

Jurnal Nasional Terakreditasi 14

by PENGECEKAN TURNITIN

Submission date: 11-Dec-2023 10:52AM (UTC+0700)

Submission ID: 2255051931

File name: chnology-in-facilitating-the-crime-of-trafficking-in-persons.pdf (507.35K)

Word count: 4152

Character count: 23195

Role of Technology in Facilitating the Crime of Trafficking in Persons

Ani Munirah Mohamad, Mohd Zakhiri Md Nor, Yusramizza Md Isa @ Yusuff, Aspalella A Rahman, Anis Shuhaiza Md Salleh, Yuhanif Yusof, Heni Susanti, Rafizah Abu Hassan

To Link this Article: <http://dx.doi.org/10.6007/IJARBSS/v12-i12/16047> DOI:10.6007/IJARBSS/v12-i12/16047

Received: 12 October 2022, **Revised:** 14 November 2022, **Accepted:** 30 November 2022

Published Online: 21 December 2022

In-Text Citation: (Mohamad et al., 2022)

To Cite this Article: Mohamad, A. M., Nor, M. Z. M., Yusuff, Y. M. I. @, Rahman, A. A., Salleh, A. S. M., Yusof, Y., Susanti, H., & Hassan, R. A. (2022). Role of Technology in Facilitating the Crime of Trafficking in Persons. *International Journal of Academic Research in Business and Social Sciences*, 12(12), 2535 – 2544.

Copyright: © 2022 The Author(s)

Published by Human Resource Management Academic Research Society (www.hrmars.com)

This article is published under the Creative Commons Attribution (CC BY 4.0) license. Anyone may reproduce, distribute, translate and create derivative works of this article (for both commercial and non-commercial purposes), subject to full attribution to the original publication and authors. The full terms of this license may be seen at: <http://creativecommons.org/licenses/by/4.0/legalcode>

Vol. 12, No. 12, 2022, Pg. 2535 – 2544

<http://hrmars.com/index.php/pages/detail/IJARBSS>

JOURNAL HOMEPAGE

Full Terms & Conditions of access and use can be found at
<http://hrmars.com/index.php/pages/detail/publication-ethics>

Role of Technology in Facilitating the Crime of Trafficking in Persons

Ani Munirah Mohamad¹, Mohd Zakhiri Md Nor², Yusramizza Md Isa @ Yusuff³, Aspalella A Rahman⁴, Anis Shuhaiza Md Salleh⁵, Yuhanif Yusof⁶, Heni Susanti⁷, Rafizah Abu Hassan⁸

¹School of Law and Centre for Testing, Measurement and Appraisal (CeTMA), Universiti Utara Malaysia, Malaysia, ²School of Law and Institute for Management & Business Research (IMBRe) Universiti Utara Malaysia, Malaysia, ³School of Law and Asian Research Institute of Corporate Governance (ARICG), Universiti Utara Malaysia, Malaysia, ^{4,5}School of Law and Legal and Justice Research Center (LJRC), Universiti Utara Malaysia, Malaysia, ⁶School of Law, Universiti Utara Malaysia, Malaysia, ⁷Faculty of Law, Universitas Islam Riau, Indonesia, ⁸Faculty of Law, Universiti Teknologi MARA Shah Alam, Malaysia.

Corresponding Author's Email: animunirah@uum.edu.my

Abstract

Statistics have shown increasing trend of the crime of “trafficking in persons”, in various parts of the world, including China, Iran, Russia, Sudan, Syria, Malaysia and few others. Sometimes known as “human trafficking” or “modern slavery”, past research has pointed that the use of technology is predominant in leading to the crime of trafficking in persons. In the era of information society and network society alike, technology is not only resorted to for the advantage of the users, but such also as removing geographical boundaries, enhanced efficiencies, communication, and commerce. On the other hand, it also works against the benefit on humankind, particularly in this study, in facilitating the crime of trafficking in persons. Henceforth, this study investigates the role of technology in facilitating the crime of trafficking in persons. The methodology engaged in this study is doctrinal research, involving review of literature, statistics, government reports, archival documents and relevant cases on human trafficking. The study found that technology plays a significant role in facilitating human trafficking from four main dimensions, being (1) recruitment and advertisement, (2) transportation, (3) exploitation, and (4) financial management. At each of these dimensions, technology becomes the enabler and communication tool to empower perpetrators in engaging in the crime of trafficking in persons. The findings of the study are significant to contribute to the body of knowledge in the areas of cybercrimes and trafficking in persons. Hopefully, the findings of the study would shed light into future research on these key areas, particularly towards achieving the 16th goal of the United Nation’s sustainable development goals for peace, justice and strong institutions (SDG-16).

