

PARTICIPANT KIT

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NEW YORK

COMBATING ONLINE SEX TRAFFICKING

Confronting Challenges
Forging Cooperation



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International Colloquium during the 62nd Session of the UNCSW Brings Together Key Players in the Global Fight against Online Sex Trafficking: policy makers, tech companies, law firms, law enforcement, business leaders, NGOs to Confront Challenges and Forge Cooperation

WHO: **François Delattre**, Ambassador, Permanent Representative of France to the United Nations; **Per Anders Sunesson**, Swedish Ambassador-at-Large for Combating Trafficking in Persons; **Melanie Thompson**, Survivor of internet-facilitated sex trafficking; **Mary Mazzio**, Producer and Director, “I am Jane Doe”; **Cyrus Vance**, New York County District Attorney; **Monique Villa**, CEO, Thomson Reuters Foundation; **Yves Charpenel**, Deputy State Prosecutor, the Supreme Court in France, and President, Scelles Foundation; **Valiant Richey**, Prosecutor, King County, Washington; **Michael Karimian**, Human Rights Program Manager, Microsoft; **Angel Nguyen**, Vice President of Compliance and Financial Crimes Solutions, Enigma. **Bob Herbert**, veteran journalist and former New York Times columnist, will facilitate the discussion.

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 will explore 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.

WHERE: **Proskauer’s New York City Offices**
11 Times Square - 41st and 8th Avenue, New York, NY

WHEN: Wednesday, **March 14, 2018, 6:00 p.m. - 8:00 p.m.**

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. Since more than 50% of sex trafficking now takes place online, and since this part of the Internet will continue to increase, the global community must develop and implement more effective policies to combat internet sex trafficking and the criminal organizations behind it. That situation can be reversed by increasing the awareness and understanding of the nature and prevalence of online sex trafficking and of the harm it engenders, and by enlisting the engagement of all sectors of society.

SPEAKERS



MODERATOR

A veteran journalist and author, **Bob Herbert** was an Op-Ed columnist for The New York Times from 1993 until 2011, writing twice a week about politics, urban affairs and social trends. Prior to that he was a national correspondent for NBC News, where he reported regularly on The Today Show and NBC Nightly News. Previously, Mr. Herbert worked at The Daily News as a general assignment reporter, national correspondent, consumer affairs editor, city hall bureau chief and city editor, columnist and member of the Editorial Board. A founding panelist of Sunday Edition, a weekly discussion program on WCBS-TV, Mr. Herbert was also the host of Hotline, a weekly hour-

long issues program on WNYC-TV. Mr. Herbert is the producer and director of the PBS documentary film, *AGAINST ALL ODDS: The Fight for a Black Middle Class*, the moderator of Bob Herbert's OP-ED TV, a weekly interview program on CUNY-TV, and the author of *LOSING OUR WAY: An Intimate Portrait of a Troubled America* (Doubleday, 2014) and *PROMISES BETRAYED: Waking Up from the American Dream* (Times Books, 2005). He has won numerous awards, including the Meyer Berger Award for coverage of New York City, the American Society of Newspaper Editors award for distinguished newspaper writing, the David Nyhan Prize from the Shorenstein Center at Harvard University for excellence in political reporting, and the Ridenhour Courage Prize for the "fearless articulation of unpopular truths."



François Delattre was appointed Ambassador, Permanent Representative of France to the United Nations on September 2, 2014, after serving as Ambassador of France to the United States in Washington DC (2011-2014), Ambassador of France to Canada in Ottawa (2008-2011), Consul General in New York (2004-2008), Press and Communications Director at the French Embassy in Washington, DC (1998-2002).

François Delattre is a strong advocate of economic diplomacy, which he experienced in each of his diplomatic postings, starting with Bonn at the French Embassy in Germany (1989-1991), where he was in charge of assessing the economic impact of Germany's re-unification and the environment.

In France, François Delattre was responsible for European and trans-Atlantic defense and security matters and managing the Bosnian crisis as a member of President Jacques Chirac's foreign policy team (1995-1998) after serving in the same capacity in the cabinet of Foreign Minister Alain Juppé (1993-1995). He also worked with the Strategic, Security and Disarmament Department of the French Foreign Ministry (1991-1993) and served as Deputy Director of French Foreign Minister Dominique de Villepin's Office (2002-2004).



Per-Anders Sunesson has been working both in Sweden and internationally for more than 20 years with social and criminal policies, crime victims issues, children's rights, legislation and welfare systems. The Swedish government appointed Mr. Sunesson Ambassador at Large for Combating Trafficking in Persons in May 2016. Prior to this, he held the position of Director General at The Ministry of Health and Social Affairs, where he was in charge of the Division for Family and Social Services. Between 2009 and 2012, he was the director for the department supervising all healthcare institutions, healthcare personnel and social services in Sweden. An attorney, he has also worked at The Ministry of Justice.



Monique Villa is CEO of the Thomson Reuters Foundation. Since her appointment in 2008, she has transformed the organisation, creating a number of high-impact programmes including TrustLaw, a global pro bono service, and Trust Conference, a fast-growing movement to fight slavery and empower women worldwide. Under Villa, the Thomson Reuters Foundation also covers the world's under reported stories and offers training and media development to strengthen free media globally. Villa has been ranked among the world's 100 most influential people in Business Ethics by Ethisphere

since 2014. She received the Champions for Change Award in 2015 for her vision and effort in the fight against human trafficking and modern slavery, and was the recipient of ECPAT- USA's inaugural Freedom Award in 2017 in recognition of her leadership in the fight to end child trafficking. Villa is also a Champion of the Global Fund to Fight AIDS, Tuberculosis and Malaria.



Melanie Thompson is a full-time college student majoring in social work. She works to raise awareness about the pervasiveness and harm of all forms of commercial sexual exploitation and advocates for changes in anti-trafficking law and policy with a wide range of abolitionist organizations including but not limited to: The Coalition Against Trafficking in Women, Sanctuary for Families, World Without Exploitation, the New York State Anti-Trafficking Coalition (NYSATC), and Not On My Watch, Inc. Her tireless work to educate legislators and the public about child sex trafficking contributed significantly

to the unanimous passage of the Trafficking Victims Protection and Justice Act by the New York State Legislature in 2015. A survivor of domestic sex trafficking, Ms. Thompson is still in the foster care system and draws on her experiences as a child and young adult to help others who have also experienced commercial sexual exploitation. Upon obtaining her LCSW degree, she hopes to open a non-profit organization assisting victims of human trafficking.



Mary Mazzio, an award-winning documentary film director, Olympic athlete, and former law firm partner, is Founder and CEO of 50 Eggs, Inc., an independent film production company dedicated to making socially impactful films. Mary wrote, directed and produced the highly-acclaimed films, *Underwater Dreams*, *TEN9EIGHT*, *The Apple Pushers*, *A Hero for Daisy*, *Contrarian*, *Apple Pie*, and *Lemonade Stories*. Her newest documentary film, *I AM JANE DOE*, narrated by Academy Award nominee,

Jessica Chastain, opened in select cities with AMC Theatres on February 10, 2017 and has become a driving force behind new anti-sex trafficking legislation in both the House and Senate. Called “a gripping legal thriller” (*Esquire*); “a powerful call to action” (*The Los Angeles Times*); “a viscerally emotional case” (*The Washington Post*); “especially impressive... a powerful piece of work” (*Elle*); “striking... powerful” (*The Film Journal*), *I AM JANE DOE* has captured not only the attention of film critics, but the popular press as well (e.g. *The New Yorker*, *Esquire*, *Cosmo*, *Vogue*, *NBC Nightly News*, a three-part story in *People*), providing a remarkable opportunity for culture shift, impact, and awareness, particularly with respect to the under-reported crime of child sex-trafficking.



Cyrus R. Vance, Jr. was first sworn in as the District Attorney of New York County on January 1, 2010. Mr. Vance’s achievements as District Attorney include the expansion of the Office’s Human Trafficking Response Unit; the creation of the first Conviction Integrity Program and Crime Strategies Unit in the five boroughs; 24 indictments against gun traffickers, leading to the removal of more than 3,000 illegal firearms from city streets; the first convictions of individuals on State terror charges in New York; and the dismantling of multiple domestic and international cybercrime and identity

theft operations. District Attorney Vance is the co-founder and co-chair of Prosecutors Against Gun Violence, an independent, non-partisan coalition of prosecutors from major jurisdictions across the country. Using \$12 billion obtained through penalties leveled against financial institutions that violated U.S. sanctions, Mr. Vance has made a series of significant investments in transformative criminal justice initiatives in New York City and nationally. These programs include the testing of backlogged rape kits nationwide; equipping every NYPD officer and patrol car with handheld mobile devices and tablets; reducing the number of individuals with mental and behavioral health issues in the criminal justice system; and enhancing security in New York City Public Housing Authority developments. Mr. Vance is a graduate of Yale University and Georgetown University Law Center.



Valiant Richey is a King County Senior Deputy Prosecuting Attorney. For the last nine years, he has worked in the Special Assault Unit, which handles cases involving the sexual abuse of children and adults and the physical abuse of children. Currently, Val is a senior trial attorney in the unit and is responsible for prosecuting cases involving sex traffickers and the purchase of children for sex. He is also one of two coordinators for the “Ending Exploitation Collaborative,” a multi-sector partnership in King County to end commercial sexual exploitation. Val has conducted numerous trainings and

briefings on sex trafficking and exploitation for law enforcement, service providers, policy makers and the general public. He also serves on the Washington State Commercially Sexually Exploited Children and Trafficking in Persons Coordinating Committees. He has a BA and MA in Political Science from Boston University and a JD from the University of Washington.



Angel Nguyen Swift is Vice President of Compliance and Financial Crimes Solutions at Enigma, an Operational Data Management and Intelligence company headquartered in NYC. Enigma puts data in the context of the real world and makes it connected, open and actionable for the Fortune 500.

Angel recently joined Enigma from American Express, where she served as the Vice President of the Global Financial Crimes Compliance – Financial Intelligence Unit (FIU)

and played an active role in re-envisioning and rebuilding FIU from the ground up. Today, the unit, a centralized global team of more than 300 people supporting the company in over 40 countries, is responsible for the end-to-end SAR process (monitoring, investigations and reporting), Sanctions screening, PEP/EDD reviews, and Anti-Corruption payments monitoring.

