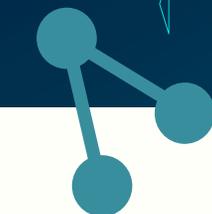# HUMAN RIGHTS AND DIGITAL TECHNOLOGIES

A SYMPOSIUM OF SCHOLARS AND PRACTITIONERS

SEPTEMBER 18, 2019

THE NATIONAL ACADEMY OF SCIENCES
2101 CONSTITUTION AVE, NW
WASHINGTON, DC

Human Rights & Digital Technologies

Digital technologies offer promising means of anticipating, analyzing, and responding to serious human rights concerns, but they also present human rights challenges. The Committee on Human Rights of the U.S. National Academies of Sciences, Engineering, and Medicine will gather experts in the fields of human rights and technology to examine these challenges and to explore ways of leveraging digital innovation in a manner that helps protect internationally recognized human rights.

8:30-9:00 **BREAKFAST/REGISTRATION**

9:00-9:10 **WELCOME**

Martin Chalfie, University Professor, Columbia University; Chair, Committee on Human Rights of the U.S. National Academies of Sciences, Engineering, and Medicine

9:10-9:40 **THE RELEVANCE OF HUMAN RIGHTS IN A DIGITAL WORLD**

David Kaye, United Nations Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression

9:40-11:00 **TOWARD A RIGHTS-BASED APPROACH TO DIGITAL DATA COLLECTION AND ANALYSIS BY CIVIL SOCIETY**

How are human rights norms relevant for digital information collection and analysis, and what are the associated responsibilities of information collectors?

Nathaniel Raymond (*Moderator)*, Lecturer, Jackson Institute of Global Affairs, Yale University
Jos Berens, Data Policy Officer, United Nations Office for the Coordination of Humanitarian Affairs
Jessie Brunner, Senior Program Manager, WSD Handa Center for Human Rights and International Justice, Stanford University
Dani Poole, Postdoctoral Fellow, Harvard Humanitarian Initiative, Harvard University

11:00-11:15 **COFFEE/TEA BREAK**

11:15-12:45 **PROMOTING ACCOUNTABILITY AND JUSTICE WITH DIGITAL DATA**

Digital technologies are increasingly used to monitor and document human rights abuses, with digital evidence marshalled in support of accountability and justice processes. How has this approach impacted such processes, and what are its challenges?

Tanya Karanasios (*Moderator*), Deputy Program Director, WITNESS
Elsa Marie D'Silva, Founder, Safecity and Red Dot Foundation
Keith Hiatt, Information Systems Management Section, United Nations
   International, Impartial, and Independent Mechanism for Syria
Félim McMahon, Online Open Source Investigations Specialist

12:45-1:45 **LUNCH**

1:45-2:45 **CONTEMPORARY AND EMERGING CHALLENGES: DIGITAL TECHNOLOGIES AND HUMAN RIGHTS**

*A conversation with **Ron Deibert** (Director, The Citizen Lab, University of Toronto) and **Alexa Koenig** (Executive Director, Human Rights Center, University of California, Berkeley School of Law). Moderated by **Shanthi Kalathil**, Senior Director, International Forum for Democratic Studies, National Endowment for Democracy.*

2:45-4:15 **RIGHTS, DISCRIMINATION, AND ARTIFICIAL INTELLIGENCE**

What are the implications of artificial intelligence decision-making systems for human rights, including the right to equality and non-discrimination?

Mark Latonero (*Moderator*), Research Lead for Human Rights, Data & Society
Eileen Donahoe, Executive Director, Global Policy Incubator, Center for
   Democracy, Development, and the Rule of Law, Stanford University
Kristian Lum, Lead Statistician, Human Rights Data Analysis Group
Rashida Richardson, Director of Policy Research, AI Now Institute, New York
   University

4:15-4:30 **COFFEE/TEA BREAK**

4:30-5:00 **FAIRNESS AND PRIVACY: GAINS AND LOSSES IN THE DIGITAL AGE**

Cynthia Dwork, Gordon McKay Professor of Computer Science, John A.
   Paulson School of Engineering and Applied Sciences, Harvard University