Keywords: Trafficking in Persons, Human Trafficking, Technology Adoption, Cybercrime, SDG16.

Introduction

Trafficking in persons has emerged as one of the alarming transboundary crimes of all ages, and in various parts of the world, such as China, Iran, Russia, Sudan, Syria, Malaysia and few others (Tan et. Al., 2020). In all these situations, technology is reported to be a strong enabler or communication tool which facilitates the crime of trafficking in persons (Fraser, 2016). This is undeniably understood by many that technology is a double-edged sword, at one end it brings benefits and advantages, at the other end it poses risks and threats to the users and stakeholders. A scenario illustrating this could be the usage of Internet and world wide web for browsing through information on employment opportunities, particularly involving migration to another country purportedly for better opportunities. Little does the information seeker realise that the information is an entire scam and luring him into becoming victims of trafficking in persons.

This study embarks on answering the question of: How does technology facilitate the crime of trafficking in persons? Accordingly, the study investigates the role of technology in facilitating the crime of trafficking in persons, along the lines of technology adoption and cybercrimes. The following sections present the review of literature on the subject matters engaged in the study, the methodology undertaken in the study, and followed by the findings and discussion.

Literature Review

The key themes engaged in this study are “trafficking in persons”, “technology” and “cybercrime”. The term “trafficking in persons” refers to a crime in which traffickers exploit and profit from people or children by compelling them to work or engage in commercial sex. These acts typically involve the threat or use of force or other forms of coercion, abduction, fraud, deception, the misuse of authority or a vulnerable position, or the providing or receiving of rewards or advantages in order to obtain the permission of a person exercising control over another person (Milijojevic, 2018). Sometimes referred to as “human trafficking” or “modern slavery”, trafficking in persons involves adults and children being exploited and profited at the expense of traffickers who force them to perform labor or engage in sex industry. When a person under the age of 18 is used to perform a promotional sex act, regardless of whether force, fraud, or coercion is used, it is a crime.

In this regard, the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (“the Protocol”) provide that victims of trafficking in persons are recruited by threats or the use of force or other forms of coercion, abduction, fraud, deception, abuse of power or a vulnerable position and the payment or receipt of benefits in order to obtain consent from a person who has control over another person in order to be exploited by that person. Slavery or practices akin to slavery, servitude, or the removal of organs shall be included in exploitation, at the very least, the exploitation of other people's prostitution or other types of sexual exploitation, forced labour or services. What could be seen from this lengthy conceptualisation of trafficking in persons by the Protocol is that its scope is quite huge, covering aspects of force, threat and deception by a person in beneficial position against vulnerable persons. Additionally, it also includes acts of slavery or illegal operation to gain the human organs to be included in this definition.

Figure 1 shows the forms of trafficking victims by type of exploitation. Top of the list is sexual exploitation of the victims by 50%, followed by 38% of cases involve in forced labour. Meanwhile, 6% of the cases are in the form of criminal activities, followed by begging (1.5%), forced marriages (1%), mixed forms (1%) and others. This proves the various and diversified forms of exploitation involving victims of trafficking in persons.



Figure 1. Forms of trafficking victims by type of exploitation (UNODC-United Nations Office of Drugs and Crimes, 2020)

Given the transboundary nature of trafficking in persons, the crime always involves movement or transportation of victims from their home country to another country, either by force or by inducement (Milijojevic and Segrave, 2017). Very often, upon arrival to the intended location, the victims would be underprivileged in a foreign country with no protection. Movement systems are utilized by traffickers to bring in new victims to their trafficking operations as well as to transport existing victims to various locations where they would be trafficked and abused. Traffickers can recruit victims at bus and railway stations. An important roadblock for many trafficking survivors is a lack of transportation.

Literature has also pointed out that the entire process of trafficking in persons, right from recruitment and advertisement, transportation, exploitation and resolution of the process. In this regard, it seems necessary to highlight that the use of technology could very well facilitate each stage of the crime (Reid and Fox, 2020). For instance, social media emerge as the top contributor for advertisement and identification of victims who might be interested to "migrate" to another country when in fact such advertisement is targeted towards potential victims on trafficking in persons (Sarkar, 2015). Such technologies could also be in the form of telephone calls, video conference calls, social media messenger or even printed items (John, 2018). The spread of information extends well beyond merely coordinating illicit activities amongst the many criminal organizations. It makes it easier to conduct illegal operations and take advantage of exploitative chances.

