OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, 19th ALLIANCE AGAINST TRAFFICKING IN PERSONS

Using Technology to Combat Trafficking in Human Beings: Turning a Liability into an Asset

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Dear guests,

I would like to thank the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings for inviting me to take part in this conference.

In my contribution I will focus on sexual exploitation – more so than on labour exploitation – as my expertise is in violence against women and girls and gender equality. First, I will address some of the many challenges I have encountered as a policy maker in this area. Second, I will discuss the some policy proposals that can help us move forward.

Let me start with the challenges.

1) Policy is national/regional, the challenges are global (internet is global)

While cross-border organised crime is not a recent phenomenon, new technologies and the rapid expansion of the internet have changed the face of organised crime and in some ways the nature of it. It has created new spaces that may host illegal activity but are not within the reachability of national legislation and law enforcement. Technology has also created new forms of violence against women, which is a contributing factor to sexual exploitation.

But any attempt to regulate the internet or content on the internet is also heavily contested.

In 2012, I, as the political adviser to the Minister of the Interior, lead a consultation into the harms of violent pornography in Iceland. The consultation was initiated in a response to concerns raised by numerous experts about the effects of online porn on the nature – and possibly the scope – of sexual violence in Iceland. This included experts from the Children's House who shared information on cases where young boys had replicated violent pornography, testing out what they had seen online, victimising their younger sisters, friends, nieces or neighbours.

The consultation resulted in suggestions on improved education and prevention and a better health care response to the harms of pornography. But the suggestion that caught most attention – in Iceland and internationally – was the proposal to open up a conversation on potential ways to limit the porn industries' access to our children.

While there was a large pool of silent supporters – teachers, youth workers, parents, health care workers, police and so on – the public debate quickly became quite polarised. The minister received a letter from human rights advocates from across the world comparing this conversation to repression of speech in Iran, China and North Korea, warning that the conversation in Iceland could result in direct harm to people in other corners of the world. Another letter, signed by women's activists, applauded the efforts, highlighting the importance of addressing the harmful impact of pornography on women and children.

In short, because the local challenges we identified were a result of an international reality, the conversation became global. But the only solutions we were able to work towards would have had to be within the borders of Iceland. Which brings me to the next challenge.

2) Computer says no

In the response to the question on what could be done to prevent children from being exposed to violent pornography, most tech experts – or self-claimed tech experts – that spoke out publicly answered "nothing, it is technically impossible". But as I kept digging into their arguments I realised that they were in fact saying "it is politically impossible". Which is certainly an acceptable opinion to have, as a political opinion.

This is a familiar theme.

A few years back I worked for a London-based, international law firm, McAllister Olivarius, which specialises in online abuse, including so-called revenge pornography, or image-based sex abuse. There is a terrifying crowdsourcing element to such abuse, where internet users work collaboratively towards the widest circulation of the images. This had included crowd action to make sure revenge porn images popped up in search engine results. At the time, multiple conversations with search engine operators had not lead to any positive results. The resistance to engage with content is understandable for many reasons, but revenge porn is one example of why a strict policy in that direction doesn't work out. And as it turned out, "computer didn't say no", people said no. Today, victims of revenge porn have tools to demand the take down of search engine results that publicise the abuse they have suffered. And overall there is much more awareness of the urgent need to discuss content, and that protection of the medium does not equal protection of the message.

3) One step behind technology

Policy makers and law enforcement tend to be one step behind the technology at each time. Legislation and law enforcement struggle to keep up with new technologies and new spaces and new norms created by tech. The difficulties in defining internet platforms in law is one

example. The platforms' desire to be merely communications enablers is increasingly challenged, but most national legislators are having difficulties challenging the various platforms that may enable illegal activity. But the tech companies are also terrifyingly slow in responding to the societal challenges they have created. If there is even the smallest concern for loss of profits, it is often hard to get tech-based companies board. For small countries – whose entire GDP may be far below the annual revenues of the internet giants – these challenges multiply. Which brings me to the fourth point.

4) Corporate interests

From service providers to platforms, from facebook to pornhub, uber to amazon, the internet (and more broadly new tech) is full of large corporate interests. And against these interests, public policy makers will always struggle, as we have many examples of.

We need to analyse these interests and ensure public policy works for the public, not just the few.