Since 2015, her mission at American Express was to more specifically focus on bringing best in class tools and technology to the virtual desks of compliance personnel at all levels, to maximize capabilities and gain meaningful intelligence in their areas of expertise. Her role at Enigma will give her the opportunity to continue this mission full-time.

Prior to American Express, Angel served as a New York County Assistant District Attorney, where she prosecuted a plethora of cases including street level violent crimes, sex crimes, and long-term identity theft and cyber crime investigations.



Michael Karimian is a Human Rights Program Manager within Microsoft's global human rights team. Michael has responsibility for Microsoft's implementation of the UN Guiding Principles, which includes Microsoft's human rights policy, due diligence, transparency, and training, as well as external engagement with human rights organizations. The human rights team is also responsible for implementing the Global Network Initiative Principles on Freedom of Expression and Privacy, and for strategic partnerships with the UN, the World Economic Forum and other key partners. Prior to joining Microsoft, Michael worked in trade finance at the Royal Bank of Scotland in London, and in business and human rights at the UN in Bangkok. Michael has a BA in Management from the University of Nottingham, an MA in International Relations from the University of Durham, and an MPA from Columbia University.



Yves Charpenel is Deputy State Prosecutor of the Supreme Court of France (since 2005) and President of the Scelles Foundation (since 2010), which is an NGO that fights against the system of sexual exploitation and is the largest global research center on sex trafficking and prostitution. Yves Charpenel is a member of the Executive Committee of the International Association of Anti-Corruption Authorities, French National Consultative Ethics Committee, and French Institute for Restorative Justice. In addition, he is the President of the Law and Democracy Organization and of the Ethics Commission for the City of Paris. He is regularly called upon as expert by the European Union and United Nations on organized crime, human trafficking and money laundering. He has authored several books on criminal law and human trafficking, and is regularly called upon to panel for the International Congress. He also provides training to magistrates and journalists on issues related to ethics, organized crime, serial crimes and miscarriages of justice. Yves Charpenel served as a Prosecutor at the High Court of the Republic from 2009 to 2012. Before then, he was Head of the strategic Criminal Affairs and Pardon Department of the Ministry of Justice (1998-2001). He has many decades of experience as a judge and prosecutor in different courts of justice in France and as a magistrate to the French Ministry of Justice (1976-1991, 1993-1998, 2001-2005). He was appointed to the cabinet of two Ministers of Justice between 1991-1993.

ALARMING SITUATION



**over 20
MILLION
people
trafficked**
Source: ILO

**More than
500 trafficking
flows identified**
between 2012 - 2014
Source: UNODC

 **HUMAN TRAFFICKING**
**The world's
fastest growing
criminal enterprise**
Source: US Department of Justice State of California

**PROSTITUTED PERSONS
MORTALITY RATE
10 to 40 times
above the average**
Source: EWL

**PROSTITUTED PERSONS
60 to 80%
victims of regular
physical and sexual
ABUSES**
Source: Melissa Farley

AN INTERNATIONAL ORGANIZED CRIME

- All countries suffer from systemic sexual exploitation. Sex trafficking is criminal activity that affects every continent and economic structure and impacts governments and citizens alike.
- A large percentage of sex trafficking and exploitation in prostitution is under the control of an extensive system of transnational organized crime, driven by ever-growing profits at the expense of the dignity and security of exploited people.
- This organized criminal industry undermines the rule of law and threatens transparent economies, peace and democracy through dangerous links between exploitation and profits, and between corruption and the sex trade.
- In some regions of the world, terrorist groups engage in sex trafficking in territories in which they operate for economic and ideological gain.

A VIOLENCE

- Sex trafficking and related exploitation in prostitution put people at increased risk of violence and abuse.
- The repetition of sexual acts performed out of financial need, including homelessness, inequality based on age, gender, gender identity, and racial or ethnic inequality, or other vulnerabilities such as physical or mental disability, constitutes sexual violence in and of itself.
- Sex trafficking is one of the most violent form of gender-based violence and discrimination. The vast majority of exploited persons are victims of many forms of violence - physical, verbal, sexual, psychological and economic.

2 MILLION victims PER YEAR
of sexual exploitation

Source: UNICEF

97% of
detected victims of
trafficking for
sexual exploitation
ARE **WOMEN**
AND **GIRLS**

Source: UNODC

**SEX TRAFFICKING
OF MINORS**
The Median Age is

15 YRS
OLD
IN **US**

Source: US Department of Justice

**MOST vulnerable
& marginalized**



ARE OVERREPRESENTED

Source: Melissa Farley

A VIOLATION OF HUMAN DIGNITY

- Sex trafficking and related exploitation in prostitution are incompatible with the rights and dignity of the human person.
- Sex trafficking and related exploitation in prostitution are direct violations of the physical and psychological integrity of victims.
- Placing human bodies and sexuality into the realm of the marketplace reinforces the objectification of victims and fosters the idea that people are sexual commodities.

AN EXPLOITATION OF INEQUALITY

- Sex trafficking and exploitation in prostitution are part of a long patriarchal tradition of subordinating women and girls.
- Sex trafficking and exploitation in prostitution are societal obstacles to establishing mutual and respectful sexuality. They strengthen the unequal power dynamic present in all forms of violence against women.
- Sex trafficking and related exploitation in prostitution are predicated on multiple and interconnected forms of inequality: men's domination over women, adults over children, rich over poor, North over South, whites over people of color.
- Women and girls, people of color, immigrants and members of other marginalized and discriminated against groups are vastly overrepresented in the sex trade all over the world.

TRAFFICKING IN PERSONS IS
one of the **3 most profitable crimes**

with drug and arms trafficking

Source: UNODC

SEXUAL EXPLOITATION
66% of the profits
of human trafficking

Source: ILO

IN INDUSTRIALIZED ECONOMIES

 **A pimp earns***
ALMOST
\$ 100,000
per year per victim of
commercial sexual exploitation

*Turnover - Source: ILO

Impunity prevails

**VERY FEW CONVICTIONS
FOR TRAFFICKING IN PERSONS**

Source: UNODC



CHILD PROSTITUTION

India around 1,2 million

Mexico 16,000

South Africa 28,000 to 38,000

Lithuania 20 to 50%

of prostituted people are minors

Source: ECPAT

A MARKET FOR HUMAN BEINGS

- The commercial sexual exploitation of human beings is a booming industry that grosses billions of dollars annually.
- The sex trade thrives on the commodification of the most vulnerable populations. Today millions of people around the world are being treated as common goods to be bought, sold, exploited, and discarded when no longer profitable.
- This multi-billion dollar illegal industry is naturally subject to the basic rules of supply and demand. Those who sell victims and those who purchase them play an equal role in creating a marketplace that thrives on the exploitation of vulnerable people.

A VIOLATION OF HUMAN RIGHTS

- According to the United Nations 1949 Convention, "Prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person."
- Sex trafficking and related exploitation are incompatible with articles 3 and 5 of the Universal Declaration of Human Rights, which state that "Everyone has the right to life, liberty and security of person" and that "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."
- Sex trafficking and related exploitation violate many fundamental human rights: the right to dignity, right to life, right to security, right to integrity of the person, right of equality of men and women, children rights...

LEGAL FRAMEWORK





■ In its preamble, the United Nations **Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others** (1949) asserts that prostitution and traffic in persons are incompatible with the dignity and worth of the human person. Articles 1 and 2 prohibit the exploitation of prostitution in all its forms and ask States to punish any person who exploits or facilitates the prostitution of another person, even with the consent of that person.

■ The United Nations **Convention on the Elimination of all Forms of Discrimination Against Women** (CEDAW, 1979) requires States to take all appropriate measures, including legislation, to suppress all forms of trafficking in women and exploitation of prostitution of women.

■ The **Additional Protocol** (2000) to the United Nations **Convention against Transnational Organized Crime** (known as the Palermo Convention) aims to prevent, suppress and punish trafficking in persons, especially women and children. It establishes (1) that trafficked persons, including people in prostitution, are no longer considered criminals but victims of a crime, (2) that there is now an accepted international definition of trafficking and an agreed-upon set of prosecution, protection and prevention mechanisms on which to base national legislation against trafficking, (3) that there is a comprehensive coverage of criminal means by which trafficking takes place, including not only force, coercion, abduction, or deception, but also less overt means, such as the abuse of power or of a victim's vulnerability, (4) that the exploitation of prostitution and trafficking cannot be separated, (5) that victims who are domestically trafficked for prostitution are protected by the Protocol, and (6) that States Parties must take or strengthen legislative or other measures to discourage the demand that fosters all forms of exploitation of women and children.



■ The **Council of Europe Convention on Action against Trafficking in Human Beings** (2005) focuses on the protection of victims of trafficking and the safeguard of their rights. It also aims at preventing sexual exploitation and all forms of trafficking as well as prosecuting traffickers and adopting measures to discourage the demand.

■ The **Convention on Cybercrime of the Council of Europe** (Budapest, 2001) is the unique international treaty on crimes committed via the Internet and other computer networks which binds France and the USA. It also contains a series of powers and procedures such as the search of computer networks and interception.

■ The **Council of Europe Convention on preventing and combating violence against women and domestic violence** (Istanbul, 2011) creates a legal framework at a pan-European level which can apply to sex trafficking and related exploitation in prostitution. It aims to protect women against all forms of violence and to prevent, prosecute and eliminate violence against women.



■ The **Directive 2011/36/EU of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims** (2011) binds European States' legislation to prevent trafficking, to effectively prosecute criminals and to better protect the victims.

■ The **"Sexual exploitation and prostitution and its impact on gender equality" Resolution** (2014) identifies prostitution and the exploitation thereof as an "obstacle to equality and a violation of human rights".



■ The **Resolution on prostitution, trafficking and modern slavery** (PACE, 2014) recalls the links between trafficking in human beings and prostitution and calls for the criminalization of the purchase of sexual acts.

FIGHT AGAINST HUMAN TRAFFICKING & PROSTITUTION

FRANCE

On 13 April 2016, France enacted an abolitionist law aimed at strengthening the fight against the system of prostitution and assisting prostituted persons.

In this way, France fully remodeled its public policies in terms of prostitution and human trafficking. Comprehensive provisions aim at genuinely reducing prostitution and effectively protecting victims:

- Recognizing prostitution as a form of violence and an obstacle to gender equality
- Ending the repression of victims of prostitution by abolishing the offence of solicitation
- Creating access to exit pathways out of prostitution, nationally
- Ensuring protection and support to all victims, including non-citizens
- Reducing prostitution by prohibiting the purchase of sexual acts - the act of purchasing sexual acts is now punishable by a 1,500€ fine
- Reinforcing the fight against pimping, procuring and trafficking for the purpose of sexual exploitation off and online
- Establishing a national policy for prevention, education and training.



