

HUMAN TRAFFICKING AND TECHNOLOGY: TRENDS, CHALLENGES AND OPPORTUNITIES

INTRODUCTION

The development of technology has had an important influence on the crime of trafficking in persons, presenting both challenges and opportunities.¹ While technology is frequently misused to facilitate trafficking in persons, its positive use can also help practitioners combat trafficking, such as by aiding investigations, enhancing prosecutions, raising awareness, providing services to victims, and shedding new light on the make-up and operation of trafficking networks. Taking this into account, future success in eradicating human trafficking, in its many forms, will depend on how countries and societies are prepared for, and equipped to, harness technology in their responses.

MISUSE OF TECHNOLOGY BY TRAFFICKERS

Research and direct evidence show that technology is being misused by human traffickers during all the stages of the crime, including recruitment, control, and exploitation of victims.² Some of the main reasons that technology is harnessed by traffickers include:



- **Hiding identities and increasing anonymity online.** Perpetrators and their associates communicate through encrypted applications or use the Dark Web to connect. Recruitment of victims takes place through fake social media accounts and fake profiles on applications. Additionally, cryptocurrency allows traffickers to conduct financial transactions and move criminal proceeds anonymously.³



- **Facilitating recruitment and exploitation of victims by traffickers.** Online interaction facilitates targeting of potential victims, access to personal data, arrangement of logistics and transportation, and recruitment through social media.⁴ An analysis of cases in the 2018 UNODC Global Report on Trafficking in Persons shows how perpetrators sequence their actions by identifying potential victims on social media, establishing a relationship of trust, and subsequently entrapping them in exploitative situations. Children are especially at risk due to their specific vulnerabilities and the threat of traffickers exploiting children online is growing: for example, the National Center for Missing and Exploited Children in the United States “reported an 846% increase from 2010 to 2015 in reports of suspected child sex trafficking – an increase the organization has found to be ‘directly correlated to the increased use of the Internet to sell children for sex.’”⁵

1 UN General Assembly. *Trafficking in women and girls*. Report of the Secretary-General, 2018, No A/73/263, p. 8.

2 See, e.g. EUROPOL. *Situation Report: Trafficking in human beings in the EU*, p. 12. Available at <https://www.europol.europa.eu/publications-documents/trafficking-in-human-beings-in-eu>.

3 Europol estimates in its 2015 *Report on the Internet Organized Crime Threat Assessment* that 40% of criminal-to-criminal payments take place in Bitcoin.

4 EUROPOL. *Situation Report: Trafficking in human beings in the EU*, p. 12.

5 United States Senate Committee on Homeland Security and Governmental Affairs. *Backpage.com's Knowing Facilitation of Online Sex Trafficking*, p. 4 (citing testimony of Yiota G. Souras, Senior Vice President and General Counsel, National Center for Missing & Exploited Children, before Permanent Subcommittee on Investigations, at 2 (Nov. 19, 2015)).



- Facilitating transactions, accessing new venues, and expanding the marketplace.** The misuse of technology can also make it easier for traffickers to engage in transactions with users, enter new marketplaces and expand criminal operations. For example, with regard to trafficking for sexual exploitation, where women and girls represent 94% of identified victims globally,⁶ technology - and specifically the Internet—helps traffickers to advertise victims and connect more easily with a large market of users.⁷ Additionally, large online platforms hosting advertisements for sexual services provide sex traffickers the means to attract customers and, in turn, to sexually exploit victims. And the trend is upward: Europol notes that “the online advertisement of sexual services is an increasing phenomenon relating to THB for sexual exploitation, with children being advertised as adults.”⁸



- Expanding the means by which victims may be controlled and exploited.** The misuse of some technologies can also help traffickers control and coerce victims. For example, traffickers may use GPS software in phones to track the movements of victims or, in the case of domestic servitude and other forms of labour exploitation, monitor and control victims through video surveillance. In the context of trafficking for sexual exploitation, threats to share sexually explicit images are used to control victims.⁹ Traffickers can also use live-streaming to reach a broader market of customers who may never have physical contact with the victim.

