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Human Rights at Risk: Organized Crime at Sea and Across Borders

Book of Abstracts for the International Scientific Conference

2-4 July 2026

Bucharest, Romania

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Alexandru TABUSCA

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2026

HUMAN RIGHTS & ORGANISED CRIME

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Human Rights at Risk: Organised Crime at Sea and Across Borders
Book of Abstracts

2–4 July 2026 | Bucharest, Romania

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THE LAW IS WILLING BUT STATES ARE NOT: POLITICAL WILL AND COOPERATION DEFICITS IN CROSS-BORDER SERVICE OF PROCESS FOR ORGANISED CRIME CASES

Author(s): *JUNE ANINDO, STRATHMORE UNIVERSITY AND UNIVERSITY OF NAIROBI, KENYA, LUCKY PHILOMENA MBAYE, SCHOOL OF LAW, UNIVERSITY OF NAIROBI, KENYA*

Abstract:

The legal architecture governing cross-border service of court process is largely fit for purpose. Domestic civil procedure rules, bilateral treaties, East African Community frameworks, and international instruments collectively provide workable mechanisms for serving process on foreign-based parties in organised crime proceedings. Yet despite this normative adequacy, cross-border service remains persistently ineffective, and the deficit lies not in the law but in the political will of states to honour their cooperation obligations. State cooperation deficits, manifested through deliberate non-responsiveness to letters rogatory, selective enforcement of mutual legal assistance obligations, and diplomatic friction, constitute the primary obstacle to effective cross-border judicial cooperation in transnational organised crime cases. Using Kenya and Tanzania as a comparative case study, this paper examines how politically motivated non-cooperation between two states sharing a legal heritage, regional integration framework, and common border frustrates access to justice for prosecuting authorities and victims of cross-border organised crime, including trafficking and maritime offences along the Swahili Coast. Procedural reform alone cannot resolve what is fundamentally a political problem. Enforceable accountability mechanisms within the East African Community and African Union frameworks are needed to incentivise genuine state cooperation, rather than merely codify it.

Keywords: *cross-border service of process; organised crime; mutual legal assistance; political will; state cooperation; access to justice; East Africa; Kenya; Tanzania; transnational crime*

POLICING THE SEAS, ENDANGERING LIVES: ORGANIZED CRIME AND THE FRAGILITY OF HUMAN RIGHTS

Author(s): *AVNI BAHRI, O.P. JINDAL GLOBAL UNIVERSITY- INDIA*

Abstract:

Organized crime at sea and across borders has emerged as a critical site where human rights protections are simultaneously invoked and undermined. This paper examines how transnational criminal networks engaged in human trafficking, migrant smuggling, and illicit maritime economies operate within regulatory gaps that expose vulnerable populations to systemic abuse. It focuses on South Asia, particularly India's maritime and border governance, in comparison with European responses in the Mediterranean. Drawing on recent cases, including trafficking routes in the Bay of Bengal & coercive labour practices affecting South Asian fishers in the Arabian Sea, alongside migrant smuggling networks across Mediterranean following heightened enforcement operations, the paper argues that securitised responses often displace rather than resolve human rights risks. European interventions, while institutionally robust, have been criticised for practices such as pushbacks and the externalisation of border control, raising concerns under the jurisprudence of the ECHR. In India, fragmented enforcement & jurisdictional ambiguities create similar vulnerabilities, particularly for undocumented migrants and coastal communities. Through a comparative socio-legal lens, the paper highlights how organized crime exploits both weak regulation & over-securitised governance. It argues for reorientation toward rights-centred, transnational accountability frameworks.

Keywords:

transnational crime; maritime security; human rights law; border governance; migrant smuggling; human trafficking; securitisation; South Asia; Europe

RECENT ASPECTS ON ORGANISED CRIME IN ROAD TRANSPORTATION AND ITS IMPACT ON HUMAN RIGHTS: A SPECIAL REGARD ON THE HUMAN FACTOR

Author(s): *ANCA ELENA BALASOIU, ROMANIAN-AMERICAN UNIVERSITY, ROMANIA*

Abstract:

The increasing involvement of organized crime networks in road transportation has become a significant challenge for both transport security and human rights protection. Professional truck drivers are increasingly exposed to cargo theft, vehicle hijacking, violence, intimidation, and other criminal activities that threaten their physical integrity, dignity, and safety at work. This paper examines recent trends in organized crime targeting road freight transport, with particular emphasis on the human factor and the vulnerabilities faced by drivers. It further analyzes the need for enhanced legal and contractual protection through the inclusion of specific safety clauses in commercial transport agreements, covering security measures, risk prevention, and employer responsibilities. The study argues that effective protection of drivers requires a coordinated approach combining criminal law enforcement, transport security policies, and contractual safeguards aimed at ensuring safer working conditions and greater respect for fundamental human rights.