5:00 **RECEPTION**

Keynote Speaker

DAVID KAYE

David Kaye is a clinical professor of law at the University of California, Irvine and, since 2014, the United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. His 2019 book, Speech Police: The Global Struggle to Govern the Internet (Columbia Global Reports), explores the ways in which companies, governments, and activists struggle to define the rules for online expression. Kaye's UN reporting has addressed, among other topics, encryption and anonymity as promoters of freedom of expression, the protection of whistleblowers and journalistic sources, how Artificial Intelligence technologies implicate human rights, and the global private surveillance industry. He has conducted official missions to Japan, Tajikistan, Turkey, Mexico, Liberia, and Ecuador. Kaye served as a lawyer with the State Department from 1995–2005, after earning undergraduate and law degrees at the University of California, Berkeley. He has published widely in the areas of freedom of expression, accountability for serious human rights abuses, international humanitarian law, and the use of force. A member of the Council on Foreign Relations, he has also published essays in such publications as Foreign Affairs, The New York Times, Slate, Foreign Policy, and The Los Angeles Times.

Speakers and Moderators

JOS BERENS

Jos Berens is Data Policy Officer at the United Nations Office for the Coordination of Humanitarian Affairs' (OCHA) Centre for Humanitarian Data in The Hague. The Centre's mission is to increase the use and impact of data in the humanitarian sector. The Data Policy work stream is focused on developing processes and practices for how OCHA handles data as the coordinator of humanitarian response. Prior to joining the Centre, Berens organized the International Data Responsibility Group from the Centre for Innovation at Leiden University. He has collaborated and published with various international organizations, universities, and think tanks. Berens' work revolves around the ethical and legal considerations associated with the use of digital data for crisis-affected people. Berens holds an LLM in Public International Law from Utrecht University and a BA in Philosophy of a Specific Discipline from Groningen University.

JESSIE BRUNNER

Jessie Brunner serves as Senior Program Manager of the WSD Handa Center for Human Rights and International Justice at Stanford University. Brunner primarily researches issues relevant to data collection in the human trafficking field, with a focus on Southeast Asia, and also works more generally at the nexus of technology and human rights. She is a member of Knowledge Platform Reference Group of Alliance 8.7, which helps set the United Nations agenda on Sustainable Development Goal 8.7 related to human trafficking and forced labor, and she has authored multiple publications on utilizing data to evaluate the extent of human trafficking in Southeast Asia. Brunner has previously served as a researcher at Stanford's Center on Democracy, Development, and the Rule of Law's Program on Human Rights; a Public Affairs Assistant at the State Department in the Bureau on Democracy, Human Rights, and Labor; and a reporter for Los Angeles Times Community News. In addition, she has served as a trial monitor at the Extraordinary Chambers in the Courts of Cambodia and has worked on human rights and post-conflict reconciliation around the world. Brunner holds a MA in International Policy from Stanford University and a BA in Mass Communications from the University of California, Berkeley.

MARTIN CHALFIE

Martin Chalfie is University Professor and former Chair of the Department of Biological Sciences at Columbia University. He is a member of the U.S. National Academy of Sciences and the U.S. National Academy of Medicine, where he chairs the Committee on Human Rights. He obtained both his AB and PhD from Harvard University and did his postdoctoral research at the MRC Laboratory of Molecular Biology in Cambridge, England. His research centers around the study of the genetic control of nerve cell development and function. He has taught at Columbia University since 1982. Chalfie is a fellow of the American Academy of Arts and Sciences, the American Association for the Advancement of Science, and the Royal Society of Chemistry (Hon.) and is a foreign member of the Royal Society. Chalfie has received numerous awards for his work including the 2008 Nobel Prize in Chemistry for his introduction of Green Fluorescent Protein (GFP) as a biological marker. Chalfie currently serves on the Executive Committee of the International Human Rights Network of Academies and Scholarly Societies.

RON DEIBERT

Ron Deibert is Professor of Political Science and Director of the Citizen Lab at the Munk School of Global Affairs & Public Policy, University of Toronto. The Citizen Lab is an interdisciplinary laboratory focusing on research, development, and high-level strategic policy and legal engagement at the intersection of information and communication technologies, human rights, and global security. Deibert was one of the founders and former Vice President of global policy and outreach for Psiphon, one of the world's leading digital censorship circumvention services. He has published numerous articles, chapters, and books on issues related to technology, media, and world politics, including landmark reports documenting major global cyber espionage networks. Deibert presently serves on the editorial boards of numerous journals and is currently on the advisory boards of PEN Canada and the Design4Democracy Coalition, the technical advisory groups of Amnesty International and Human Rights Watch, and the Steering Committee of the World Movement for Democracy. He holds a PhD from the University of British Columbia.