In addition to the above aspects, cybercrimes could also be brought into picture particularly when technology is engaged involving the acts of spamming or hacking into the computer systems or networks, for the purpose of exploiting adults and children who are in actual setting, they are the victims of human trafficking (Rhodes, 2017). To summarize, cybercrime and human trafficking share a fundamental trait: both are lucrative activities for organized

crime groups, which are willing to take advantage of them regardless of the consequences for victims of trafficking or migrants who pay and risk their lives to flee conflict and violence in the process.

These lines of literature suggest in the direction of the exceptionally large potential of employing technology to facilitate the crime of human trafficking, and it is therefore extremely important that this study be carried out to better understand the implementation of service. The following section introduces the methodology undertaken in the study.

Methodology

Engaging in doctrinal research and library-based, the researchers reviewed literature, statistics, government reports, archival documents and relevant cases on human trafficking. Apart from that, the operational and enforcement aspects of human trafficking were also reviewed, to further understand the process of trafficking in persons, right from recruitment of the victims until the resolution of the process. Document analysis was carried out, for the purpose of soliciting the following findings of the study.

Findings and Discussion

The study found that technology was used to facilitate the crime of trafficking in persons, from four broad dimensions: (i) recruitment and advertisement (ii) transportation of victims (iii) exploitation, and (iv) financial management. The following section deliberates on each of the dimensions of the findings.

Recruitment and Advertisement

The first dimension is for the recruitment and advertisement by perpetrators and targeted towards the potential victims. Wide variety of media was used to reach to the potential victims, to identify the likelihood of the persons susceptible to become victims and to communicate with them, such as telephone calls, emails, social media, and even printed materials. The role of technologies in facilitating trafficking in persons is described in the following **Figure 2**.



Figure 2. Recruitment and advertisement for trafficking purpose

Globalisation, information society and the Internet have undeniably impacted on the work routines of many walks of life, including business owners, households, the elderly and the younger generations. Report from Statista (2021) showed that the global Internet penetration as at 2021 is 59.9% of the global population, which translates into more than half of the people in the world are connected to the Internet, with some countries ranging more than the others. This essentially means, the more people are connected to the Internet, the more exposed they are to sharing their stories and lifestyle. In this regard, traffickers would use this opportunity to prey on the victims, focusing on the emotional and psychological vulnerabilities among the Internet users (Mohamad et al., 2017). This is made possible by geo-data and advanced technological tools which allow for sentiment analysis and artificial intelligence applications in identifying the location, emotion, personal data and to a certain extent, the financial records of the potential victims. Accordingly, the traffickers would make the step forward to approach the potential victims by throwing promises or threats to lure them as victims of trafficking in persons.

In order to avoid or minimise such situations from occurring, it would always be advisable to protect oneself against potential threats of falling trafficking victims by educating oneself and working on strategies for self-protection and smart usage of the technological tools. This would include intelligent handling of personal data on social media accounts and always be wary of the shared contents in the digital world, as well as protecting oneself by using appropriate firewalls or antivirus security applications on their devices.

Transportation

Transporting trafficking victims from their home country to the destination, whether by road, air, or sea, is the second dimension of the problem. Using each of these means of transportation would necessitate delicate communication and collaboration among the persons involved, and they would be forced to rely on technology equipment and gadgets, as well as communication channels, in order to coordinate their efforts, as shown in **Figure 3**.



Figure 3. Role of technology to facilitate transportation of trafficking victims

Transport coordination is highly pertinent to be mastered by the traffickers, particularly to deal with the appropriate modes of transportation, relevant travel documents, security and customs clearance and proper luggage and carry-ins. For this purpose, technological tools such as mobile phones, laptops, computer applications and other technological likes are

common tools for the implementation of the coordination to transport the victims from their home country to the destination country, as well as transportation within the jurisdiction in which they are trafficked to. This would also involve proper coordination in terms of sending off of the victims from one location as their acceptance at another location. Accordingly, using digital communication technologies to facilitate human trafficking offers major management and organizational benefits, making them a valuable commercial resource for human traffickers.

Exploitation

The third dimension is for the purpose of exploitation itself, i.e. for the purpose of carrying out the exposing, exploitation, and weakening of the victims, for which technology tools are also widely employed and prevalent, some of which are highlighted in the following **Figure 4**.



