

# PROCEEDINGS

MARCH 14, 2018  
NEW YORK

## COMBATting ONLINE SEX TRAFFICKING

Confronting challenges,  
Forging Cooperation



Scelles Foundation  
*Knowing, Understanding, Fighting  
Sexual Exploitation*



Sanctuary  
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## **International Colloquium during the 62nd Session of the UNCSW has brought together key players in the global fight against online sex trafficking: policy makers, tech companies, law firms, law enforcement, business leaders, and NGOs to confront challenges and forge cooperation**

- WHO:**
- **Angel Nguyen**, Vice President of Compliance and Financial Crimes Solutions, Enigma
  - **William C. Silverman**, Partner, Proskauer Rose LLP
  - **Bob Herbert**, veteran journalist and former New York Times columnist, facilitator
  - **Cyrus Vance**, New York County District Attorney
  - **Dorchen Leidholdt**, Director Legal Center, Sanctuary for Families
  - **François Delattre**, Ambassador, Permanent Representative of France to the United Nations
  - **Julie Cordua**, Chief Executive Officer, Thorn
  - **Melanie Thompson**, Survivor of Internet-facilitated sex trafficking
  - **Mary Mazzi**, Producer and Director, “I am Jane Doe”
  - **Monique Villa**, CEO, Thomson Reuters Foundation
  - **Per Anders Sunesson**, Swedish Ambassador-at-Large for Combating Trafficking in Persons
  - **Valiant Richey**, Prosecutor, King County, Washington
  - **Yves Charpenel**, Deputy State Prosecutor, the Supreme Court in France and President, Scelles Foundation

**WHAT:** “**Combating Online Sex Trafficking: Confronting Challenges, Forging Cooperation**,” an international colloquium on the pervasiveness and harm of online sex trafficking and how to combat it. The panel has explored how technologies are diverted by traffickers to sexually exploit vulnerable human beings, primarily women and children; the best legislative, judicial and tech practices to raise awareness of, prevent, and curtail online sex trafficking and commercial sexual exploitation; the necessary commitment of tech companies; the need for public-private transnational cooperation strategies.

**WHY :** The fight against online sex trafficking is a fight against one of the most brutal forms of violence against women and girls and widespread international criminal activities. Because more than 50% of sex trafficking now takes place online, and because this part of the Internet will only continue to increase, the global community must develop and implement more effective policies to combat Internet sex trafficking and the criminal organizations behind it. This situation can be reversed by increasing the awareness and understanding of the nature and prevalence of online sex trafficking as well as the harm it engenders, and by enlisting the engagement of all sectors of society.

# Elements of Context

## Using technology in commercial sexual exploitation

Nothing is simpler than buying sex with women and children online,” said Ms. Villa.

Ambassador Delattre discussed the risk that criminal misuse of the Internet poses. Online platforms are accessible to all with no physical borders, thus making online commercial sexual exploitation extremely low risk with a high benefit. Furthermore, criminals can use the online platforms to recruit victims as well as maintain control over them through blackmail using videos and photos.

According to Prosecutor Richey, many people question why law enforcement isn't getting more traffickers. The answer lies in the fact that these trafficking groups have found ways to access online platforms, thus increasing their anonymity, and subsequently, the difficulty in tracing them. Prosecutor Richey explained that 25 to 30 trafficking cases are tried every year. In one month alone, Backpage.com has upwards of 35,000 ads in which individuals are advertised for sex. The odds are against law enforcement, merely because of the power that can be harnessed from the use of the Internet.

## Observing an unacceptable exploitation of vulnerability

“We need to ensure that the criminal justice system no longer becomes a vehicle of injustice”, affirmed Mr. Silverman in his opening speech.

He reminded the audience that victims of sex trafficking are physically and psychologically abused and while they are being arrested, their traffickers are free. Many panelists also pointed out that people who are subjected to human trafficking are the most vulnerable people from our society. This is why we need to do more to combat online sex trafficking. We must stop arresting victims and start protecting them.

Mr. Vance spoke on the desirability of children from a trafficker's perspective. Traffickers see these children as a great “asset” to their supply. Children, vulnerable by definition, are more easily manipulated and controlled than adults.