The misuse of technology has been exacerbated by a number of enabling factors such as:

- Insufficient legal frameworks which do not provide the tools necessary to enable successful investigations and prosecutions to counter impunity online or use the entire array of tools to efficiently fight trafficking in persons in the online world;
- The transnational nature of ICT-facilitated human trafficking where perpetrators, victims and technology platforms could be in different countries, generating additional challenges concerning jurisdiction, evidence collection, extradition, and mutual legal assistance;
- Weak cooperation among national and international institutions and the private sector which hinders opportunities to promptly react to innovative approaches adopted by traffickers and does not allow for full utilization of resources and expertise available in different sectors;
- Lack of capacity, awareness and expertise of law enforcement, prosecutors, and the judiciary due to—among other factors—the complex and evolving nature of ICT-facilitated trafficking;
- Limited availability of technological tools (as well as the necessary expertise and capacity) to anti-trafficking practitioners.

6 UNODC. *Global Report on Trafficking in Persons* (2018). Available at: https://www.unodc.org/e4j/data/_university_uni_/global_report_on_trafficking_in_persons_2018.html.

7 See, e.g. Situation Report: *Trafficking in human beings in the EU*, p. 12.

8 EUROPOL. *Criminal Networks Involved in the Trafficking and Exploitation of Underage Victims in the EU*, p. 7. Available at <https://www.europol.europa.eu/publications-documents/criminal-networks-involved-in-trafficking-and-exploitation-of-underage-victims-in-eu>.

9 See, for example, ECPAT International, *Emerging Global Threats Related to the Online Sexual Exploitation of Children*. <https://www.ecpat.org/wp-content/uploads/2018/08/Briefing-Paper-Emerging-Issues-and-Global-Threats-Children-online-06.06.17.pdf>

IMPACT ON VICTIMS

The use of technology by perpetrators is not only an issue for anti-trafficking response systems, but also can be particularly detrimental to actual or potential victims of human trafficking. Traditionally, traffickers exploit victims' vulnerabilities such as poverty, desire to escape domestic violence, lack of educational opportunities and family support, homelessness, mental or physical disabilities, migration status and addiction to drugs. Children who come from families in which neglect or abuse is commonplace may be additionally vulnerable. However, technology, and the Internet in particular, provides new opportunities for potential victims to be targeted, regardless of socio-economic status, as traffickers are also able to exploit additional vulnerabilities such as lack of understanding of risks on-line or trust in virtual interactions. Moreover, technology can be misused to further impact victims while in a trafficking situation: threats to share intimate images is a common tactic used to further exploit victims.¹⁰

Exploitation of victims through the use of technology also creates risks for re-victimization and challenges for the successful rehabilitation of victims. When victims are forced to produce pornographic content or are exploited in erotic on-line video-chats, this material can be saved and circulated online an infinite number of times. As long as the material exists, the risks of trauma and stigmatization persist and full recovery of victims is jeopardized. These risks are often exacerbated in societies with strict patriarchal norms that control female sexuality and place strong emphasis on chastity. Due to gender discriminatory attitudes, women and girls in certain contexts can be especially ostracized and stigmatized by their families and community for having been sexually exposed even in the context of exploitation. Men and boys likewise also face particular challenges linked to their being victims of sexual exploitation, including those associated with gendered views about masculinity. Likewise, the existence of the content can have long-term implications for victims, including hindering career and social integration opportunities.

POSITIVE USE OF TECHNOLOGY TO FIGHT HUMAN TRAFFICKING

Despite its frequent misuse, technology can be an important asset for those involved in combating trafficking in persons. Government authorities, non-governmental organizations, international organizations and private sector companies have at their disposal a wide range of technological tools that can be used to support their anti-trafficking efforts.

A number of initiatives have already been launched around the world on the use of technology to fight human trafficking. For example, Tech Against Trafficking, a coalition of technology companies working to combat human trafficking and supported by different stakeholders including international organizations such as the Organization for Security and Cooperation in Europe and the International Organization for Migration, has mapped more than 260 technology tools that support anti-trafficking work.¹¹ Nearly half focus on trafficking for forced labour, 18% on trafficking for sexual exploitation, and the rest on other forms of trafficking. The tools range from simple mobile apps informing vulnerable communities and individuals of the risks of labour exploitation, to more advanced technologies—such as satellite imagery and geospatial mapping—used to identify and locate remote and high risk sectors that may be engaged in illegal activity and require additional investigation.