An **Interministerial Mission for the Protection of Women Against Violence and the Fight Against Human Trafficking (MIPROF)** was created in 2013 with the aim of providing greater protection for trafficking victims. In 2014, the French government adopted a **National Action Plan Against Human Trafficking** with 3 priorities: protection of victims, dismantling networks linked to trafficking, and implementing a fully-fledge public policy on this issue.



- **Advertising human trafficking on a website** can also be prosecuted as it can be considered indirect procuring. This crime is punishable by 10 years imprisonment and a 1,500,000€ fine. In some countries, the fact of advertising sexual acts in exchange of money is in itself a criminal offense.
- As for cyber investigation, French criminal procedure code set up several special investigatory techniques, such as **computer data collection and decryption or undercover operations**. For instance, law enforcement can chat online under alias with human traffickers, pretending to be potential customers.

In France, in the absence of victims' complaint, not only can the prosecutor prosecute anyway but some civil society organization can bring criminal indemnification proceedings.

USA

■ **The Trafficking Victims Protection Act** first enacted in **2000 (TVPA)** creates the first comprehensive federal law to address human trafficking and establishes the framework for the "3P's" with several methods of Protecting victims and survivors of trafficking, Preventing human trafficking, Prosecuting traffickers. Its main provisions include:

- Establishing human trafficking and related offenses as federal crimes and attaching severe penalties to them
- Mandating restitution be paid to victims
- Preventing trafficking by establishing the Office to Monitor and Combat Trafficking in Persons, which is required to publish a Trafficking In Persons (TIP) report each year
- Establishing the victims T-visa.



■ **The Justice for Victims of Trafficking Act (JVTA) of 2015** creates a significant breakthrough by identifying buyers of trafficked adults and children as traffickers themselves. Section 108 provides for the prosecution of individuals who patronize or solicit persons for a commercial sexual act, thus making traffickers and buyers equally culpable for sex trafficking offenses.

NEW YORK STATE

■ **New York State's Human Trafficking Law of 2007** is the most comprehensive of its kind in the country, providing law enforcement with new tools to fight what has been described as "modern-day slavery." The law is designed to attack the "supply" side of human trafficking by creating two new crimes: sex trafficking and labor trafficking. It gives prosecutors the ability to bring charges against purveyors of so-called "prostitution tourism." New York's law also targets demand by eliminating the distinction between trafficking and prostitution. It increases the penalty for patronizing a person in prostitution from 3 months in jail to up to 1 year.

■ **The Safe Harbor for Exploited Children Act of 2008**, amended in 2014, ensures that commercially sexually exploited children under the age of 18 are treated as victims in need of services instead of criminal defendants or juvenile delinquents.

■ **In 2010** New York State became the first State to pass a **law enabling trafficking victims to vacate prostitution convictions**.

■ **In 2015**, the New York State legislature unanimously passed **The Trafficking Victims Protection and Justice Act (TVPJA)**, which raises the penalties for patronizing children in prostitution and promoting the prostitution of children, makes it easier for prosecutors to wiretap pimps, eliminates the stigmatizing word "prostitute" from the New York State Penal Code, establishes sex trafficking as an affirmative defense to a charge of prostitution, and provides a civil remedy for victims to recover damages and reasonable attorney's fees from their exploiters.





ACT No 2004- 575 OF
THE 21ST JUNE 2004

For Confidence in the Digital Economy

In principle, internet service providers are not liable for user-generated content posted on their websites.



ACT No 2016- 444 OF
THE 13TH APRIL 2016

Aiming to Strengthen the Fight Against the Prostitution system and to Assist Prostituted People

Amends Article 6 of Act No 2004-575 of the 21st June 2004 for Confidence in the Digital Economy.

UNLESS

1. They don't comply with their legal obligations to:

- Set up a signaling system for harmful contents, which must be easily visible and available for every web user.
- Record data that can be useful in a criminal investigation, such as information enabling the identification of content editors; they also have to communicate this information to the judiciary when requested.
- Make public the measures they devote to combating cyber human trafficking.

2. They have knowledge of illegal content on their web site and don't promptly remove it and inform the public authorities.

When liable, they can be sentenced up to 1 year imprisonment and a 75,000€ fine.

Article 1 creates an obligation upon internet service providers to promptly inform competent public authorities of any content that violates the Act in respect to pimping, and to make public the means and measures they devote to combating such illegal activities.

FRANCE



CDA

Communications Decency Act of 1996 47 U.S.Code § 230

Section 230 of the CDA protects websites from liability for material posted by third parties.

Section 230 of the CDA has been interpreted by the courts as providing **immunity for internet service providers from user-generated content posted on their websites**, thus shielding them from both criminal prosecution and civil lawsuits. There is a blanket exception to this immunity allowing the prosecution of service providers for alleged violations of the federal criminal law.

USA

PENDING BILLS PROPOSING TO AMEND SECTION 230 OF THE CDA

SESTA "Stop Enabling Sex Traffickers Act" of 2017

*Senate 1693 sponsored by
Rob Portman (R-OH) &
Richard Blumenthal (D-CT)*

SESTA proposes to hold internet service providers responsible for "knowingly advertising," "advertising with reckless disregard," or "knowingly profiting" from sex trafficking through ads posted by third parties on their websites.

FOSTA "Allow States and Victims to Fight Online Sex Trafficking Act" of 2017

*House of Representatives 1865
sponsored by Ann Wagner (R-MO)*

Mirroring the SESTA legislation, the last version of **FOSTA** passed the House of Representatives on February 27, 2018.

The Walters Amendment, endorsed by Congresswoman Ann Wagner, reinstates pro-victim sections of the original bill, including provisions from S. 1693, the Stop Enabling Sex Traffickers Act. In its amended version, House's FOSTA would:

- Clarify that Section 230 of the CDA does not impair or limit victims of sex trafficking from using their private right of action against the websites that sell them;
- Amend the federal sex trafficking statute to define 'participation in a venture' in response to the U.S. Court of Appeals for the First Circuit's 2016 decision in *Jane Doe vs. Backpage.com, LLC*;
- Allow State Attorneys General to bring civil actions on behalf of sex trafficking victims.

TECHNOLOGY IMPACT



INCREASING ROLE OF TECHNOLOGY

■ During the past two decades, Internet and cellular technology use has been growing rapidly. The use of digital devices is a pervasive phenomenon nowadays.

■ Since 2000, global Internet users have grown by 1,052%. Today, North America counts more than 345 million Internet users (95% of penetration rate) and Europe 705 billion (85% of penetration rate), while Asia has reached 2 billion users (48% of penetration rate) (*Internet World Stats, dec.2017*).

There are now 2.6 billion social media users worldwide and this number is ever growing. It is predicted that there will be more than 3 billion social media users in 2021 (*Statista 2018*).

■ Mobile devices are ingrained in our lives. American people spend 5.6 hours per day on digital media, 3.1 of which on a mobile (Internet trends 2017, KPCB). In 2017, consumers downloaded 197 billion mobile apps to their connected devices (353 billion in 2021, *Statista 2018*).

■ One unforeseen consequence of the rise of technology has been the explosion of the sex trade.

TECHNOLOGY IMPACT ON SEX TRAFFICKING

■ Use of technology has exacerbated the massive sex trafficking growth, since tech-savvy predators have been using technology to facilitate their business.

■ Use of technology by traffickers, victims and buyers is increasing. The Internet and cellular technology offer individuals the opportunity to stay connected around the clock and from any distance, and offer access - to information, goods and people - that previously was out of reach. These same benefits support its growing popularity in sex trafficking (*Thorn*).

■ More than 50% of sex trafficking now takes place online and this will continue to increase because the use of technology is likely to continue to grow.

■ At the same time, technology offers the opportunity to disrupt traffickers' business, deter abusers, protect vulnerable people and provide efficient tools to users and those who are engaged in the fight against sex trafficking.

GLOBAL INTERNET USERS

 + 1,052%
Since 2000

Source: Internet World Stats

SOCIAL MEDIA USERS

+3 billion in 2021

Source: Statista

49% UNDERGROUND
COMMERCIAL
SEX ECONOMY
is online
in USA

Source: Urban Institute,
data from 2003-2007

PROSTITUTED PERSONS

62% in France
ONLINE ACTIVITY

Source: PROSTCOST

Every Day
150,000 New Escort Ads
Are posted online

Source: Thorn

 3 out of 4

THE UNDERAGE SEX TRAFFICKING VICTIMS
ADVERTISED OR SOLD ONLINE

Source: Thorn

TECHNOLOGY AS A LEVER OF SEX TRAFFICKING DEVELOPMENT

Technology gives traffickers and other exploiters the opportunity to expand their reach and gain influence because they are able to engage with more victims and sex buyers simultaneously and around the clock.

Technology is playing an increasing role in all aspects of sex trafficking and exploitation in prostitution for:

- grooming, recruiting, controlling and transporting

victims;

- connecting with a wider range of potential sex buyers, advertising to sex buyers and proceeding with invisible payments.

Technology contributes to the development of new forms of sex trafficking and exploitation in prostitution and an increased volume of these phenomena.

PAYMENT OF TRANSACTIONS

The development of cryptocurrencies, such as bitcoins, has facilitated the setting up of anonymous and near-zero cost transactions for traffickers.

RECRUITMENT OF VICTIMS

The web offers traffickers and other exploiters an unlimited global market of potential victims. Use of technology in this process is on the rise. Traffickers leverage networks and platforms to recruit (grooming, false job advertisements ...) and sell sex trafficking victims.

BUYING & SELLING

Traffickers and other exploiters take advantage of new tech like encrypted messaging or dark web. Increasing use of social media and apps by buyers has been recorded in order to communicate with traffickers and victims. Online communities of sex buyers prop up the market by sharing information, encouraging sex buying and normalizing sexual exploitation.

Because of technology, the 'offer' has tremendously increased and evolved in innovative ways : ads, sex tours, web cam, ...



CONTROL & TRACKING OF VICTIMS

Exploiters maintain daily control and pressure over victims, using cyber technology - computers, mobiles, geolocation, social networks, cameras,...

TRANSPORT OF VICTIMS

Technology supports all the logistical issues at lower cost and facilitate interconnections with other criminal networks.