This desire for children was also spotlighted when Ms. Thompson, college student and survivor of Internet-facilitated sex trafficking, shared her story. Ms. Thompson was 12 years old when she was tricked by some older boys into coming home with them. After being raped by one of the boys, she was handed over to an older man who would serve as her trafficker for years to come. She also spoke on the trauma that she has been forced to learn to live with after having survived human trafficking. “I realize that there are so many people that I left behind in the lifestyle and that get me in the day to day”, she also testified.

## **Booming Industry**

“Ms. Villa proclaimed that trafficking women and men is one of the fastest growing, if not the fastest growing, criminal enterprise in the world. Of the 40.3 million people currently enslaved in the world, 30% are in sex trafficking and are mostly women and children. She also reminded the audience that sex trafficking occurs all over the world, in every country. It is a silent and transnational crime.

Ambassador Delattre stressed that online sex trafficking is now driven by criminal organizations which are highly organized and know how to adapt their modus operandi to increase their profits in this growing market. They exploit the vulnerabilities of certain populations by promising easy money to their victims while in reality all they do is profit from the exploitation of their victim’s sexuality.

Traffickers realize that they can use internet to increase this profit thanks to a high profit margin and low visibility. The risk and benefit ratio is extremely high in this market.

## **Facing general ignorance**

One of the additional difficulties that have been mentioned several times during the conference is the lack of knowledge, interest and involvement of many actors in society in regards with the violence endured by the victims of prostitution.

Ms. Mazzio directed and produced the documentary "I am Jane Doe", which shows the legal battle that several American mothers are waging on behalf of their middle-school daughters, who were trafficked for commercial sex on Backpage.com. She testified, to the widespread surprise of journalists, that it is legal to post ads selling children.

# 6 Main Takeaways

This conference was designed to bring to the table various stakeholders in this attempt to start exploring potential solutions together.

## 1. Leveraging technology in the fight against sexual exploitation

Several panelists highlighted the role that technology already plays and could play in the fight against sexual exploitation, especially online.

Thorn is an NGO which partners with tech companies, government and law enforcement to create unique ways of fighting child sexual abuse, the spread of child sexual abuse materials and child sex trafficking. Ms. Cordua explained that while conducting research for the creation of new technologies, they spoke to many actors including law enforcement and child survivors. According to law enforcement, the fight against online sexual exploitation of children is an uphill battle. There are too many ads, the resources are limited and the chances of identifying a child are maybe 1 and 10. Therefore, when it comes to these cases, law enforcement focuses on allocating resources to the most high-risk victims first and foremost. When speaking with child survivors, researchers were given insight as to how the illicit operation functioned, which aided Thorn in the creation of new technologies.

One such innovation is a program which runs algorithms against online ads to detect situations of child sexual exploitation. This program is now the most widely used detection tool in Canada. It is also extremely widespread within the USA. According to Ms. Cordua, one of the best aspects of this program is the fact that it can be used universally for free. Online child sexual exploitation occurs in every type of community, big and small. Law enforcement officers in a small rural town can use the same program and have access to the same data as officers in large cities as well as at the federal level.

Prosecutor Richey also elaborated on other technological advancements which are aiding the fight against human trafficking. He discussed a program developed by volunteers from Microsoft which sends texts to all ads in which commercial sexual exploitation is detected. It then redirects the victims to people who can help them. "What a great tool that people can start with a conversation instead of an arrest", he said.

Prosecutor Richey also mentioned robots, which were also developed by volunteers from Microsoft, that engage with sex buyers and pretend to be a prostituted person. The robot is programmed to make the potential sex buyer believe that he is indeed discussing the cost of sexual acts. Once a deal is made and the sex buyer agrees to meet the woman at a location, the robot will then send a message reminding the sex buyer that purchasing sex is illegal and that his information is now being tracked. While prosecutors can only talk to one person at a time, robots can talk to thousands.

## 2. Involving the States

*“We have very good laws in Europe, we need to enforce them”,* said Prosecutor Charpenel.

Ambassador Delattre proclaimed that all states have a responsibility in this fight against commercial sexual exploitation. He mentioned the Council of Europe Convention on Cyber national Crime and the Palermo Protocol as the backbones of the legal framework in the European fight. He took some time to highlight France’s efforts, focusing on the French law of 2016 which criminalized the act of paying for sex and decriminalized the act of selling sex.