Industry self-regulation is important, but it is not sufficient in any way, as even the corporations themselves have started to note. Most recently, Mark Zuckerberg called for more regulation for Facebook, a wish we need to listen to and take seriously. Because even though new tech-based businesses have created new challenges, it isn't up to them alone to solve them. We need to do that in collaboration.

So, where do we head from here?

New technologies have created new challenges, but they have also created new solutions. Having worked with police and other content examiners, I am particularly intrigued by the technologies that can help detect and take down child sexual abuse images, and potentially other forms of sexual abuse. The "stay down" technologies are also massively important to stop the circulation of image-based abuse. Geo targeting technologies could help better protect schools and other areas where children are likely to use the internet. I also wonder if artificial intelligence could be better utilised to interrupt the demand for abusive and illegal material. If we look at child sexual exploitation, we know a great deal about the path to becoming a user of such material. It rarely starts there. So how can we use technology to interrupt that path? Pop-up windows with robots that warn you if you are on the path towards illegal content and maybe direct you to support services? Could algorithms detect advertisements that is likely to be posted for the purpose of grooming people into exploitative work or prostitution?

Also, and I know this is a recurrent idea: what if we could collaborate more broadly across borders so that we could share, and utilise, data that will help tackle human trafficking and exploitation? We are already seeing success with Interpol's baseline and more could

definitely be done. As most of you, I am following closely the development of blockchain to contest modern slavery, we know there is a massive potential on that front.

Yet, our challenges will not be solved with artificial intelligence only, and not by algorithms only. We cannot code ourselves out of all problems. We need solid public policies - national, regional and global – that underpin the potential technological solutions.

Here is one example: earlier this decade Iceland moved to expand the definition of online child sexual abuse content so that it would cover animated material as well as images where (potentially) older actors pose or act as children. This has clear policy ramifications, as it means that image-based child abuse is not only considered a threat to the victims, but to children in general. Policies like this might enable better technical solutions, not least for take down and stay down approaches, as the illegality of the material would not depend on any sort of age identification of the people involved. And while the porn industry claims that one of its most popular and most longstanding genre – teen – only applies to 18 and 19-year olds, it can be hard to ratify the age of the people involved, who may look much younger. The normalisation of "teen porn" may also encourage the sexual exploitation of children. So there might be some policy areas to explore in this context, could new definitions help us get better control of the problem?

Technological solutions for age verification might also help limit children's access to harmful material online. While it has been off to a rocky start in the UK, I believe the intention behind the law is important. It is easy to criticise pioneers, but what if more us, instead, joined them in finding ways for this to work. I would be delighted to help build a world were children were allowed to grow up and develop their sexualities without being exposed to violent pornography at a young age.

Coming from a small country, I know how tempting it can be to respond to online challenges with the alibi that they cannot be addressed at the local level. But on the local level we need to look into what *we can do*. One of the obvious examples is to tackle the demand, whether it is for labour exploitation or sexual exploitation. Iceland has adopted the so-called Nordic Model (previously the Swedish Model) on prostitution, decriminalising those who sell sex while criminalising the demand and the third parties. While no policy is perfect, I believe this is the best model we have as it puts the responsibility where it belongs and it recognised the link between commercial sex and sexual exploitation. Locally, we can also step up our efforts to prevent demand for child sexual abuse content and we can ensure our legislation enables law enforcement to take the necessary action against any such content that may be available in Iceland.

Dear guests,

The promise of the internet as a democratising tool that promotes openness, fairness and equality hasn't been fulfilled, at least not yet. The internet has contributed to growing inequality, growing unemployment and more precarious jobs. The lessons of the gig economy are slowly emerging: that workers without worker's rights and worker's protection is not a route to prosperity, but to more poverty, and therefore a risk factor for labour exploitation and modern slavery.

There is an urgent need to move beyond the current capitalistic model. One positive example is from Denmark where a union has made a collective agreement with a platform that offers house cleaning. This reminds us that we may not need to reinvent the wheel, but rather apply it to the 21st Century.

Today and yesterday, we have learned of many tools that can help us take the next steps in combatting human trafficking and other forms of labour and sexual exploitation. We need to continue developing our international collaboration, including collaboration with and between tech companies, because we know that global challenges require global solutions.

I look forward to our continuing conversation.

Thank you for listening.