EILEEN DONAHOE

Eileen Donahoe is Executive Director of the Global Digital Policy Incubator at Stanford University's Cyber Policy Center, where she works to develop global digital policies that address human rights, security, and governance challenges. Previously, she was Director of Global Affairs at Human Rights Watch where she represented the organization worldwide on human rights foreign policy. She served as the first U.S. Ambassador to the United Nations Human Rights Council in Geneva, during the Obama Administration. Donahoe is a member of the Board of Directors of the National Endowment for Democracy; the Board of Trustees of Dartmouth College; the World Economic Forum Council on the Future of the Digital Economy; the University of Essex Advisory Board on Human Rights, Big Data, and Technology; and Microsoft's Tech and Human Rights Advisory Board. Previously, she was a technology litigator at Fenwick & West in Silicon Valley. She is a member of the Council on Foreign Relations. She holds numerous degrees, including a JD from Stanford Law School and a PhD in Ethics and Social Theory from the Graduate Theological Union in the Cooperative Program with the University of California, Berkeley.

ELSA MARIE D'SILVA

Elsa Marie D'Silva is the Founder and CEO of Red Dot Foundation and President of Red Dot Foundation Global (Safecity). Safecity is an online platform that documents sexual harassment and abuse in public spaces by aggregating crowd-sourced data as hot spots on a map that indicates local level trends of sexual harassment. D'Silva worked in the aviation industry for 20 years before leaving the industry in 2013 to pursue a career focused on women's empowerment and youth and technology. She is an Open Space Technology Facilitator and has led workshops on topics such as utilizing Twitter for Social Good. D'Silva completed a management program on corporate social responsibility and sustainability in business at the Swedish Institute. She has received numerous awards, including the Global Thinkers Forum's Award for Excellence in Women's Empowerment, the Government of India's Niti Aayog's Women Transforming India Award, and the Google #SMBHeroes Award in the Digital Impact Category. As a Fellow at the National Endowment for Democracy, D'Silva worked on a handbook concerning the power of digital technology in addressing gender-based violence around the world.

CYNTHIA DWORK

Cynthia Dwork, the Gordon McKay Professor of Computer Science at the John A. Paulson School of Engineering and Applied Sciences at Harvard University, the Radcliffe Alumnae Professor at the Radcliffe Institute for Advanced Study, and an Affiliated Faculty Member at Harvard Law School, is renowned for placing privacy-preserving data analysis on a mathematically rigorous foundation. A cornerstone of this work is the invention of differential privacy, a strong privacy guarantee now used widely in industry and to provide disclosure control in the upcoming 2020 decennial census. With seminal contributions in cryptography, distributed computing, and statistical validity, her most recent focus is on algorithmic fairness. Dwork is a member of the U.S. National Academy of Sciences, the U.S. National Academy of Engineering, and the American Philosophical Society, and is a Fellow of the American Academy of Arts and Sciences and of the ACM.

KEITH HIATT

Keith Hiatt leads the Information Systems Management Section at the United Nations International, Impartial, and Independent Mechanism for Syria. He is also a Research Fellow at Stanford University's Handa Center for Human Rights and International Justice. Prior to joining the United Nations, Hiatt was a Vice President at Benetech and a Program Director at the Human Rights Center at the University of California, Berkeley School of Law. Hiatt serves as an advisor on matters of technology, law, and human rights to the Office of the Prosecutor of the International Criminal Court and the Organization for Security and Cooperation in Europe. He holds a BA from the University of Washington, Seattle and a JD from the University of California, Berkeley. Prior to attending law school, Hiatt worked as a software engineer for Microsoft and an applied technology specialist at Boeing.