The Ambassador also suggested that this fight against online commercial sexual exploitation should replicate the type of public-private cooperation that was put in place for the fight against the use of the Internet for terrorist purposes. In the first meeting of the Global Internet Forum to Counter Terrorism, it was decided that they needed to focus on three main points: technological approaches, knowledge sharing and research. A similar approach should be adopted when dealing with online commercial sexual exploitation. *“You can count on me, you can count on President Macron’s strong commitment”* was the conclusion of Ambassador Delattre’s speech.

Ambassador Per Anders Sunesson affirmed that it is very important that governments express a clear refusal of prostitution in their country. When States allow brothels, prostitution and trafficking cannot be combated. It also falls into the States responsibility to explain why buying sex is prejudicial.

## 3. Focusing on demand

*“Procuring sex buyers will definitely have dissuasive action,”* affirmed Prosecutor Richey.

According to Prosecutor Richey, it is important to remember that trafficking is a supply response to a demand problem which will continue to be a major problem if we do not find a solution to the issue of demand.

He elaborated on the ways in which men who pay for sex have created networks which aid in advancing the prevalence of their actions. For example, on online review boards, sex buyers can rate sexual encounters that they have had with women and children as well as different online platforms where they can share information and tips.

Ambassador Per Anders Sunesson gave an in-depth overview of the manner in which Sweden adopted the Nordic Model, an approach to prostitution in which the act of selling sex is decriminalized while the act of buying sex remains a criminal offense.

Back in the 1990s, Sweden had a major issue with domestic violence. Swedish citizens demanded that the government look into the structural issues which caused this elevated level of violence against women. In looking into these issues, the government began to pay attention to the issue of prostitution, which at the time was legal. In conducting research, government officials took a large sample size of prostituted persons and asked several questions about their history. These officials found that in 100% of the cases, these women had a history of violent sexual abuse.

After time, the government implemented the Nordic Model, an approach which views the prostituted persons as a victim and condemns the sex buyers. The implementation of this model has resulted in an extreme reduction in demand for sex. Ambassador Per Anders Sunesson explained that while there are still some men his age who may buy sex, for his son's generation, it would be unthinkable to purchase sex. To Ambassador Per Anders Sunesson and others who adamantly support the Nordic Model, the proof blatantly reveals that this approach works.

#### **4. Crucial Need for Corporation Involvement**

A major take-away is a call to action for corporations at every level. Various panelists affirmed that the private sector must be involved in this fight if we are going to truly see a change. Throughout the evening several examples of positive corporation involvement were discussed.

Ms. Villa highlighted the "Stop Slavery Award" which is awarded to corporations that have made exemplary strides in attempting to eradicate their supply chains of slavery. She made sure to stress the word "try" because in reality no corporation can totally ensure the cleanliness of a supply chain. Intel is one of the most recent recipients of the Stop Slavery Award.

Prosecutor Richey further harked on the importance of corporate involvement and partnerships. He explained that we need "all hands on deck." If society is worried about trafficking in hotels, then hotels need to come to the table. If society is worried about online commercial sexual exploitation, then online platforms need to come to the table.

"We must strengthen our dialogue with tech companies, big and small; otherwise, we will simply fail" affirmed Ambassador Delattre.

The question of the responsibility and involvement of Internet providers and high-tech companies is indeed at the heart of the debate, especially in the context of the SESTA/FOSTA law.

Ms. Mazzio also accused high-tech companies of shifting the debate from taking responsibility to a conversation about innovation and freedom of expression.

According to Mr. Vance, online platforms don't want to be held responsible for the content circulating on their websites. Today, federal legislation essentially grants them immunity in spite of evidence which reveals the ease in which traffickers can grow their prostitution business online. "We have to change the law and when it happens, it will enable to fight these websites. Currently they are protected".

Ms. Nguyen explained the role that financial institutions and data management companies could play in combating online sex trafficking. If one is adept at understanding how money laundering looks within a financial footprint and data transactions, then the probability of tracking down these criminals can be greatly improved. Financial institutions, in close collaboration with law enforcement, could very efficiently detect and investigate transactions and identify the people and organizations behind these transactions. The key will be to look at the right financial and digital data, volume being huge.

## **5. Understanding the need to see sex trafficking as intertwined with other society challenges**

All panelists agreed that sex trafficking and related exploitation in prostitution are interconnected and intertwined with other challenges that our modern societies face: the ways in which women are viewed and treated, inequality predicated on race, gender, gender identity.

