance marches.

But sharing a video of yourself raping a child is not free speech. Selling a human being is not free speech. Defrauding strangers out of their life savings, pushing teenagers to suicide by blackmailing them with sextortion scams, hiring a hitman, selling organs harvested from trafficking victims — none of these constitute some kind of inalienable right to expression.

Related article: By Taking Aim at Telegram, France Puts Free Speech in the Crosshairs

These atrocities have taken place via Telegram for years. While its leadership team cannot know exactly what happens everywhere on an app downloaded 71 million times, cases have been flagged again and again. Time after time, Telegram chose to protect the perpetrators over the victims.

Curiously for a company so ideologically committed to freedom of speech, Durov chose to base Telegram in Dubai in 2013 — a year after the UAE introduced draconian cybercrime laws that make it illegal to criticize officials or advocate for democratic reform. The UAE has some of the world's most repressive laws on freedom of speech and assembly and sometimes imprisons or forcibly disappears human rights activists. It is also one of the biggest hubs of modern slavery, including forced criminality compounds for organized scams, and offers barely any protection to vulnerable workers or migrants.

That said, the Emirates have a notoriously no-questions-asked policy when it comes to welcoming super-wealthy gangsters on the run. With enough money, you can get away with a lot in Dubai. Much like Telegram, this offers a subset of dangerous people unfettered freedom, including the freedom to exploit, oppress, abuse and enslave.

Telegram is part of that policy. Take the White Shark HR channel, which was used by human traffickers and scam compound owners to trade people and criminal services related to the industry. In July 2022, investigative journalists at Voice of Democracy traced posts by the group's roughly 5,000 members over the course of a month, including videos of victims being tortured and offers of workers for sale internationally between the UAE and Southeast Asia.

The UN estimates that over 300,000 people are trapped in forced criminality compounds in Cambodia, Myanmar and Laos alone. We have met many traumatized survivors who managed — usually by paying a hefty ransom — to get out of these places, or similar ones in the Philippines and the UAE. Some said they were recruited by traffickers through Telegram.

Their stories follow the same pattern: they were offered a decent job in anything from customer service to construction engineering, only to find they had been sold to scam companies run by criminal groups and forced to work up to 16 hours a day finding people online to trick into putting money into fake investment platforms or gambling sites. If they fell behind quota, broke any rules or called for help they would be beaten, tasered or electrocuted. One told us she had watched a pregnant woman be beaten until she miscarried. Another saw two people jump to their deaths. Victims who don't make enough money are re-trafficked — some sold for their organs and others forced into sexual exploitation.

For now, it is business as usual in many of the Telegram channels we monitor. As we write this, posts are flashing up offering money-laundering services, or even people: Chinese-English translators, Brazilian models for romance scams, three Chinese citizens deep in gambling debt and a woman in Malaysia who owes her current scam company $2,000. Another seeks a delivery of Vietnamese workers who can type in English. A handful of workers involved in Ponzi schemes or "quick-kills" (financial scams) in war-torn parts of Myanmar ask companies to take them to safer places like Dubai or Armenia — or just anywhere that lets them go outside. It's unclear if they chose this world or have given up trying to escape it.

Meanwhile, the 39-year-old, Russian-born billionaire Durov, who has French, Emirati and Kittian citizenship, is out on a $5.6 million bail while the formal investigation continues.

Perhaps he will wind up in prison, experiencing a fraction of the misery hundreds of thousands of victims of the kind of criminals Telegram protects are trapped in, right now.

Until then, he is free to spend his billions in a city once hit by terrorists who used his platform to drum up support for their massacre — and bask in the glow of adoring fans who see him as a martyr to their cause.

The views expressed in opinion pieces do not necessarily reflect the position of The Moscow Times.

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