Some major categories of technology currently being used by law enforcement, NGOs, academia and private sector to combat trafficking in persons include:

- **Data aggregation and analysis.** The online world is limitless and tens of thousands of websites, chatrooms, applications, and on-line video games, among others, can be associated with human trafficking criminal enterprises. Since it is impossible for law enforcement authorities and NGOs in any country to monitor and analyse everything in the online world, data tools have been developed by state authorities, technology companies and NGOs to aggregate and synthesize relevant information into useful reports thus saving valuable resources;

¹⁰ *Ibid.*

¹¹ A list of technology tools developed to support efforts to combat human trafficking can be found here: https://www.bsr.org/files/BSR_list_of_technology_tools_identified_by_tech_against_trafficking



- **Blockchain for traceability and provenance.** A considerable number of private sector companies are undertaking measures to identify and mitigate the risks of human trafficking in their global supply chains. Since global corporate brands have tens of thousands of suppliers spread all over the world, monitoring supply chains is a very complex process. To better identify human trafficking risks, companies are using blockchain technology which allows tracking the production of goods from their source to the final destination to increase transparency and aid in exercising due diligence;
- **Artificial Intelligence.** The computational power of artificial intelligence (AI) and machine learning is increasingly being leveraged to combat many traditional challenges, including human trafficking. AI can help make predictions, recommendations, or decisions independently and without human intervention. In the context of human trafficking, examples include the use of AI to identify how a child victim of sex trafficking would look when he/she is an adult, to enable autonomous machine communication with potential users of services from trafficking victims, to recognize the features of hotel rooms where victims may be held, and to identify financial transactions that may be indicative of human trafficking networks;
- **Facial recognition.** Visual processing software can be used to search for photos and videos of victims who are trafficked for sexual exploitation. Facial recognition technology can be used in web crawling to search for photos and videos of victims who are trafficked for sexual exploitation. This type of technology can also help law enforcement authorities to analyse tens of thousands of pictures and videos to identify content attributed to a particular individual;
- **Technology for victims and survivors.** A number of technology-based tools to identify or support victims and survivors have been developed, such as applications that allow outreach workers to interview potential victims in different languages or e-learning platforms to teach survivors new job skills. In the context of labour exploitation, technology solutions based on online surveys, SMS, and voice-operated applications are being used to engage workers broadly to request information about possible exploitative practices across multiple tiers of supply chains.

CAPACITY BUILDING

In addition to identifying the potential positive and negative uses of technology in the context of trafficking, policy makers and the technology sector must consider how to support practitioners in addressing the intersection of technology and trafficking. In Resolution 27/2 of 2018 of the Commission on Crime Prevention and Criminal Justice, UN Member States mandated UNODC to “Continue providing, within its existing mandate, technical assistance and training to Member States, in particular developing countries, at their request, to improve and build capacities to prevent and combat trafficking in persons that is facilitated by the criminal misuse of information and communications technologies, and to utilize technology to prevent and address such trafficking”. Likewise, the 2013 Addendum to the OSCE Action Plan on Combating Trafficking in Human Beings recommends to OSCE participating States “Promoting regular training courses, as appropriate, in accordance with national legal systems, for officials... on all recent trends and aspects of THB, including... the use of the Internet and other information and communication technologies (ICTs) for committing THB related crimes, as well as training on the use of financial investigation techniques linked with THB related cases, and exchange of best practices”.

Therefore, anti-trafficking strategic plans should incorporate measures on capacity building related to the intersection of technology and trafficking. For example, law enforcement practitioners must be trained on how to capture evidence of technology’s misuse to support investigations and prosecutions; NGOs must be trained on the use of tools to identify or assist victims; technology developers should be trained on unintended uses of technology in the context of trafficking; and so forth. In short, careful thought must be given to the development, use, maintenance, monitoring and evaluation of technology used by practitioners to combat trafficking.