*“Public opinion doesn’t believe it is such violence”,* affirmed Prosecutor Charpenel.

Panelists agreed that since human trafficking is intertwined with other challenges that our societies face, we need to create awareness and a climate of discussion around this issue in particular, but also sexuality in general, and pornography.

*“Porn is the gateway drug to commercial sex buying”,* said Ms.Mazzio. She expressed worries on how pornography is massively used by teenagers and modifies their perception of sexuality.

For Ms. Cordua, this conversation should focus on boys rather than girls, the goal being to raise boys with value of respect, expressively explaining to them why buying sex is prejudicial. These discussions should be carried on within families and institutions.

*“Obviously this is going to take a cultural change and we will need to go through a full generation cycle to do this [...]. In the short term, we should put friction on the marketplace and in the long term, cultural change. It is a vision and a goal”* said Prosecutor Richey.

## **6. Building Cooperation**

There was unanimity among the panelists that no single part of society will be able to fight effectively against the scourge of human trafficking. In that context, cooperation between all stakeholders is the main key to ensure efficiency.

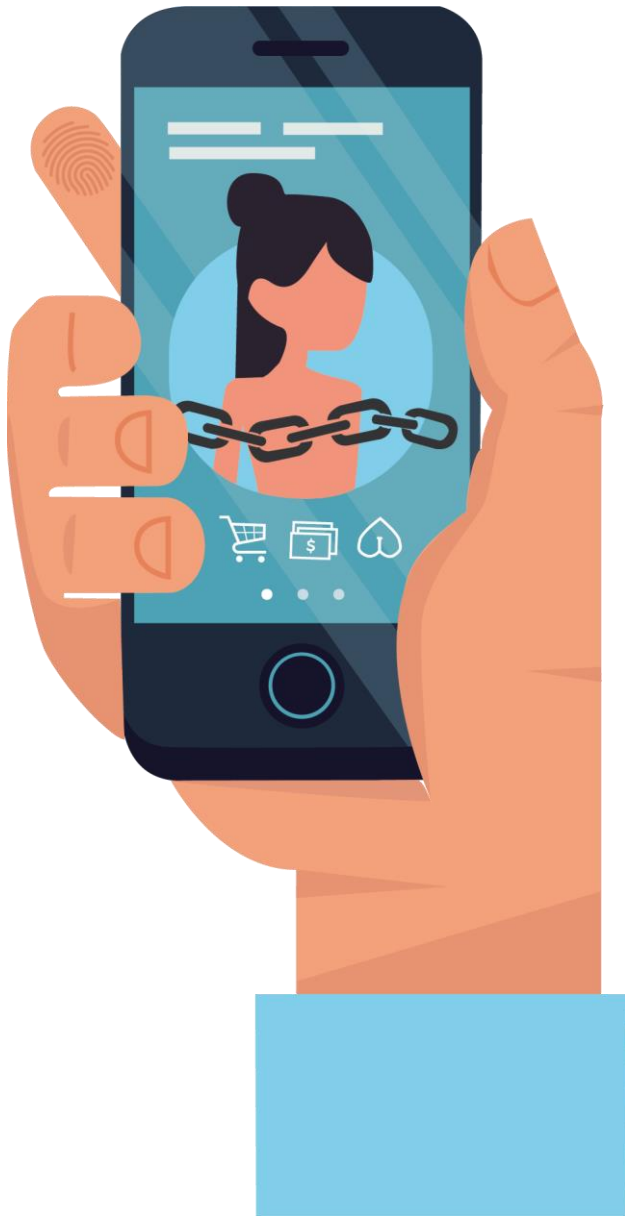
*“But no State can act alone [...], there is no alternative to international cooperation”,* said Ambassador Delattre. Indeed, the phenomenon is global, victims are not always in the same country as their traffickers and the websites are often hosted in other countries covered by the trafficker’s network.



“We need to define a common methodology from every part of the scope: survivors’ organization, human right organizations, law enforcement, technology, diplomatic part” said Prosecutor Charpenel.

“Listen to survivors!”, claimed Ms. Leidholdt, from Sanctuary for Family, in her closing speech. She also pointed out the urgent need to break through silos. Communication and collaboration must take place at every level, across industries, tech and financial in particular, across disciplines, across borders, between public and private.





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