

## 6 - Conclusions

The impact that new technologies and the internet have had on all areas of life is undeniable. The digitalization experienced in recent decades has promoted an unprecedented increase in the number of people connected to the internet, notably during and after the Covid-19 pandemic. Never before has the world's population been so interconnected.

The patterns of relationships, communication, and information have changed rapidly with the development of the Internet, the large infrastructure that since the 1990s has favored the unprecedented growth of platforms, applications, social networks, and other digital tools that support the current model of socioeconomic development.

In this sense, the criminal panorama has not been an exception, highlighting the impact that new technologies and the Internet have had on human trafficking, especially concerning the recruitment and exploitation of possible victims, and any of its purposes. Traffickers and criminal networks have known how to adapt their modus operandi to get the most out of them, improving the profitability of this illicit business that annually reports enormous economic benefits.

The **reach, immediacy, anonymity** or the possibilities of **access** to especially vulnerable population groups such as children and adolescents are some of the factors that define the new paradigm that new technologies and the Internet represent in the commission of this crime against human rights.

The use of these digital tools (applications, social networks, platforms, instant messaging, video chat or video streaming, etc.) has been highlighted throughout the entire process of subjugation of potential victims, in their recruitment and exploitation, but also in the advertising of these or their services, the laundering of the benefits derived from it and even in the control and coercion of them.

As in commercial marketing, the hunting strategy and the fishing strategy define the new modus operandi in digital environments, attending to the target audience that is intended to be captured (potential victims, but also potential clients) and even attending to the exploitation purpose in question.

The evidence available to date points to new technologies and the Internet as **facilitating elements** in the crime of trafficking, allowing traffickers and criminal groups to act with greater scope, assuming fewer risks and greater benefits, and this under the security provided by anonymity in digital environments.

The challenges in this regard are many and varied, and in certain respects may be even greater than when human trafficking occurs offline. In this sense, some experts have identified similar challenges, pointing out specificities of digital environments that must be addressed since they constitute amplifiers of this crime.

*"The challenges in relation to the protection of the victim are the same that already exist when trafficking and exploitation occur without resorting to ICT: effective, efficient protection that offers lasting alternatives taking into account the right to privacy, to data protection, the victim's right to be forgotten, that there is a de facto end to the victim's exploitation."*

*Key informant*

Along these lines, the need to move towards common regulatory frameworks has been highlighted, which take into account a rights-based approach with which should facilitate protection mechanisms that ensure the recognition of human dignity, the cornerstone of human rights.

Including new technologies and the Internet in the regulatory frameworks of trafficking as new instruments in the commission of the crime, and not as a neutral element, is crucial to improve its persecution and investigation and its subsequent prosecution, ensuring mechanisms of compensation to potential victims and survivors.

*“Recognize that we need a global response (universal jurisdiction), starting with understanding the crime, more or less, in a unitary way. What one State understands by trafficking is not understood by another.*

*What one understands by a form of exploitation, another does not understand in the same way. So how are we going to collaborate? It is impossible. Because I (State) am not going to collect data on what I understand is not a crime.”*

*Key informant*

It is essential to move towards public and binding regulation of technology companies that guarantees respect for fundamental rights such as intimacy and privacy, the protection of data or freedom of expression. The EU Digital Services Law (DSA) or the next EU Artificial Intelligence Law will be examples to value in this sense, an opportunity to test “a business model that per se does not seem compatible with over-regulation.”<sup>142</sup>

In this same sense, it is urgent to promote obligations for the technology sector that contribute to improving prevention mechanisms by applying binding due diligence processes, with which to identify possible risks derived from the misuse of its platforms and define measures that mitigate and restore the damage, applying transparency standards throughout the process.

It is appropriate, therefore, to strengthen cooperation between all the actors involved, States, the private sector and civil society, to improve the collection and exchange of information regarding the prosecution and investigation of crime. Governments, authorities and organizations must work together to identify new forms of online exploitation and develop strategies to prevent and combat human trafficking in digital environments.

Likewise, it is urgent to rethink prevention and protection mechanisms through the use of new technologies and the internet, structural elements of today's society and which, therefore, could function as catalysts in the construction of safe environments based on good treatment, in the *online-offline* continuum.

Reducing the digital divides that reproduce systems of oppression in digital environments is key in this sense. Access to new technologies, their use and, above all, the quality of this use are issues to take into account to guarantee safe and equal connectivity, for which it will be essential to improve the population's levels of digital literacy.

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<sup>142</sup> Key informant in interview.

The information collected shows some examples of initiatives and good practices that allow addressing the proper use of new technologies and the Internet in the fight against human trafficking. A fight that in any case must have as its main axis the transformation of the structural frameworks that perpetuate trafficking and exploitation of human beings.