SHANTHI KALATHIL

Shanthi Kalathil is Senior Director of the International Forum for Democratic Studies at the National Endowment for Democracy. Her work focuses primarily on issues relating to authoritarian influence, disinformation, technology, and transnational kleptocracy. She has previously served as a senior Democracy Fellow at the United States Agency for International Development, an associate with the Carnegie Endowment for International Peace, a non-resident associate with the Institute for the Study of Diplomacy at Georgetown University, and a consultant at the World Bank, among other international affairs organizations. Kalathil has authored or edited numerous policy and scholarly publications, including Diplomacy, Development and Security in the Information Age and Open Networks, Closed Regimes: the Impact of the Internet on Authoritarian Rule, and was previously a staff reporter for The Wall Street Journal Asia. She holds a BA from the University of California, Berkeley and an MS from the London School of Economics and Political Science.

TANYA KARANASIOS

Tanya Karanasios is the Deputy Program Director at WITNESS. She has previously served as the Program Director of the Coalition for the International Criminal Court, a staff lawyer with the Human Rights Chamber in Bosnia and Herzegovina, and head of the Ombudsperson Unit in the Human Rights and Rule of Law Division of the Organization for Security and Cooperation in Kosovo. She also worked to help establish the International Criminal Court at Human Rights Watch and Parliamentarians for Global Action and worked with the UN Office for Coordination of Humanitarian Affairs on the protection of civilians in armed conflict. Karanasios holds a JD in international human rights law from University of New Hampshire.

ALEXA KOENIG

Alexa Koenig is Executive Director of the Human Rights Center and a Lecturer-in-Residence at University of California, Berkeley School of Law, where she teaches classes on human rights and international criminal law. She also co-founded the Human Rights Investigations Lab, which trains students to use online research methods to support the work of investigative reporters, human rights organizations, and lawyers. She is co-chair of the World Economic Forum's Global Future Council on Human Rights and Technology, a member of the American Association for the Advancement of Science's Committee on Scientific Freedom and Responsibility, and a member of the Technology Advisory Board of the Office of the Prosecutor at the International Criminal Court. Koenig has won numerous honors and awards for her work, including the Mark Bingham Award for Excellence and the United Nations Association-SF's Global Human Rights Award. She holds a PhD from UC Berkeley's Jurisprudence and Social Policy Program and a JD, with a certificate in intellectual property and cyberlaw, from the University of San Francisco.

MARK LATONERO

Mark Latonero is the Research Lead for Human Rights at Data & Society. He is a fellow at Harvard Kennedy School's Carr Center for Human Rights Policy; University of California, Berkeley Law's Human Rights Center; and University of Southern California's (USC) Annenberg Center for Communication Leadership & Policy. Previously he was a research director and research professor at USC where he led the Technology and Human Trafficking Initiative. He has also served as the Innovation Consultant for the United Nations Office of the High Commissioner for Human Rights. Latonero's work focuses on the social and policy implications of emerging technology and examines the benefits, risks, and harms of digital technologies, particularly in human rights and humanitarian contexts. He has published a number of reports on the impact of data-centric and automated technologies in human trafficking, exploitation, and forced migration, and he regularly engages with businesses, governments, international organizations, civil society, and academics to shape policy and practice. Latonero holds a PhD from the USC Annenberg School for Communication and was a postdoctoral research scholar at the London School of Economics.

KRISTIAN LUM

Kristian Lum is the Lead Statistician at the Human Rights Data Analysis Group (HRDAG), where she leads the project on criminal justice in the United States. Lum's research is focused on examining the uses of machine learning in the criminal justice system and has demonstrated the potential for machine learning-based predictive policing models to reinforce and, in some cases, amplify historical race biases in law enforcement. Her work also encompasses the development of new statistical methods that explicitly incorporate fairness considerations and advancing HRDAG's core statistical methodology – record-linkage and capture-recapture methods for estimating the number of undocumented conflict casualties. Her previous experiences include working as a research assistant professor in the Virginia Bioinformatics Institute at Virginia Tech and as a data scientist at DataPad, a small technology start-up. Lum is also the primary author of the dga package, open source software for population estimation for the R computing environment. She earned her MS and PhD from the Department of Statistical Science at Duke University and her BA in Mathematics and Statistics from Rice University.

