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High-Level Conference: Empowering Change: Technology and Artificial Intelligence in the Fight against Human Trafficking

Rabat, Malta, 11 June 2025 (9:30 – 5 minutes)

[Panel 2](#) - The use of AI in prevention and protection: human rights implications:

Salomé Lannier is a postdoctoral researcher at the University of Luxembourg. Her expertise intersects between criminal, labour and digital law, as her research focuses on the fight against human trafficking, a gender-based approach to law, and the legal framework around sex work. She is currently the PI of the project "PROtect against EXploitation: exploitative offences versus legitimate work in a digitalised labour market". Salomé is a doctor of law and criminal sciences, after defending in 2023 her thesis on "New technologies and human trafficking," in joint supervision between the University of Bordeaux (France) and the University of Valencia (Spain).

Three questions were asked to Mrs. Lannier, during the Conference:

-Could you please tell us a little bit about AI systems used for the identification of trafficked victims?

-Are these AI systems really about prevention and protection?

-How can we harness EU law to foster a human right approach of tech fighting against human trafficking?

On the first question:

Frame: AI as machine learning. Exclusion of many digital tools that are not AI, e.g. police databases, hotlines, management software used by NGOs, tools for data collection. Focus on machine learning systems being developed to identify potential victims of human trafficking through scraping of online data.

What are these tools?

- Scraping of classified advertisements (e.g. on Backpage before closed by FBI)
- Matching of hotels pictures with classified advertisements pictures
- Identification of sexual exploitation in massage businesses
- From electronic health records
- Facial recognition, especially of missing children. But also other body features (e.g. tattoo).

Where are these tools from?

Mostly the US (DARPA / academia / private sector).

Growing pool of research criticising these tools, myself included:

- Sex work (prohibiting in the US vs EU regulated in Ge and NL and decriminalised in Be) vs sexual exploitation => the criteria used by these tools usually conflate both
- Some stupid criteria, e.g. depending on the sexual services offered, for instance BDSM, it can be flagged by default as exploitation.
- trained from specific databases extracted from mostly one website (aka Backpage) -> little diversity in the data
- How labelled the data -> we don't know (how/by who, unnamed experts) + no update
- Risk of discrimination / inadaptability if used in Europe.

On the second question:

In the mentioned examples: person already under exploitation = aimed for protection after identification.

Ideal scenario: the person if they are indeed a victim, can be identified and located -> then LEAs (law enforcement authorities) will recognise them as a victim -> the person will be given a reflection period and a residence permit, will participate in trial and get compensation.

But in practice:

- From a law enforcement authority perspective

If outreach but the trafficker is the one receiving the message -> become even less visible because the offenders will know that this website is being analysed by LEAs.

Some trafficked victims may be labelled as victims but repatriated (cf Chinese masseuses in Paris), meaning that they are not granted their rights. Even if a residence permit, few investigations result in convictions, leading to little compensation.

Labelled as victims but sex workers -> in some countries, they would be forced to stay in specific "protection houses" that are more likely to be "redress houses" to teach them how to be a "good woman"

FUTHERMORE: these systems can also be used by platforms for moderating content BUT

If a content is flagged as a potential trafficked victim, they might want to still keep the content to ensure intensive data flow on their website. As it was the case with backpage, they would alternatively erase keywords ('minor', 'lolita') instead of erasing the contact or referring it to LEAs.

If platform decides to close the account of the flagged content -> what if the content is flagged on google drive and google decides to close all Google accounts? -> that limit access to the service when it could help the victim and LEAs gather evidence / lead the traffickers will use more invisible platforms

And if the algorithm is wrong, it leads to restrictions of sex workers -> less working opportunities / degrading working conditions, which we already saw in the US for taking down an entire advertisement website and making platforms liability for facilitating prostitution.

Still lack of cooperation: even if content flagged, no reporting system to LEAs -> content down but victim still in exploitation situation.

- Mostly, still, a security-based approach

On the third question:

Regarding the improvement of the tools:

A lot has been said about the AI act... But limited use – either not high-risk, even if high-risk limited provisions on human rights.

Regarding the protection aspect:

GDPR: right to be forgotten as a way to take down content (but limited to content: need to think about digital environment), right to access as a way to obtain evidence

Digital Services Act: notice and take down mechanism for hosting services; trusted flaggers to give more power to NGOs

BUT still little cooperation (especially with adult-content websites) -> e-evidence regulation: European Production Orders and European Preservation Orders for electronic evidence in criminal proceedings OR sanctions (cf investigation of Pornhub by data protection authority, Telegram CEO arrested in France)

Regarding the prevention aspect, need more innovative solutions.

- Labour law and tech: job advertisements: already preliminary research but data too limited => an element to be regulated?
- Corporate due diligence directive: omnibus directive problematic. Because exploitation in value chains even of tech companies (moderation/AI training/data labelling). But also any other multinational: possibility to monitor value chains through blockchain, RFID.
- Platform work Directive: ensuring access to information
- Migration: increase use of AI systems to border control: need to include red flags of potential asylum seekers and trafficked victims
- Making sure awareness campaigns (especially visuals) are not stereotypical