ADVERTISING

Technology makes traffickers' and other exploiters' advertising a low cost activity with low risk of getting caught. Traffickers take advantage of tech opportunities and legal loopholes on Internet service providers' liability. Online advertising increases sex trafficking (greater number of buyers because previously reluctant to engage in street prostitution, increased number of sex buyers per day as reported by victims).

18 PARTICIPANT KIT - Combating Online Sex Trafficking - March 14, 2018, NYC

78%
INVOLVE
THE USE
OF TECH

of the cases of commercial
sexual exploitation
OF CHILDREN IN USA



Source: Mary G. Leary

US Survivors of Domestic Minor Sex Trafficking

ADVERTISED ONLINE

75%

after 2004



38%

prior to 2004

Source: Thorn

Although it is difficult to imagine totally eradicating online sex trafficking and related exploitation in prostitution, it is possible to drastically increase the risks associated with this activity in order to make it a less appealing trade for traffickers and sex buyers. Technology industry has an important role to play in driving deeper research and innovation and developing more advanced and sophisticated tools to combat sex trafficking. Technology provides new opportunities, and some tools are already being used to effectively disrupt the exploiters' business: to develop preventive actions,

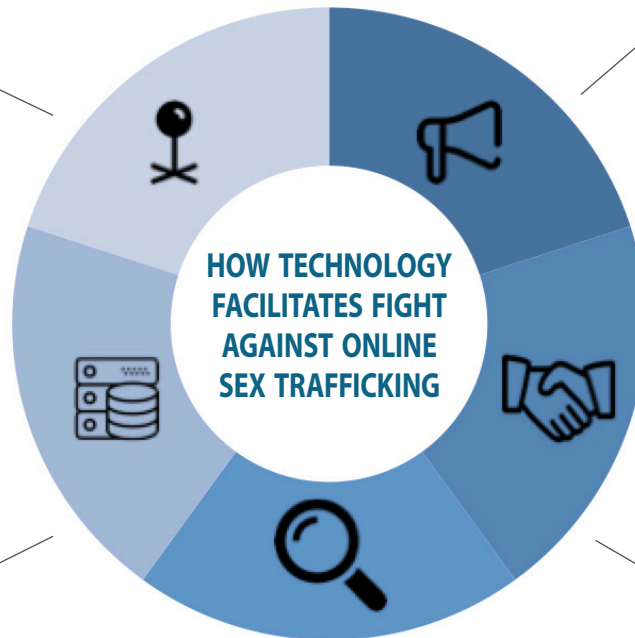
monitor illicit activity, locate and rescue the victims, elevate help resources to victims, deter sex buyers, collect and analyze data to prosecute traffickers and ease the communication between all anti-trafficking actors internationally and from various sectors. Technology is an asset to combat sex trafficking and exploitation in prostitution and to protect those targeted by predators. Technology can save lives. Here are some areas where smart technology helps organize and provide intelligence within the enormous and complex online commercial sex trade.

GEOGRAPHICAL MAPPING

- Geo mapping system: capture, storage, analysis and spatial geographic presentation of data.
- Better visual understanding of stories.
- Connection with others databases for years to come.

EXPLOITATION OF BIG DATA

- Search databases to sift through massive amounts of data.
- Cognitive computer-based analytics: safe organization, storage and sharing of information, data analysis tools.
- Collection of evidence left by traffickers, supporting trafficking investigations process - going through and sorting information, generating profiles.
- Detection and report of abusive images and suspicious ads, removal of bad contents.



PREVENTION, TRAINING & INVOLVEMENT OF USERS

- Tools to disrupt platforms: flagging devices to slow down illegal content, fake discussions on chat platforms with warning messages...
- Involvement of users: report abuse buttons/platforms, education videos and games, online training courses, online petitions, crowdfunding campaigns, ...
- Tactics to reach and persuade specific sub-groups: deterrence programs to change predatory behavior, help resources to increase accountability.

IDENTIFICATION OF VICTIMS & SUPPORT

- Free hotlines to support and rescue victims.
- Apps for victims to seek help and warn relatives when they feel in danger.
- Search features to reach out victims and accelerate identification.
- Tools to connect victims with resources.

FINDING OF EVIDENCE & PROSECUTION

- Tools improving efficiency of investigations.
- Technology giving ability for law enforcement to collaborate across jurisdictions.
- Forensic evidence extractor tools for investigators.
- Tools tracking specific types of payment.

NATIONAL HUMAN TRAFFICKING HOTLINE
5,593 Sex Trafficking Cases
 reported in 2016 in USA



Source: Human Trafficking Hotline US-based signals (phone calls, emails, online tip reports)

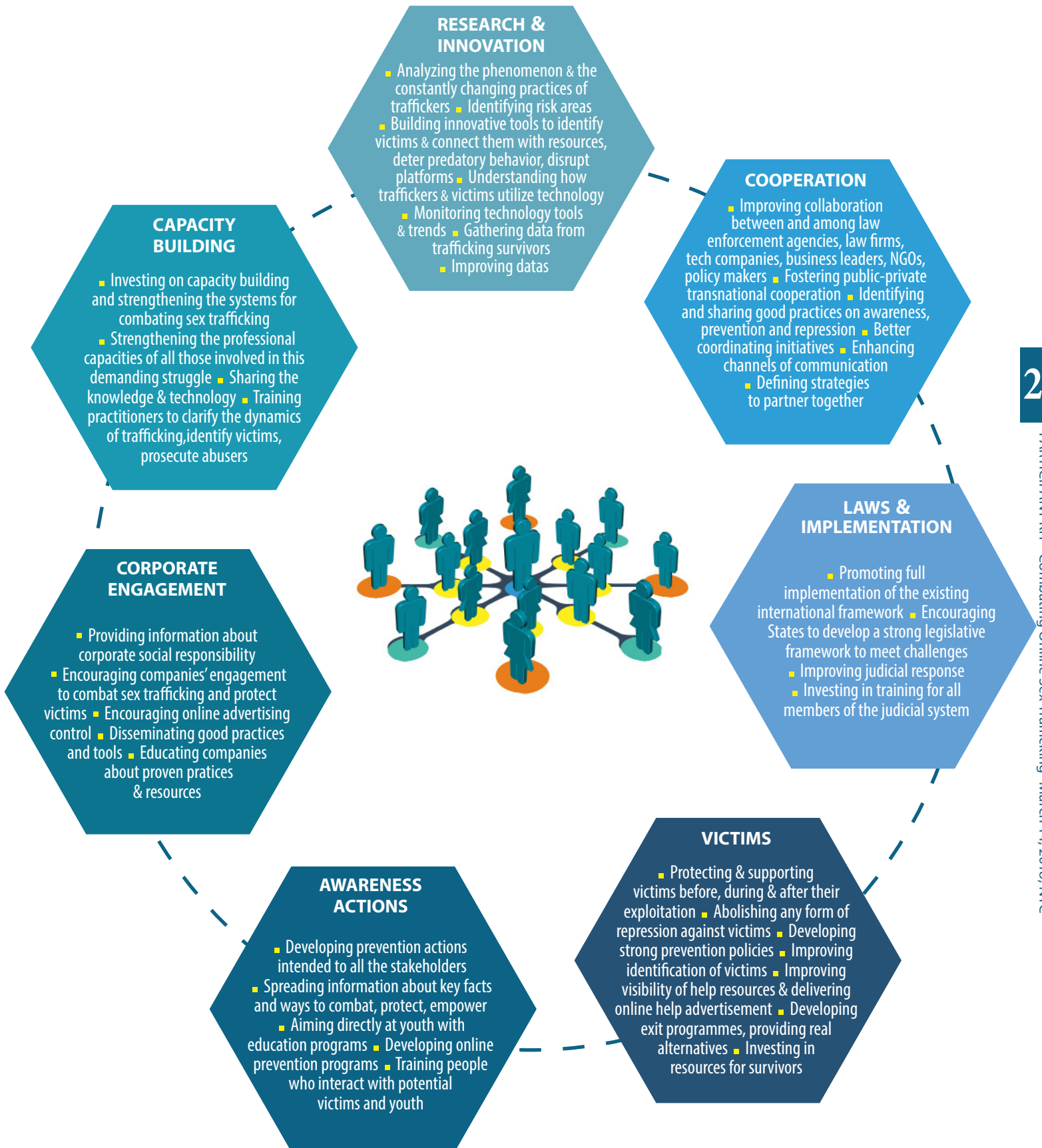
SPOTLIGHT/WEB APP
18,119+ Victims Identified
6,553 Traffickers Identified
21,044+ Assisted Investigations

Source: Spotlight Data from Sept. 2016 + 2017 user survey covering the previous 12 months

CALL FOR ACTION



Beyond legal, judicial and societal differences, countries' shared values, especially the refusal to see the weakest treated as products, will guarantee a brighter future. Efforts must be strengthened and new answers must be found to achieve a solution to online sex trafficking. The problem must be attacked from all sides to make a difference. There is need for further action in a number of different areas.



ABOUT US





Scelles Foundation

*Knowing, Understanding, Fighting
Sexual Exploitation*

scellesfoundation.org | [@Fond_Scelles](https://twitter.com/Fond_Scelles) | [@FondationScelles](https://twitter.com/FondationScelles)



Sanctuary for Families

sanctuaryforfamilies.org | [@sffny](https://twitter.com/sffny) | [@SanctuaryforFamilies](https://twitter.com/SanctuaryforFamilies)



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SCELLES FOUNDATION

14 Rue Mondétour
75001 Paris, France
T: + 33.140.260.445
scellesfoundation@gmail.com

SANCTUARY FOR FAMILIES

PO Box 1406
Wall Street Station
New York, NY 10268
T: 212.349.6009
info@sffny.org

PERMANENT MISSION OF FRANCE

TO THE UNITED NATIONS
245 East, 47th Street, 44th floor
New York, NY, 10017
T: 212.702.4900

THOMSON REUTERS FOUNDATION

30 South Colonnade
London E14 5EP
T: +44(0)20 7542 9633
E: foundation@tr.com



Scelles Foundation

*Knowing, Understanding, Fighting
Sexual Exploitation*



For 25 years, the **SCELLES FOUNDATION** - a recognized public benefit foundation based in Paris - has been fighting against the system of prostitution and the exploitation of prostituted persons. As an international monitoring body specializing in keeping track of and analyzing prostitution-related phenomena, the Scelles Foundation is also a key player in legal actions, advocacy, awareness programs, mobilization efforts against sexual exploitation. The Scelles Foundation's programs aims at building a world without prostitution and disrupting the system of prostitution which is an exploitation of the most vulnerable people, a form of violence, a violation of human dignity and rights, and perpetuates sex trafficking.

