PREVENTING HUMAN TRAFFICKING: JOINT IBMATA / RSO BALI PROCESS WORKSHOP FINDINGS

SINGAPORE, SEPTEMBER 2022

Members of the International Border Management and Technologies Association (IBMATA) and the Regional Support Office of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (RSO) came together at a joint workshop in Singapore on 20 September 2022 to discuss the ongoing threat of human trafficking and people smuggling across International Borders, and how the international border community can help to deter and disrupt these activities.

The workshop was attended by several recognised experts in the field of human trafficking and international border management from both the public and private sector, including academia. Delegates were invited to discuss a series of questions – covering topics ranging from the impact of the Covid-19 pandemic, to best practice around early detection of criminal activities relating to irregular migration, to considerations around use of personal data, and the effectiveness with which states are adopting technology in current border management practice and subsequent information sharing across borders.

There was strong consensus around the need to prioritise information sharing within and across borders, to strengthen impact across the international community. Where advances are being made in data gathering, adoption of technology and intelligence – best practice needs to be shared across countries and systems aligned – to disseminate intelligence effectively across borders and to build capacity in terms of resources and training as far as possible across regions.

Here is a summary that notes participants were divided into five groups with the objective of discussing recent themes and trends in border management relating to transnational crime and reporting back to larger group.

GROUP 1

- *Has the COVID crisis and the subsequent closure of international borders, businesses, and loss of income led to an increase in people smuggling, and trafficking in persons?*
- *Has the re-opening of borders affected people smuggling and trafficking in persons trends?*

In general terms the closure of air routes across international borders caused by the COVID-19 pandemic made it more difficult for traffickers and smugglers to exploit legitimate travel routes. Many source and transit countries closed their airports altogether, and those that remained open demanded more information from travellers (notably health declarations and vaccination certificates) which did not suit the traditional modus operandi employed by the traffickers and smugglers. Criminal operations prefer to avoid direct and indirect contact and interaction with government agencies, and only to do so under the guise of deception as to their purpose of travel (often posing as a guardian or relative of the victim, or even travelling independently). That is not to say that the COVID-19 pandemic had a significant impact upon preventing human smuggling and trafficking altogether. The downturn in economic viability in countries already suffering from extreme poverty created an environment where exploitation of the vulnerable became more rather than less likely; and (worryingly) more dangerous routes by land and sea became more attractive for international organised crime gangs.

Of course the re-opening of borders and resumption of international air travel provides smugglers and the traffickers with additional opportunities to play their trade across international borders. If there are any lessons to be learned from COVID-19, the importance of gathering passenger information and sharing information across borders is key, so that border agencies become more adept at identifying signs of trafficking earlier in the journey and arranging upstream interdiction in source and transit countries, wherever possible. This requires more coordination and collaboration within individual countries and across national borders.

GROUP 2

- *What can source, transit, and destination countries do to improve early detection of people smuggling and trafficking in persons?*
- *How can government and private sectors work together to disrupt people smuggling and trafficking in persons?*

There is a distinct difference between trafficking and smuggling; and each has its own challenges in detection and prevention. It is important that these are understood by all parties.

Trafficking can (and indeed normally does) involve legitimate travel and legitimate documentation, with potential victims actually wanting to travel due to fake promises made by traffickers. Often, only after the journey and border crossing has taken place does the true nature and risk manifest itself. This raises questions as to how border agencies can intervene at all when no crime has been committed; and the potential victim actually wants to travel.

It was agreed that processing at the borders has limits to address the crime of migrant smuggling and identify migrant smugglers. Combatting the use of social media and mobile applications by smuggling networks was seen as an urgent priority for efforts.

Some delegates felt that strengthening borders and reducing regular migration routes leads to increasing the draw of smuggling, as well as the costs and potential dangers associated with it. Arguably if there were no borders, there would be no human smuggling; and if you build bigger borders, then the smugglers will bring bigger ladders. Although realistically – all countries have a duty to protect their populations from harm.

There was a broad consensus that there needs to be better information-sharing systems between governments on intelligence, victim profiles, perpetrators etc. However, the group also noted that the source countries of many smuggled individuals have limited capacity to manage migration, and corruption also contributes to weak governance over transnational organised crime.

Delegates also felt that air crew and airport staff often spend much longer in the presence of potential victims of trafficking; and there is a potential role to help and train airline staff to spot individuals who may be at risk. There is more thinking to be explored around how this could work, and what role airline staff could realistically play. Airline staff are not law enforcement officers, but delegates noted that trafficking is a societal problem, and all citizens have a responsibility to report potential crimes regardless of their profession.

In keeping with several previous IBMATA findings, the group agreed that Border Agencies should use new and emerging technology to pre-clear the vast majority of legitimate and low-risk travellers; and develop tools to allow skilled border force officers to focus more time and effort on the suspect and high-risk travellers.