FÉLIM MCMAHON

Félim McMahon is a specialist in online open source investigations. He previously served as the Technology and Human Rights Program Director at the Human Rights Center at the University of California, Berkeley School of Law, and Director of its Human Rights Investigations Lab, which trains students to use social media and other open source content for human rights advocacy and legal accountability. McMahon was previously a journalist in Ireland and was part of a small team that established Storyful, the world's first social media news agency. He has specialized in the discovery and verification of information from online open sources, and he now focuses on applying those same approaches to legal accountability processes. He holds an MA in International Relations from Dublin City University.

DANI POOLE

Dani Poole is a Postdoctoral Fellow at the Harvard Humanitarian Initiative and Lecturer at Dartmouth College. Poole's research generates evidence to improve health in humanitarian settings. Her research leverages epidemiologic, spatial, and rights-based approaches in partnership with implementing organizations to measure and respond to the needs of populations affected by crises. She collaborates with colleagues in Greece, Italy, Kenya, The Netherlands, South Africa, Turkey, and the U.S., among other countries. Poole's research includes 1) evaluations of the intersection of technology and wellbeing, 2) optimizing screening for mental health disorders, and 3) adapting interventions for humanitarian settings. She currently leads research on technology-enabled gender-based violence for the United States Agency for International Development and recently completed a post at the United Nations Office for the Coordination of Humanitarian Affairs. Poole holds a ScD from the Harvard T.H. Chan School of Public Health and an MPH from Brown University.

NATHANIEL RAYMOND

Nathaniel Raymond is a Lecturer at the Jackson Institute for Global Affairs at Yale University. His research interests focus on the human rights and human security implications of information communication technologies (ICTs) for vulnerable populations, particularly in the context of armed conflict. He was the founding Director of the Signal Program on Human Security and Technology at the Harvard Humanitarian Initiative (HHI) of the Harvard T.H. Chan School of Public Health. He was Director of Operations for the George Clooney-founded Satellite Sentinel Project at HHI, which utilized high-resolution satellite imagery to detect and document attacks on civilians in Sudan and South Sudan. He served as Director of the Campaign Against Torture at Physicians for Human Rights. He has also worked as a humanitarian aid worker with Oxfam America and conducted joint research with UN agencies into the role of ICTs and digital data, including remote sensing, in improving the protection of civilian populations and the delivery of humanitarian assistance. He served as a consultant in early warning of mass atrocities to the UN Department of Peacekeeping Operations in South Sudan, and he was a 2013 Poptech Social Innovation Fellow, a 2010 Rockwood Leadership Human Rights and National Security Reform Fellow, and a co-recipient of the 2012 U.S. Geospatial Intelligence Foundation Industry Intelligence Achievement Award.

RASHIDA RICHARDSON

Rashida Richardson is Director of Policy Research at New York University's AI Now Institute, where she designs, implements, and coordinates AI Now's research strategy and initiatives on the topics of law, policy, and civil rights. She previously worked as Legislative Counsel at the New York Civil Liberties Union (NYCLU), the New York state affiliate of the American Civil Liberties Union, where she led the organization's work on privacy, technology, surveillance, and education issues. Prior to the NYCLU, she was a staff attorney at the Center for HIV Law and Policy, where she worked on a wide-range of HIV-related legal and policy issues nationally. She has also worked at Facebook Inc. and HIP Investor in San Francisco. Richardson currently serves on the Advisory Board of the Civil Rights and Restorative Justice Project, the Board of Directors of the College & Community Fellowship, and the Board of Trustees of Wesleyan University. She holds a JD from Northeastern University School of Law and a BA with honors in the College of Social Studies from Wesleyan University.

*The **Committee on Human Rights** (CHR) is a standing membership committee of the U.S. National Academy of Sciences, National Academy of Engineering, and National Academy of Medicine, composed of 15 members drawn from the membership of the three Academies. The CHR advocates in support of scientists, engineers, and health professionals subjected to serious human rights abuses worldwide, with a focus on individuals targeted for their professional activities and/or for having exercised the universally protected right to freedom of expression, which provides a crucial foundation for scientific research and progress. Alongside its advocacy, the Committee provides assistance to professional colleagues under threat by linking them to the wider international scientific community and to organizations that provide pro bono legal support and other services. The Committee raises awareness of human rights issues related to science, technology, and health, and it serves as the Secretariat of the International Human Rights Network of Academies and Scholarly Societies, which brings together more than 90 honorary societies in the sciences to address shared human rights concerns.*

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