It is a founding member of the Coalition for the Abolition of Prostitution, CAP International, which was launched in 2013, bringing together 23 abolitionist NGOs from 18 countries.



Sanctuary for Families



SANCTUARY FOR FAMILIES is New York's leading service provider and advocate for survivors of domestic violence, sex trafficking and related forms of gender violence. Every year, Sanctuary for Families empowers thousands of adults and children to move from fear and abuse to safety and stability, healing and self-determination.

Through a range of comprehensive services and through outreach, education and advocacy, Sanctuary for Families transforms lives and strives to create a world in which freedom from gender violence is a basic human right.



Mission permanente de la France
auprès des Nations unies



THE FRENCH PERMANENT MISSION TO THE UN represents France at the United Nations headquarters in New York. Its role is to monitor the activities of the UN to report them to the French authorities, and relay and defend France’s positions. The mission’s diplomats make sure that these positions are taken into account during negotiations in collaboration with our European partners notably.

Within the United Nations, France plays an active role in all areas, among them peace and international Security, development, environment and climate change, human rights as well as the UN Reform to make the organization more efficient and more representative of current global indicators.

As one of the founding members of the UN in 1945, France is a member of the Security Council and thus holds a permanent seat, like the United States, China, the United Kingdom and Russia. As such, it plays a key role in many issues and drafts a large number of texts adopted by the Security Council.

France is also represented in other main organs of the UN (in ECOSOC where it has been a continuously re-elected member since its creation; in the Trusteeship Council where it has a permanent seat) as well as in the subsidiary organs (elected to the Human Rights Council and permanent member of the Conference on Disarmament, for example).

Nearly 80 people, including 30 diplomats, work at the mission. The mission also includes an economic section responsible for assisting French companies with the UN tendering process and a military section which liaises between the military division of the UN Secretariat’s Department of Peacekeeping Operations and the French military authorities.



THOMSON REUTERS
FOUNDATION



THE THOMSON REUTERS FOUNDATION acts to promote the highest standards in journalism and spread the practice of legal pro bono worldwide. The organisation runs initiatives that inform, connect and empower people around the world. It plays a thought leadership role in the fight against slavery and trafficking by raising awareness of the crime through authoritative reporting and journalism training, by providing access to free legal assistance and research to anti-slavery organisations, and by convening key players in the global fight against modern slavery at the Trust Conference.

ANNEXES

ANNEX 1 - REMARKS

ANNEX 2 - TECHNOLOGY CAN HELP

ANNEX 3 - WALTERS AMENDMENT

ANNEX 4 - 2016 FRENCH PROSTITUTION LAW

ANNEX 5 - DEMAND FOCUSED LEGISLATION

AMBASSADOR SUNESSON'S REMARKS

MARCH 14, 2018, NEW YORK CITY

It has been said many times before but it needs to be repeated over and over - human trafficking is one of the worst violations of human rights.

Today at least an estimated 21 million people, including 5 million children, are trafficked. While the abolition of slavery and forced labour was one of the first human rights struggles in modern history, it is clear that the international community must do a lot more in order to stop this hideous crime.

While the causes and impacts of human trafficking vary from country to country, generally the most vulnerable in society are targeted, which often include women and children.

It is essential that countries collaborate. Human trafficking knows no borders. With over 500 different trafficking flows detected in Western and Southern Europe alone and with victims of 137 different nationalities - as reported by UNODC in their 2016 Global Report on human trafficking - it is clear that traffickers are able to profit from the most vulnerable in society. Estimated profits from human trafficking were over \$150 billion in 2014, according to the ILO.

Also - Rapid innovations in information and communication technologies facilitate the trafficking in human beings (THB) by exposing a growing number of victims to traffickers. These traffickers use social networks and online classified sites to market, recruit, sell and exploit their victims.

The use of internet platforms allows organized crime syndicates (OCS) to exploit victims of sex trafficking on a much larger scale. Traffickers advertise their victims in extensive online catalogues. OCS can manage dozens of victims at the same time. The OCS involved are highly organized and mobile, operating across numerous countries and jurisdictions. They operate both independently and in collaboration with other crime groups.

The question of how member states should deal with human trafficking is multi-faced. While most member states have

legislation which criminalises human trafficking, in reality, very few human traffickers face prosecution due to issues of corruption and the difficulty in prosecuting the perpetrators.

Differing approaches have led to differences between countries in their solutions towards human trafficking, resulting in a split international community.

For example, my own country Sweden have seen a decrease in sex trafficking due to the criminalization of the purchasing of sex. Since 1999, this change in law has meant that from Sweden's point of view, any woman who is selling sex has been forced to do so, either by circumstance or coercion. Therefore, anybody who is caught buying sex faces sanctions: from fines to time in prison.

The evaluation of the Swedish law shows that street prostitution decreased by with more than 50 per cent after the implementation of the law.

What's even more important - the law has also had an important impact on the mindset of people in Sweden. More than 70 per cent of Swedish population is behind the law and very few thinks it's ok to buy sex. The demand for girls and women to sexually exploit has been reduced.

Recalling what Mary Honeyball stated in her report and what Interpol, Europol and other organizations have said repeatedly - that there are several links between prostitution and trafficking, and that prostitution - both globally and across Europe - feeds the trafficking of vulnerable women and under-age females, a large percentage of whom are between 13-25 years old; - I really think it's time for those countries who allows prostitution to reconsider that decision.

As long as there are differing approaches between countries on how to combat human trafficking our efforts to stop this terrible crime, which hinders development and so unscrupulously profits from the despair and vulnerability of people everywhere, will keep on falling short.

YVES CHARPENEL'S REMARKS

MARCH 14, 2018, NEW YORK CITY

His Excellency Ambassador François Delattre, Permanent Representative of France to the United Nations,
His Excellency Per-Anders Sunesson, Ambassador at Large for combating trafficking in persons,

Dear Melanie Thompson,

Dear Representatives of non-governmental organizations, tech companies, law firms, law enforcement, and business leaders,

Dear Ladies and Gentlemen,

I would first like to thank Proskauer and William Silverman, responsible for leading Proskauer's global pro bono efforts, for graciously hosting us tonight, and also thank our others American and European great partners, Sanctuary for Families, Permanent Mission of France to the United Nations in New York and Thomson Reuters Foundation.

I would like to express my gratitude to all of you for being here, as well. It is an honor to sit with such a great panel at this table.

With Dorchen, without whom nothing would have been possible, we now have to sum up.

Rapid developments in the international human trafficking market, of which sexual exploitation is incredibly rife, are a major challenge for our societies, today.

This extreme violence against women, and more generally against the world's most vulnerable individuals and groups, prevents us from remaining unresponsive.

The Scelles Foundation, which I represent here, has 25 years of experience in gathering information on this criminal activity and identifying the strengths and weaknesses of anti-trafficking efforts as they are carried out around the world.

In addition to setting up a documentation center that covers all aspects of trafficking in human beings, we participate in numerous studies and events on behalf of NGOs and authorities across the globe.

For more than four years, we have been participating in the CSW in New York City by engaging in multiple exchanges on the extent and nature of human trafficking throughout the world.

We have thus observed how traffickers have been able to take advantage of our fragility and the indifference of many, how violence against women has become more commonplace and aggravated, and how our responses have been blurred in a world that is characterized by extreme inequalities between groups of people.

The globalization and subsequent advancement of human trafficking which is now the second most profitable criminal activity in the world, affects millions of people whose voices cannot be heard.

The widespread use of digital technology by traffickers, which has been reported in nearly 60% of documented situations of exploitation, further complicates the identification of perpetrators and victims.

With this revelation we now understand in what direction anti-trafficking initiatives should turn.

In combining the power of various legal tools as well as the actions of public and private partners, we can make a positive impact toward the fight against human trafficking.

Both Europe and the United States share common legal weapons, such as the UN Protocol on Organized Crime and the Budapest Convention on Cybercrime.

With significantly different legal and judicial contexts our two countries have taken and will take normative initiatives, to better navigate a world characterized by this new face of exploitation.

Here, as in France, we are witnessing an ever-increasing threat against our efforts to ban the commodification of human body.

Today, sexual exploitation is truly pervasive, and the profit garnered

from this criminal activity serves as the main driving force behind trafficking in human beings.

Consequently, anti-trafficking organizations and law enforcement agencies around the world are building capacity to better tackle this criminal market as it exists today.

We are witnessing very positive results.

For example, in France, nearly 60 trafficking networks are dismantled annually and approximately 500 convictions are handed down.

I would like to point out that in this context, the Scelles Foundation, in correlation with French law, has the possibility to bring civil action against perpetrators in human trafficking legal proceedings even if the victim is not present.

For the past year we have cultivated a partnership with Proskauer France in which we provided attorneys with pro-bono trafficking cases.

This partnership has proved fruitful as these cases are rather significant and represent crucial issues in Paris currently.

We desire to increase the scope of our partnership to involve private companies which, as was noteworthy in the fight against corruption, can develop awareness raising and prevention tools.

The shared concern of lawyers and high-tech companies to protect cyberspace from traffickers's unacceptable use of online platforms must impose on us a greater willingness to work together to prevent this phenomenon.

Detecting the shortcomings of our prevention systems, identifying risk areas for the most vulnerable and analyzing the constantly changing practices of traffickers is our common objective.

In the light of the shortcomings of our legal systems in persecuting human traffickers as well as revelations made through various studies on the cause and effect of sexual exploitation, we are

constantly refining our perception of what is at stake and what are the major challenges.

Today, we call on our partners, women's rights organizations, «survivor» women's organizations, lawyers committed to human rights and public and private leaders, to share their thoughts.

Just as our two countries strive to put an end to terrorism and corruption, we should place anti-trafficking initiatives at the forefront of our legal agendas.

The Scelles Foundation desires to foster partnerships which focus on three main goals:

- the first is to identify good practices that have allowed for significant progress in our two countries in terms of awareness, prevention and repression.
- the second is to seek to strengthen the professional capacities of all those involved in this demanding struggle.
- the third concerns the improvement of public and private transnational cooperation channels.

I firmly believe that our legal, judicial or societal differences, we share many common values.