Figure 4. Technology in exploitation of trafficking victims

Various exploitation strategies could be carried out with the help of technologies, such as capturing of videos and images of the victims for the purpose of advertisement or showing off to potential clients who might pay a handsome sum of money to get hold of the media files. Such media files could be stored privately for future retrieval or highlighted in online banners, icons, websites, or social media platforms, which are also familiar forms of exploitation of trafficking victims (Widarini and Prasasti, 2013; Mohamad, et. al., 2019). Undeniably, the graphics could very well contain sexual and illicit online activities and distributed globally and entirely. This coincides with the claim that a media file, once digitised, is easily stored, transferred and shared to third parties, or even worse, to the entire Internet population.

Another aspect of exploitation is the slave labour, upon which victims are recruited for the purpose of completing works and tasks for low or no pay. In this context, technology plays a vital role in matching the employers who are desirous of “hiring” the slave workers, for which the traffickers would work towards recruiting the victims and “selling” them online to the potential employers (Geldenhuys, 2019). Such a situation is leveraging against the use of technological means to achieve the primary aim of generating profits or payments in their capacity as traffickers. Social media accounts, Web 2.0 tools and personal or business

websites would very well serve as the platform for digital or online labour exploitation of the victims.

Additionally, technological tools and applications could very well serve as a suitable control mechanism of the trafficking victims. For instance, illicit graphics of the victims could be stored digitally and be used to threaten the victims for distribution to the whole wide world, in the event he/she fails to accord to the trafficker's orders. This form of threat is also known as 'sextortion' (Wittes et al., 2016). On a similar topic, it should be noted that human traffickers have been known to impose limits on the use of technology in order to further isolate their victims (Hagan et al., 2021).

Financial Management

The final dimension on the role of technology in facilitating trafficking in persons is the financial management, in which monetary funds and payments are sent and received using online banking and at certain points, involve digital or virtual currencies as shown in Figure 5 below.



Figure 5. Trafficking financial management engaging in technology

Virtual currency is a form of unrestricted digital currency that can only be obtained through electronic means. All transactions and data are saved and processed using specialized software, mobile or computer applications, or digital wallets, and take place through secure, dedicated networks on the internet (Raets and Janssens, 2021). The digital currency group comprises cryptocurrencies as well as virtual currency, which is a subset of the latter (Al-Amaren et al., 2020). Within the context of trafficking in persons, human traffickers could potentially "buy prepaid cards and then utilize the cards to purchase virtual money on a peer-to-peer trading network." In order to gain clients, human traffickers pay internet adverts featuring commercial sex acts with the virtual money. Today, people are still being recruited for slave labour or sex slavery by human traffickers over the internet. Traffickers can speak with nearly anyone in the world using the Internet, providing them the option to communicate with potential victims both at home and abroad.

Conclusion and Recommendations

Illegal traffickers are making extensive use of technology, which is a cause for concern. According to the findings of the study, technology was utilized throughout the entire process

trafficking in persons, beginning with the recruitment of victims and continuing until the procedure was completed. Even if some may advocate for the benefits and advantages of technology in moulding human lives, others may argue that technology itself can destabilize the ecosystem of culture and stability, as has been seen in the case of human trafficking. Finally, what matters is how humanity will utilize technology, whether for good or for ill, in order to further its goals.

To protect oneself against becoming victims of trafficking in persons, primarily it is hereby suggested that the family institution must be strengthened. Parents should be wary and concerned about their family members' access and actions on the Internet and the world wide web, and appropriate communication monitoring could also be considered so as to avoid suspicious exchange of information or media files with online strangers. Apart from that, the individual user of the technologies should also be cautious with the type and extent of information shared online, for instance their meta-data, location, financial transactions, or other psychosocial alarms, such as loneliness or in desperate need of attention.

Within the broader context, schools, institutions, and workplaces should also have a policy against the handling of illegal or unwanted ages/spam received online and well as smart usage of social media accounts. Proper training should be conducted focusing on the dangers and harms of becoming trafficking victims. Additionally, good antivirus software and security system applications should be subscribed and put to work to minimize unwanted and unsolicited advertisements from potential traffickers.

Having established the use of technology in facilitating the crime of trafficking in persons in this study, future research should be directed towards investigating how technology is harnessed for the avoidance or elimination of trafficking in persons, instead of facilitating it.

Acknowledgment

This paper is part of a study carried out under matching grant between Universiti Utara Malaysia and Universitas Islam Riau (S/O Code: 21001).