GROUP 3

- *To what extent can Border Agencies intercept and act upon digital data held and shared by people smuggling and trafficking in persons networks?*
- *What are the latest trends and evolving methods (modus operandi) in people smuggling and trafficking in persons detected at your respective border?*

If a legal investigation is opened, Law Enforcement Agencies have access to any information / devices carried by the subject of the investigation. This information can be collected and collated to generate reports and possibly create profiles of persons of interest to feed into risk assessment processes and targeting centers. However, it is difficult to investigate every case due to time pressures and limited investigative capacity. These are very dynamic situations as risks evolve very quickly at times; and international data sharing is very complicated. Prior to an investigation being initiated, it is even more difficult. Future work should focus on intelligence & targeting center development, and integrated border management concepts (e.g. interagency cooperation).

Reliable data on both people smuggling and trafficking persons is limited. It is contained within the broader bucket of "intelligence information". Although this does contain some info on the main smuggling routes used.

GROUP 4

- *What are preventive measures underway in your respective borders and how these can be further enhanced with technology?*
- *Is your current information gathering system giving you the info/data that you need to make lawful / timely decisions for border management? How this should be enhanced?*

In some land border locations, physical barriers may exist, particularly close to cities. Technology-based solutions also exist to cover vast border areas between ports of entry. These solutions can be enhanced by surveillance technology to help identify incursions and allocate resources for rapid response. Similar technology options are available for maritime borders.

Preventative measures include press and media communications in neighboring countries, to discourage potential victims from travelling. Training on documentation in source and transit countries can also help to identify problems in countries of origin.

However, many technology systems are not talking to each other. Help is needed to enable systems to communicate with other systems, as well as the humans in the process.

Current information gathering systems can provide the data and intelligence needed to make lawful/timely decisions for border management – but only if the country concerned has invested in an integrated system. A lot of countries have not been able to do this.

We need to provide simple training tools for border agents. Training courses – especially those that combine regions and departments to ensure that they are taking the same training and are working with the same tools – can help us to identify gaps in their knowledge.

Technology can be a hinderance if we are not training people on how to use it and providing them the right tools to use it. Moreover, to ensure real effectiveness and inpact, there needs to be effective structures for information sharing within and between countries.

GROUP 5

- *Is information sharing happening between your counterpart agencies across national and international borders (land/maritime/air borders)?*
- *How can international forums such as IBMATA and the Bali Process further facilitate international cooperation and private-public partnerships for enhanced border management?*

Information sharing is happening at an international level. Border Agencies can get information from Interpol. By cross-sharing intelligence from Interpol and other intelligence partners, law enforcement agencies can exploit weaknesses in the smuggling networks. It is important that border agencies combine international intelligence with their own intelligence, and push information out to partner countries.

Many countries have bilateral agreements with their neighbours. The more the better – but this is not happening fast enough. There are also limited resources in key areas (e.g., targeting officers) and sometimes they are not well trained. Regional cooperation is vital.

Data quality can be challenging – e.g., Interpol datasets. There is no global standard for international data sharing. This is often due to privacy constraints. Much depends upon whether data is from a trusted source or not. Countries from which most information is received is not usually the source country.

Borders vary in terms of what can be done. In the air mode Passenger name records (PNR) has well established standards so air traffic is easier to control. Maritime is more difficult. Clandestine entry at land borders is a big issue because we might not know a person is there.

We should not ignore Customs. We do often get information about goods' movements, which may provide some clues.

International liaison always helps, either government-to-government or via international government organisations or non-government organisations.

It is important to get the end users engaged. This should involve police and immigration – greater integration is needed between them.

There is a friction in the relationship between private and public sector, with a perception that the private sector is always wishing to sell products rather than solve problems. Private sector representatives need to get involved more with frontline users to understand requirements better. One idea might be to have trusted vendors who can take part in policy discussions on a non-commercial basis.

CONCLUSION

Overall there was consensus that law enforcement agencies should strengthen cross-border and multisectoral cooperation to address people smuggling and trafficking in persons while fostering international cooperation. It will be important to continue dialogue and joint activities between source, transit, and destination countries. This means regular sharing of data and intelligence and gathering feedback from trafficking victims, smuggled migrants, assistance providers, and law enforcement professionals.

There are several companies developing tools to enhance data gathering and intelligence. It is important that Border Agencies and others are made aware of these capabilities; and do all they can to make best use of them in order to disseminate intelligence across borders. Only by working together will the international community be able to disrupt and deter criminal gangs that are exploiting vulnerable individuals for their own personal gain.

RSO and IBMATA are committed to support stakeholders in strengthening border management to fight against transnational crime and look forward to future opportunities for engagement.