For example, the refusal to see the weakest in our societies diminished to nothing more than a product, is a belief which transcends our cultures and demonstrates a strong commonality between us.

Finally, we also share the refusal to see crime go unpunished and we will never allow for the abandonment of the victims.

Therefore it is time to seek, and find, together, new answers, in order to ensure a brighter future to all of us and to the most vulnerable among us.

Thank you!

Selection of innovative tools dedicated to preventing sex trafficking, reporting illegal contents, locating and rescuing victims, improving effectiveness of investigations, disrupting platforms, deterring abusers and tackling demand (*some tools are not specific to the issue of trafficking in persons, aiming at protecting from all unsafe internet contents*):

CyberTipline



In 1998, NCMEC (National Center for Missing & Exploited Children) launched the CyberTipline to further its mission of helping to prevent and diminish the sexual exploitation of children.

The CyberTipline provides the public and electronic service providers (ESPs) with the ability to report online (and via toll-free telephone) instances of online enticement of children for sexual acts, extra-familial child sexual molestation, child pornography, child sex tourism, child sex trafficking, unsolicited obscene materials sent to a child, misleading domain names, and misleading words or digital images on the Internet.

NCMEC continuously reviews CyberTipline reports to ensure that reports of children who may be in imminent danger get first priority. After NCMEC's review is completed, all information in a CyberTipline report is made available to law enforcement. More than 12.7 million reports of suspected child sexual exploitation have been made to the CyberTipline between 1998 and June 2016.

Report It

24-Hour HOTLINE
1-800-THE-LOST (1-800-843-5678)

If you think you have seen a missing child, contact the National Center for Missing & Exploited Children 24-hours a day, 7 days a week.

Report Child Sexual Exploitation
 Use the Congressionally-authorized CyberTipline to report crimes against children.

MAKE A CYBERTIPLINE REPORT

NATIONAL
CENTER FOR
**MISSING &
EXPLOITED**
 CHILDREN
www.missingkids.com

Reportchildsextourism.eu



Involving members of the ECPAT network from 16 European countries, the project "Don't Look Away!" co-funded by the European Union, aims to promote new ways to combat the sexual exploitation of children in the context of travel and tourism. It also benefits from the support of government ministries as well as other public and private actors, including from the tourism sector, in the 16 countries involved.

The project led to the creation of an international platform reportchildsextourism.eu, which enables individuals to report suspected cases of child sexual exploitation even if they are abroad through providing links to existing national online reporting mechanisms. Where no national reporting mechanism exists, the website will provide alternative information on how to report.

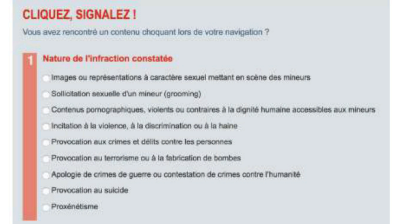
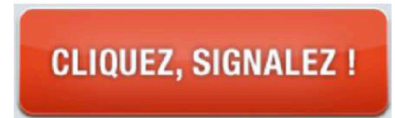
- 01 Témoin**
 Vous êtes témoin d'une situation qui vous pousse à croire qu'un enfant est victime d'exploitation sexuelle. Observez attentivement la scène et essayez de vous souvenir du plus grand nombre de détails possible. Souvenez-vous des mots-clés « qui », « quand » et « où ».
- 02 Signalement**
 Allez sur « www.reportchildsextourism.eu » et cherchez le drapeau correspondant à votre pays. Cliquez sur le drapeau pour être redirigé vers le mécanisme national de signalement en ligne où vous pourrez décrire la scène à laquelle vous avez assisté. Vous pouvez également télécharger l'application sur votre smartphone.
- 03 Que se passe-t-il avec mon signalement?**
 Votre signalement est transmis aux autorités chargées d'enquêter sur les crimes sexuels contre les enfants et ces dernières analyseront les informations que vous avez transmises.
- 04 Diffuser l'information**
 En parlant des mécanismes de signalement en ligne, vous pouvez aider d'autres personnes à effectuer des signalements. Rejoignez-nous sur Facebook, cliquez sur le bouton « j'aime » et informez vos amis que vous vous engagez dans la lutte contre le tourisme sexuel impliquant des enfants.

POINT DE CONTACT

Born of the Internet industry's desire to contribute to the fight against harmful content on the Internet, Pointdecontact.net is since 1998 the French online reporting service that allows all Internet users to report any type of harmful content encountered on the Internet through a simple, anonymous and mobile-friendly form.

Supported by the European Commission, Point de Contact is an initiative of the French Internet Service Providers Association (AFA), founded in 1997, which includes Internet access providers, hosting service providers, search engines and social network platforms.

AFA is also a founding member of INHOPE, the international network of Internet hotlines, established in the aim of fighting against child sexual abuse content worldwide.

**PHAROS**

Launched in 2009, Pharos - Platform for Harmonization, Analysis, Cross-checking and Referral of alerts - has been developed by the French Department of Homeland Security.

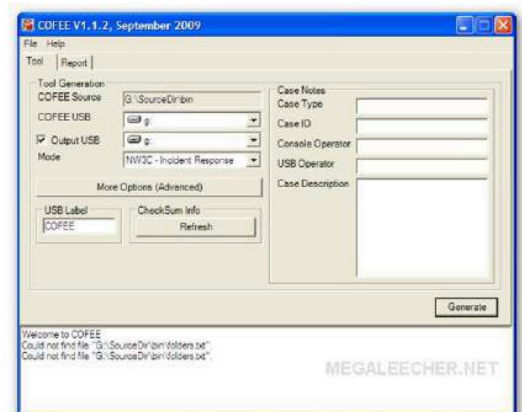
This device is used to report illegal content and behavior on the Internet, such as child pornography. A dedicated site www.internet-signalement.gouv.fr registers reports.

Police officers assigned to the PHAROS platform verify that the content and behaviors reported constitute an infringement of French law.

**COFEE**

Computer Online Forensic Evidence Extractor (COFEE) is a software program for use by law enforcement.

The utility is designed for crime-investigators allowing quick and fully-automated extraction of forensic data from computers suspected of containing criminal activity evidence. Provided in a USB device, it offers features such as the ability to decrypt passwords, search the computer's Internet activity, and analyze the data stored on it even including the data stored in volatile memory.



SPOTLIGHT

Thorn has partnered with Digital Reasoning, the McCain Institute, Google to create Spotlight, a web-application that provides law enforcement with intelligence and leads on suspected human trafficking networks to identify and assist victims.

Spotlight takes the massive amount of data and turns it into an asset for law enforcement. It improves the effectiveness and efficiency of domestic sex trafficking investigations and increases the number of victims who are identified and connected to services. It prioritizes leads by leveraging machine learning algorithms and insight from officers in the field. Spotlight also connects disparate data sources to provide deep investigative tools to aid officers in their understanding of the historical and geographical reach of a victim's trafficking situation.



32

MEMEX

Under the guidance of Cyrus R. Vance, Jr., the NY District Attorney Office has created the Human Trafficking Response Unit (HTRU) which employs a forensic accountant and a data engineer in order to find innovative ways to apprehend emerging concerns.

Vance's office has been one of the first prosecutor's office to use Memex, developed by the Pentagon. It is a search engine allowing to launch searches on the whole web including dark and deepweb. The search engine, which gets its name from a combination of "memory" and "index" was designed to explore the uncharted terrains of the Internet, including the databases of information not indexed by Google and the darker part of the web where criminal activities, such as sex trafficking and drug dealing, take place.

In 2017, Memex has been used in 271 human trafficking investigations led by Vance's office.



Project VIC



Supported by The National Association to Protect Children Project, Project VIC champions a transformation in the approach to child exploitation investigations by developing innovative technologies and victim-centric methodologies. It is a community of investigators, victim identification specialists, application developers, scientists and strategic partners dedicated to improving success rates in rescuing victims of child sexual exploitation and trafficking.

Project VIC led to the creation of a standards-based protocol called **Video Image Classification Standard**, or **VICS**. The VICS protocol makes it straightforward to exchange comprehensive sets of hashes domestically and internationally without having to touch or manipulate the data. VICS was developed to help police agencies focus on victims and other never-before-seen materials.

Created by Friend MTS to aid law enforcement in identifying child victims, **F1 Video Fingerprint Technology** is a custom technology that helps investigators identify images hidden or obscured in often hard-to-reach video formats. The technology creates a hash of offending video clips that might be a short burst of a child pornographic video appearing several minutes into another piece of video or movie. F1 allows investigators to crop the abusive material and put it into the cloud, where it can be matched against other video categories.



Friend MTS 

PhotoDNA



PhotoDNA Cloud Service automatically detects and reports images that exploit children. Part of the Project Vic, the PhotoDNA technology is managed and supported by the International Centre for Missing & Exploited Children (ICMEC).

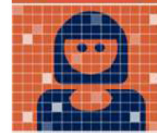
It works by converting images into a grayscale format, creating a grid and assigning a numerical value to each tiny square. Those numerical values represent the “hash” of an image, or its “PhotoDNA signature.” The program protects user privacy in that it doesn’t look at images or scan photos; it simply matches a numerical hash against a database of known illegal images. When a match is found, the images are automatically flagged for reporting to the appropriate authorities.

About 720,000 of child sexual abuse images are among the 1.8 billion pictures uploaded across the Internet each day.



1

Known child exploitation images identified by trusted sources such as NCMEC.



2

PhotoDNA Cloud Service hashes and converts images into numerical values which are matched against databases of hashes from known illegal images.



3

This hashing and matching process makes it possible to distinguish and flag harmful images from the billions that are uploaded daily.



4

The hash represents a unique digital identifier for each image, making it possible to distinguish and flag harmful images — even if the images have been altered.



5

If a match is found, the images are automatically flagged for reporting to the appropriate authorities.

MATCH

Blue Campaign



The Blue Campaign is the unified voice for the U.S. Department of Homeland Security's (DHS) efforts to combat human trafficking. Working in collaboration with law enforcement, government, nongovernmental and private organizations, the Blue Campaign strives to protect the basic right of freedom and to bring those who exploit human lives to justice. The Blue Campaign has entered into agreements with select government and nongovernmental entities to further collaborate in raising awareness and combating human trafficking. Western Union, for example, was the first global payments company to join the Blue Campaign. Western Union identifies specific types of transactions connected with sex exploitation, to identify patterns that lead them to sex buyers and traffickers.