In promoting the responsible development and use of technology, cross-sectoral partnerships are key. For example, the WeProtect Global Alliance is a group of over 88 countries, 20 leading ICT companies, 25 civil society organisations, and international organisations such as UNICEF (an ICAT member) that has been a leading initiative since 2014 in ending online child sexual exploitation.

ETHICAL CONSIDERATIONS AND DATA PROTECTION

The increased use of technology to counter trafficking has highlighted considerations around data privacy, ethics, transparency, accountability and informed consent – the latter becoming increasingly relevant with the use of AI by law enforcement. Most technology applications for counter-trafficking in persons require some form of collecting, storing, sharing and analysing data—each of which has its own inherent risks and requires established protocols and protections. Examples of challenging issues include:

- Ensuring that any data, especially information that identifies a person, is stored securely and only authorized persons have access to it;
- Establishing consent protocols that are gender and age-sensitive;
- Assessing risks related to information released by law enforcement that can be connected to the identities of victims, potentially putting them or their families at risk;
- Ensuring that data obtained from victims and vulnerable people is used to assist them and to end exploitative practices, rather than advance business interests;
- Ensuring that data shared among relevant agencies and between countries is done in accordance with national and international legal frameworks and takes into account privacy and confidentiality standards;
- Addressing potential conflicts between the need to protect anonymity and confidentiality and the need to support victims of trafficking in accessing services or rehabilitation.

In sum, technology-based tools can be useful entry points for addressing human trafficking, however, caution is needed in the specific application of the tools to ensure responsible and ethical use and to avoid unintended consequences. This is particularly important given that much of the technology development related to human trafficking is relatively new and untested, and thus should be monitored and evaluated for impact.

RECOMMENDATIONS FOR STAKEHOLDERS

In order to minimize the misuse of technology to facilitate trafficking in persons, and to maximize the value of technology-based solutions to this crime, while ensuring ethical considerations are fully addressed, ICAT proposes the following recommendations for all actors involved in the use of technology to combat trafficking:

1. Expand partnerships and coalitions between various sectors and stakeholders including international and regional organisations, the public sector, survivors, civil society, the private sector, and academia to enhance research, innovation, development and use of technology.
2. Identify and address gaps in legal systems to ensure the effective investigation and prosecution of technology-facilitated trafficking, including in particular harmonizing laws and enhancing cross-border cooperation to address the transnational threats of technology-facilitated trafficking.
3. Significantly expand data collection and research on the scope, scale, and nature of the misuse of technology to facilitate human trafficking, particularly on the Internet.
4. Build expertise and capacity among practitioners across sectors to allow for maximum use of technology to combat trafficking.
5. Support law enforcement in establishing a presence in the online world, conducting pro-active operations, seizing appropriate evidence, and using available counter-trafficking technology tools.
6. Increase support for technology-based solutions to identifying trafficking victims and cases.

7. Support policies and technology-based solutions that address the global scope of human trafficking, such as scalable, online prevention programming or data aggregation tools that facilitate large-scale information analysis in support of human trafficking investigations.
8. Ensure that new initiatives in the anti-trafficking field do not duplicate existing efforts related to technology.
9. Explore policy and operational solutions to address the misuse of technology platforms, including websites that can be used to facilitate human trafficking.
10. Incorporate a gender-sensitive perspective when addressing the trafficking and technology nexus, including by addressing the continuum of violence against women and girls that occurs online, such as the use of sexual blackmail, harassment and the advertisements of sham marriages, as means of gender-based coercion and control that perpetuate trafficking in women and girls. The benefits provided by the developed technology should also be gender-sensitive, including by facilitating easy reporting and ensuring that victims have quick and effective recourse to assistance if they are targeted by repetitive abusive behaviour on-line which places them at a greater risk of trafficking and exploitation.

WHAT IS ICAT?

The Inter-Agency Coordination Group against Trafficking of Persons (ICAT) is a policy forum mandated by the UN General Assembly to improve coordination among UN agencies and other relevant international organisations to facilitate a holistic and comprehensive approach to preventing and combating trafficking of persons. ICAT was formally established in March 2007, pursuant to the United Nations General Assembly Resolution 61/180. ICAT consists of 22 organisations and one partner.

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