Corresponding Author

Ani Munirah Mohamad
School of Law and Centre for Testing, Measurement and Appraisal (CeTMA) Universiti Utara
Malaysia 06010 Sintok, Kedah Malaysia
Email: animunirah@uum.edu.my

References

- Al-Amaren, E. M., Ismail, C. T. B. M., & Nor, M. Z. (2020). The blockchain revolution: A gamechanging in letter of credit (L/C). *International Journal of Advanced Science and Technology*, 29(3), 6052-6058.
- Fraser, C. (2016). An analysis of the emerging role of social media in human trafficking: Examples from labour and human organ trading. *International Journal of Development Issues*.
- Geldenhuis, K. (2019). The role of social media in facilitating human trafficking. *Servamus Community-based Safety and Security Magazine*, 112(7), 18-20.

- Hagan, E., Raghavan, C., & Doychak, K. (2021). Functional isolation: understanding isolation in trafficking survivors. *Sexual Abuse, 33*(2), 176-199.
- John, G. (2018). Analyzing the influence of Information and communication Technology on the scourge of human trafficking in Rwanda. *Journal homepage: <http://innovativejournal.in/assj/index.php/assj> ISSN, 2456, 2394.*
- Milivojevic, S., & Segrave, M. (2017). Gendered exploitation in the digital border crossing? An analysis of the human trafficking and information technology nexus. In *Gender, Technology and Violence* (pp. 28-44). Routledge.
- Milivojevic, S., Moore, H., & Segrave, M. (2020). Freeing the Modern Slaves, One Click at a Time: Theorising human trafficking, modern slavery, and technology. *Anti-trafficking review, 14*(1), 16-32.
- Mohamad, A. M., Hamin, Z., & Othman, M. B. (2017). Balancing Open Justice and Privacy Rights in Adopting ICT in the Malaysian Courts. *Advanced Science Letters, 23*(8), 7996-8000.
- Mohamad, A. M., Salleh, A. S. M., Nor, M. Z. M., & Jalil, N. I. A. (2019). Harnessing risks perception theory for the understanding of barriers to e-government. *International Journal of Law, Government and Communication, 4*(15), 194-205.
- Raets, S., & Janssens, J. (2021). Trafficking and technology: Exploring the role of digital communication technologies in the Belgian human trafficking business. *European Journal on Criminal Policy and Research, 27*(2), 215-238.
- Reid, J., & Fox, B. (2020). Human Trafficking and the Darknet: Technology, Innovation, and Evolving Criminal Justice Strategies. In *Science Informed Policing* (pp. 77-96). Springer, Cham.
- Rhodes, L. M., & Rhodes, L. M. (2017). Human trafficking as cybercrime. *AGORA International Journal of Administration Sciences, 1*(1), 23-29.
- Sarkar, S. (2015). Use of technology in human trafficking networks and sexual exploitation: A cross-sectional multi-country study. *Transnational Social Review, 5*(1), 55-68.
- Statista. (2021) Human Trafficking - Statistics and Facts 2021, online available at <https://www.statista.com/topics/4238/human-trafficking/> accessed 30 September 2021.
- Tan, O. S. L., Vergara, R. G., Phan, R. C., Khan, S., & Khan, N. (2020). Human Trafficking and Cyber Laws in Malaysia. *Encyclopedia of Criminal Activities and the Deep Web, 518-532.*
- UNODC-United Nations Office of Drugs and Crimes, (2020) Global Report on Trafficking in Persons, online, available at https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP_2020_15jan_web.pdf accessed 30 September 2021.
- Widarini, D. A., & Prasasti, R. (2013). Human Trafficking Trough Social Media. *WACANA: Jurnal Ilmiah Ilmu Komunikasi, 12*(1), 10-15.
- Wittes, B., Poplin, C., Jurecic, Q., & Spera, C. (2016). Sextortion: Cybersecurity, teenagers, and remote sexual assault. *Center for Technology at Brookings*. Online, available at <https://www.brookings.edu/wp-content/uploads/2016/05/sextortion1-1.pdf> accessed 20 September 2021.

Jurnal Nasional Terakreditasi 14

ORIGINALITY REPORT

32%

SIMILARITY INDEX

22%

INTERNET SOURCES

13%

PUBLICATIONS

23%

STUDENT PAPERS

MATCH ALL SOURCES (ONLY SELECTED SOURCE PRINTED)

10%

★ Submitted to University of Queensland

Student Paper

Exclude quotes On

Exclude matches Off

Exclude bibliography On