HUMAN TRAFFICKING IS

modern day slavery. happening everywhere, even in the United States, and victims can be U.S. Citizens or of any nationality, age, socioeconomic status, or gender.

exploiting a person through force, fraud, or coercion.

sex trafficking, forced labor, and domestic servitude.

any person under the age of 18 involved in a commercial sex act.

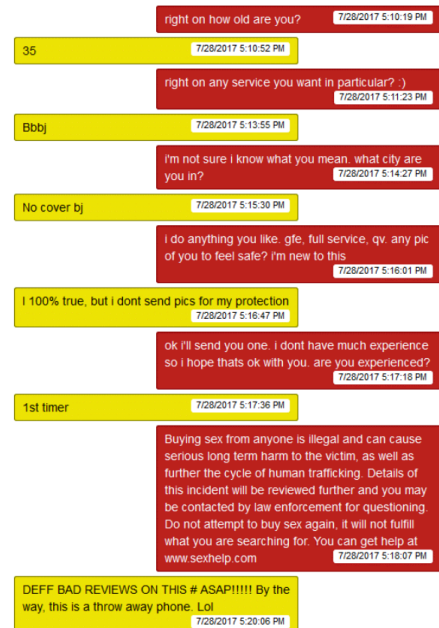


PROJECT INTERCEPT



Seattle Against Slavery is the lead partner of Project Intercept in the development of a chatbot which lurks behind fake online ads for sex posted by nonprofits working to combat human trafficking, and responds to text messages sent to the number listed. The software initially pretends to be the person in the ad, and can converse about its purported age, body, fetish services, and pricing. But if a would-be buyer signals an intent to purchase sex, the bot pivots sharply into a stern message. The warning can vary based on the conversation, if, for example, a potential buyer expresses an interest in someone underage.

The chatbot can conduct thousands of conversations at a time, and it's available to talk 24/7, so it reduces human resources needed to deter buyers. Since its start, it has sent over 25,000 messages to potential buyers in three cities: Atlanta, Seattle, and Washington, DC (Oct.2017).



VICTIM REACHOUT



Seattle Against Slavery distributes a second service developed by Project Intercept, called Victim Reachout.

It harvests phone numbers from real online sex ads, and automatically sends messages to prostituted people, offering support or assistance getting out of the trade.

Responses are routed to an experienced nonprofit employee or volunteer. So far, it has reached out to about 4,000 phone numbers of people potentially being harmed across 12 cities, resulting in 424 positive conversations in just one pilot city, including 42 in-person meetings where the individuals were offered exit and support services (Oct. 2017).



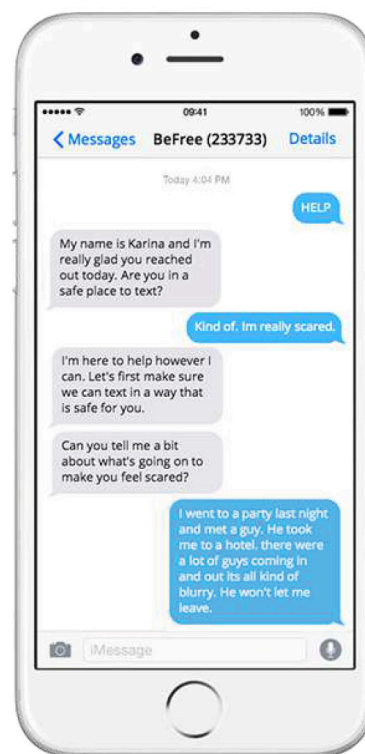
SEATTLE IS AN INTERNATIONAL HOTSPOT FOR HUMAN TRAFFICKING. THERE ARE 47 REST STOPS ALONG HIGHWAYS IN WASHINGTON THAT TRAFFICKERS USE TO TRANSPORT VICTIMS. WE CAN PROVIDE A WAY OUT.

BeFree SHORTCODE



In 2013, Twilio partnered with Thorn, The Salesforce Foundation, and Polaris Project to create text shortcode BeFree (233733), a way for victims of sex trafficking to reach out for help through text message, 24 hours a day, 7 days a week, 365 days a year.

This shortcode allows victims of human trafficking to text the number (233733) to be connected with the National Human Trafficking Resource Center (NHTRC). A specialist will respond by text back to the victims to help them, whether by informing them of nearby shelters, where to get medical care, or communicating with law enforcement officials to get urgent help.



NATIONAL HUMAN TRAFFICKING HOTLINE



The National Human Trafficking Hotline developed by Polaris, a non-profit NGO, is a national anti-trafficking hotline serving victims and survivors of human trafficking and the anti-trafficking community in the United States. The toll-free hotline is available to answer calls from anywhere in the country, 24 hours a day, 7 days a week, every day of the year in more than 200 languages. The National Hotline can also be accessed by emailing help@humantraffickinghotline.org.

Its mission is to provide human trafficking victims and survivors with access to critical support and services to get help and stay safe, and to equip the anti-trafficking community with the tools to effectively combat all forms of human trafficking. It offers round-the-clock access to a safe space to report tips, seek services, and ask for help. It also provides information, statistics, and resources on a wide range of topics related to human trafficking.

NATIONAL HUMAN TRAFFICKING HOTLINE - OPEN 24/7
1-888-3737-888

NATIONAL HUMAN TRAFFICKING HOTLINE

CALL 1-888-373-7888

TEXT "BeFree" (233733)

LIVE CHAT humantraffickinghotline.org

24/7 • Toll free
 Confidential
 200+ languages

GET HELP • REPORT TRAFFICKING

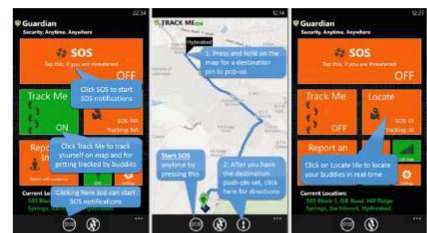
GUARDIAN APP



Guardian App is a safety mobile application to alert friends and families of potential victims when they feel threatened. It uses a real time tracking system and allows two ways of communication between potential victims, their family, law enforcement.

The app uses location based technology and enables potential victims to send an SOS alert to friends, relatives as well as to security agencies directly via SMS and emails informing them of the emergency along with the location details.

People in distress can send the SOS alert just by pressing an SOS button. This single click will then send the emergency alerts in real time and would even post an alert message on the Facebook pages of groups registered in the apps settings.



AMENDMENT TO H.R. 1865, AS REPORTED
OFFERED BY MRS. MIMI WALTERS OF
CALIFORNIA

Page 7, line 21, strike “COMMUNICATIONS DE-
CENCY ACT” and insert “ENSURING ABILITY TO EN-
FORCE FEDERAL AND STATE CRIMINAL AND CIVIL
LAW RELATING TO SEX TRAFFICKING”.

Page 7, line 22, strike “Section 230” and insert
“(A)IN GENERAL—Section 230”.

Page 8, strike line 1 and all that follows through
line 13, and insert the following:

1 “(5) NO EFFECT ON SEX TRAFFICKING LAW.—
2 Nothing in this section (other than subsection
3 (c)(2)(A)) shall be construed to impair or limit—
4 “(A) any claim in a civil action brought
5 under section 1595 of title 18, United States
6 Code, if the conduct underlying the claim con-
7 stitutes a violation of section 1591 of that title;
8 “(B) any charge in a criminal prosecution
9 brought under State law if the conduct under-
10 lying the charge would constitute a violation of
11 section 1591 of title 18, United States Code; or

1 “(C) any charge in a criminal prosecution
2 brought under State law if the conduct under-
3 lying the charge would constitute a violation of
4 section 2421A of title 18, United States Code,
5 and promotion or facilitation of prostitution is
6 illegal in the jurisdiction where the defendant’s
7 promotion or facilitation of prostitution was
8 targeted.”.

Page 8, after line 13, insert the following:

9 (b) **EFFECTIVE DATE.**—The amendments made by
10 this section shall take effect on the date of the enactment
11 of this Act, and the amendment made by subsection (a)
12 shall apply regardless of whether the conduct alleged oc-
13 curred, or is alleged to have occurred, before, on, or after
14 such date of enactment.

15 **SEC. 5. ENSURING FEDERAL LIABILITY FOR PUBLISHING**
16 **INFORMATION DESIGNED TO FACILITATE**
17 **SEX TRAFFICKING OR OTHERWISE FACILI-**
18 **TATING SEX TRAFFICKING.**

19 Section 1591(e) of title 18, United States Code, is
20 amended—

21 (1) by redesignating paragraphs (4) and (5) as
22 paragraphs (5) and (6), respectively; and

23 (2) by inserting after paragraph (3) the fol-
24 lowing:

1 “(4) The term ‘participation in a venture’
2 means knowingly assisting, supporting, or facili-
3 tating a violation of subsection (a)(1).”.

4 **SEC. 6. ACTIONS BY STATE ATTORNEYS GENERAL.**

5 (a) **IN GENERAL.**—Section 1595 of title 18, United
6 States Code, is amended by adding at the end the fol-
7 lowing:

8 “(d) In any case in which the attorney general of a
9 State has reason to believe that an interest of the residents
10 of that State has been or is threatened or adversely af-
11 fected by any person who violates section 1591, the attor-
12 ney general of the State, as *parens patriae*, may bring a
13 civil action against such person on behalf of the residents
14 of the State in an appropriate district court of the United
15 States to obtain appropriate relief.”.

16 (b) **TECHNICAL AND CONFORMING AMENDMENTS.**—
17 Section 1595 of title 18, United States Code, is amend-
18 ed—

19 (1) in subsection (b)(1), by striking “this sec-
20 tion” and inserting “subsection (a)”; and

21 (2) in subsection (c), in the matter preceding
22 paragraph (1), by striking “this section” and insert-
23 ing “subsection (a)”.

TO PROTECT AND SUPPORT VICTIMS



#1

DECRIMINALIZATION

of the Act of

SOLICITATION by prostituted persons

ARTICLES 15 - 16



#2

DEPARTMENTAL
COMMITTEEof Prevention & Fight against Prostitution,
Pimping and Sex TraffickingCOORDINATES ACTIONS
on behalf of Victims

ARTICLES 5 - 6 - 10



#3

OPTIONS TO
EXIT PROSTITUTION
& REINTEGRATE

socially and professionally

Special Fund

ARTICLES 5 - 7 - 8 - 9 - 17

40

TO PROSECUTE AND PUNISH EXPLOITERS



#4

BUYERS
ACCOUNTABILITY**New offence:**
Purchase of sexual actsBuyers will be fined up to
€1,500 and up to
€3,750 for repeat offenders

ARTICLES 20 - 21



#5

STRENGTHENING OF THE
PREVENTION AND FIGHTagainst **PIMPING** &
HUMAN TRAFFICKING
for the purpose of sexual exploitation

ARTICLES 1 - 2 - 3 - 4 - 8 - 12 - 13 - 14



#6

HEAVIER PENALTIES

in cases of

VIOLENCE
against **VICTIMS**

ARTICLE 11

TO EDUCATE AND RAISE PUBLIC AWARENESS



#7

INFORMATION &
EDUCATION of the **Youth**

ARTICLES 18 - 19



#8

FUNDING* for
PREVENTION of PROSTITUTION

ARTICLE 7

* Special Fund for the prevention of prostitution and for the provision of social and professional support to the victims of prostitution

ACT No. 2016-444 OF THE 13TH APRIL 2016

AIMING TO STRENGTHEN THE FIGHT AGAINST THE PROSTITUTION SYSTEM AND TO ASSIST PROSTITUTED PEOPLE



ARTICLE 1 Creation of an obligation upon internet service providers to promptly inform the competent public authorities of any content that violates the Act in respect of pimping, and to make public the means and measures they devote to combatting such illegal activities.

AMENDS ARTICLE 6 OF ACT NUMBER 2004-575 OF THE 21ST JUNE 2004 FOR CONFIDENCE IN THE DIGITAL ECONOMY

ARTICLE 3 Provides an option, where appropriate, for victims of pimping and human trafficking, and members of their families, to benefit from an enhanced protection mechanism when acting as witnesses or pressing charges.

Victims of pimping and human trafficking may use the address of their lawyer or an approved organization for court and trial purposes.

ADDS ARTICLE 706-40-1 TO TITLE XVII OF BOOK IV OF THE CODE OF CRIMINAL PROCEDURE

ARTICLE 6 Inclusion of victims of prostitution, pimping and human trafficking on the list of groups that have priority access to social housing.

AMENDS ARTICLE L441-1 OF THE BUILDING AND DWELLINGS CODE

ARTICLE 7 Creates, within the government budget, a fund for the prevention of prostitution and for the provision of social and professional support to prostituted persons. This fund will be made available to initiatives intended to: create public awareness about the negative health effects of prostitution; reduce the associated health risks; prevent entry into prostitution; reintegrate prostituted persons. The fund will be financed and maintained by the State budget and through the seizure of assets/proceeds derived from pimping and human trafficking.

COMPLETES ARTICLE L121-9 OF THE FAMILY AND SOCIAL ACTION CODE

ARTICLE 9 Inclusion of organisations approved to monitor the exit route out of prostitution on the list of organisations that can obtain State financial assistance to house prostituted persons and victims of pimping and human trafficking.

AMENDS ARTICLE L851-1 OF THE SOCIAL SECURITY CODE

ARTICLE 2 Formal integration into social workers' training programs of a module on the prevention of prostitution, and how to identify situations that may involve prostitution, pimping and human trafficking.

AMENDS ARTICLE L.451-1 OF THE FAMILY AND SOCIAL ACTION CODE

ARTICLE 4 The offence of human trafficking is included within the findings that can be set forth by labour inspectors.

COMPLETES ARTICLE L.8112-2 OF THE LABOUR CODE

ARTICLE 5 Creates, a county agency in every departement (county), which shall be responsible for organising and coordinating the response to victims of prostitution, pimping and human trafficking.

Creates an exit route from prostitution, together with social and professional reintegration:

- Provision of accommodation for victims of prostitution, pimping and human trafficking in social reintegration housing;
- Access to tax debt forgiveness;
- Access for foreign victims to a protective temporary residency permit;
- Creation of a financial aid payment to assist with social and professional reintegration, for prostituted persons who are not eligible to receive either basic social welfare payments or the financial assistance provided to asylum seekers.

AMENDS ARTICLE L121-9 OF THE FAMILY AND SOCIAL ACTION CODE

ARTICLE 8 Enables the automatic issue of a protective temporary residency permit to victims of pimping and human trafficking who have brought proceedings against the perpetrators.

Opens up the possibility of the grant of a protective temporary residency permit to victims of pimping and human trafficking who have not brought proceedings against the perpetrators, but who have left prostitution and who are on the exit route out of prostitution.

AMENDS ARTICLES L316-1 AND L316-1-1 OF THE CODE GOVERNING

ACT No. 2016-444 OF THE 13TH APRIL 2016
AIMING TO STRENGTHEN THE FIGHT AGAINST THE PROSTITUTION SYSTEM AND TO ASSIST PROSTITUTED PEOPLE

ARTICLE 10 Extends the option of accommodation in social reintegration housing to persons who are victims of pimping, formerly available only to victims of human trafficking.

AMENDS ARTICLE L.345-1 OF THE FAMILY AND SOCIAL ACTION CODE

ARTICLE 12 Gives access to the right to full compensation for damages suffered by victims of pimping, in the event that the pimp is bankrupt/insolvent.

AMENDS ARTICLE 706-3 OF THE PENAL PROCEDURES CODE

ARTICLE 14 Creates a right for victims of human trafficking or aggravated pimping to request that court proceedings be held in camera.

AMENDS ARTICLE 306 OF THE PENAL PROCEDURES CODE

ARTICLE 17 Creates a national health, social and psychological risk reduction policy, approved by Government order.

CREATES ARTICLE L.1181-1 OF TITLE VII OF THE 1ST BOOK OF THE FIRST SECTION OF THE PUBLIC HEALTH CODE

ARTICLE 19 Incorporates the promotion of gender equality into sex education classes taught in educational establishments.

COMPLETES ARTICLE L312-16 OF THE EDUCATION CODE

ARTICLE 21 Creation of a supplementary penalty, consisting of the obligation to complete an awareness course on the subject of combatting the purchase of sex acts.

AMENDS ARTICLES 131-16 AND 225-20 OF THE PENAL CODE

ARTICLE 22 Two years after enactment, the government shall submit an evaluation report on the new law to parliament.

ARTICLE 23 The Act is applicable throughout French territory.

ARTICLE 11 Establishes 'aggravating circumstances' for violence, sexual aggression and rape committed against a prostituted person.

AMENDS ARTICLES 222-3, 222-8, 222-10, 222-12 AND 222-13

ARTICLE 13 The option for organisations, with the agreement of the victim, to join as a private party in criminal proceedings for pimping. Organisations recognised as having a Public Utility may join as private parties without the agreement of the victim (in particular, where the victim has not brought charges).

AMENDS ARTICLE 2-22 OF THE PENAL PROCEDURES CODE

ARTICLES 15 AND 16 Abolishes the offence of soliciting (which had criminalised the solicitation of sex buyers by prostituted persons since 1939).

AMENDS ARTICLE 225-10-1 OF THE PENAL CODE

ARTICLE 18 Implements a national information policy setting out the realities of prostitution and the dangers of the commodification of the human body, for use in educational establishments.

AMENDS ARTICLE 312-17-1 OF THE EDUCATION CODE

ARTICLE 20 Creates a new offence of resorting to the prostitution of another by prohibiting the purchase of a sex act. This new offence is of the 5th class, punishable by a fine of 1,500 euros. For repeat offences, acts will be considered as criminal offences punishable by a fine of 3,750 euros.

Resorting to the prostitution of a minor or vulnerable individual is retained as a criminal offence punishable by a sentence of 3 years' imprisonment.

CREATES ARTICLE 611-1 OF THE PENAL CODE AND AMENDS ARTICLE 225-12-1 OF THE PENAL CODE



The market thrives because there's DEMAND generating profits



LAW

➔ Aims at **Victims** Protection, **Exploiters** Prosecution and Conviction & **Buyers** Accountability

UNDERLYING PRINCIPLE:

If there was no demand, there would be no 'supply'

The exploitation of people through prostitution and sex trafficking ultimately occurs because there is currently a demand from a minority of men wanting and willing to pay for sexual acts, generating multibillion-dollar profits for exploiters.

It's only by addressing demand for all forms of exploitation that prostitution and sex trafficking will be eradicated.

PURPOSES:

- **Combating demand for sexual exploitation** by criminalizing those who perpetuate it and making it a criminal offence to pay a person for sexual acts.
- **Supporting people exploited through the sex trade** by completely decriminalizing the sale of sexual acts and providing comprehensive support and exiting services.
- **Transforming attitudes** by challenging the belief that it is acceptable to treat women and girls as sexual objects by paying them for sexual acts.

COMBINED APPROACHES



PROTECTION

VICTIMS

- Abolishing any form of repression against prostituted persons. Victims need help, not judgement or punishment.
- Supporting and protecting prostituted persons.
- Developing exit programmes for prostituted persons, providing real alternatives to prostitution.



PREVENTION

PUBLIC- POLICYMAKERS

- Preventing prostitution and sex trafficking through awareness raising actions, strong partnerships, high quality studies, sharing of good practices and tools.
- Providing education to the youth, equipping it with information and strategies to avoid becoming victim or exploiter.
- Interrupting the demand by changing attitudes of buyers and society.



PROSECUTION

EXPLOITERS

- Cancelling the offence for soliciting by prostituted persons.
- Condemning all forms of pimping, procuring and trafficking.
- Criminalising the purchase of sex and holding sex buyers accountable.
- Strengthening the legal response and reinforcing international cooperation.



LIVE STREAMING

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- Android: <https://play.google.com/store/apps/details?id=com.bluejeansnet.Base>

b) ENTER EVENT ID: srggcrxk

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CONTACTS:

SANCTUARY FOR FAMILIES

Dorchen Leidholdt

Director

T: 212-349-6009

E: dorchen@sffny.org

SCELLES FOUNDATION

Jean-Sébastien Mallet

US Programs Director

T: +33-682-581-287

E: jsmallet@hotmail.fr

PERMANENT MISSION OF FRANCE TO THE UNITED NATIONS

Aymeric Chuzeville

Spokesperson / Chief of staff

T: 212-702-4923

E: aymeric.chuzeville@diplomatie.gouv.fr

THOMSON REUTERS FOUNDATION

Carolina Henriquez-Schmitz

Regional Lead and Legal Manager, Americas

T: 646-223-4072

E: Carolina.H.Schmitz@tr.com

COMBATING ONLINE SEX TRAFFICKING

March 14, 2018, New York