Keywords:

organized crime; road transportation; human rights; transport security; commercial contracts

THE HUMAN PROXY: HOW SCAM COMPOUNDS TURN TRAFFICKED PERSONS INTO THE INFRASTRUCTURE OF CYBERCRIME

Author(s): *BOGDAN BOLBOACĂ, INDEPENDENT RESEARCHER, ROMANIA*

Abstract:

This article argues that Southeast Asia's scam compounds expose a structural blind spot in contemporary responses to organised crime: the trafficked person is increasingly made to function not outside the criminal enterprise, but inside its operational core. Recruited through fraudulent employment schemes, confined in heavily controlled compounds and disciplined through debt, violence and surveillance, victims are compelled to produce the conversations, transactions and affective performances through which online fraud becomes possible. They are not merely exploited by cybercrime, but are made into its human interface. The paper develops the concept of the human proxy to describe this displacement of visibility, labour and legal risk onto coerced bodies. In scam compounds, the organising network remains insulated by jurisdictional fragmentation, digital opacity and financial intermediaries, while the trafficked person becomes the traceable actor of the offence. Drawing on socio-legal analysis, trafficking law and the non-punishment principle, the article contends that scam compounds unsettle the categories through which criminal justice systems identify culpability, coercion and victimhood. Effective responses must therefore recognise coercion within apparently voluntary digital criminality, rather than treating cybercrime enforcement and anti-trafficking protection as separate legal domains.

Keywords:

human trafficking; forced criminality; cybercrime; scam compounds; organised crime; victim–offender divide; digital fraud; southeast asia; human rights

MARITIME DIMENSION OF TRANSNATIONAL ORGANISED CRIME - A STUDY OF THE PALERMO PROTOCOL AND ENFORCEMENT CHALLENGES

Author(s): *VAGESHWARI DESWAL, DELHI UNIVERSITY, INDIA*

Abstract:

The maritime domain forms a crucial intersection for transnational organised crime, encompassing human trafficking, migrant smuggling, narcotics trafficking and arms smuggling. These offences have been increasingly converging with illegal, unreported and unregulated fishing.

This paper argues that the persistent enforcement gap stems not merely from inadequate state capacity, but from a deeper mismatch between the Palermo Protocol's largely land-oriented prosecutorial architecture and the distinctive jurisdictional geography of the high seas. Three structural obstacles are examined: first, the primacy of flag-state jurisdiction under the UN Convention on the Law of the Sea, which permits flags of convenience to undermine accountability; second, fragmented interdiction authority among coastal states, flag states, and port states, which produces jurisdictional gaps exploitable by criminal networks; and third, the Protocol's limited engagement with evidentiary and prosecutorial challenges unique to maritime interdiction, including preserving the evidentiary chain of custody and transfer of cross-border evidence. Drawing on case studies of interdiction operations in the Mediterranean and the Southeast Asian archipelagic waters, the paper evaluates the practical operation of Article 8 of the UN Smuggling of Migrants Protocol that outlines specific powers relating to interception, boarding and inspection of vessels at sea suspected of smuggling migrants as juxtaposed to these structural constraints. It concludes that closing the enforcement gap requires more than treaty text. The findings of this article bear significant implications for states negotiating regional maritime security arrangements under the broader objective of reconciling sovereignty-based ocean governance with transnational criminal accountability.

Keywords:

migrants; trafficking; flag-states; jurisdiction; interdiction

INDIAN PORTS AND MARITIME DRUG TRAFFICKING: AN ANALYSIS OF THE MUNDRA HEROIN SEIZURE

Author(s): *PREMA ELUMALAI, VIT SCHOOL OF LAW, VELLORE INSTITUTE OF TECHNOLOGY, CHENNAI TAMIL NADU, INDIA*

Abstract:

The increasing use of maritime routes by transnational drug trafficking networks has emerged as a significant challenge to port security and maritime governance. In India, a seizure of approximately 2,988 kilograms of heroin was made at Mundra Port in 2021. It is one of the largest narcotics seizures in the country's history, highlighting the growing role of maritime routes in transnational drug trafficking networks. This case exposed the vulnerability of containerised trade and maritime supply chains, as well as their exploitation by organised criminal networks. Subsequent drug seizures between 2021 and 2026 along the west coast of India reveal that the vulnerabilities exposed by the Mundra seizure remain pertinent, raising continuing concerns regarding port security, intelligence coordination, and maritime governance. This paper adopts a qualitative case study methodology to examine the Mundra heroin seizure and its implications for maritime governance in India. This study relies on parliamentary records, government reports, legal instruments, and official statements. The study argues that the Mundra seizure serves as a significant case for understanding the evolving nature of transnational organised crime within maritime trade systems. It concludes by identifying key lessons and policy measures for strengthening port security, intelligence coordination, and maritime governance in India.

Keywords:

Indian ports; maritime drug trafficking; Mundra port; organized crime; maritime security; port governance; transnational crime; India

LEGAL ANALYSIS OF THE PHENOMENON OF ILLEGAL STATE BORDER CROSSING IN THE REPUBLIC OF MOLDOVA IN THE CONTEXT OF EMERGING TRANSNATIONAL THREATS GENERATED BY THE WAR IN UKRAINE

Author(s): *GUGULAN EVGHENIA, "ȘTEFAN CEL MARE" ACADEMY, MINISTRY OF INTERNAL AFFAIRS OF THE REPUBLIC OF MOLDOVA*

Abstract:

Migration is a complex phenomenon that has intensified in the context of globalization, influencing contemporary societies at social, economic, and legal levels. States increasingly perform multiple roles within migration processes, acting simultaneously as countries of origin, transit, and destination. Recent geopolitical developments, particularly the armed conflict in Ukraine following the Russian Federation's invasion, have generated significant migratory pressures and new challenges for regional security. This study provides a legal analysis of illegal state border crossing in the Republic of Moldova, examining the legal framework and the practical difficulties encountered in preventing and combating this phenomenon. Attention is paid to the impact of the war in Ukraine on migration dynamics, border security, and the capacity of national authorities to address emerging transnational risks. The research also explores the relationship between state security requirements and the protection of fundamental human rights, emphasizing the need to balance effective border management with international standards on refugee protection, access to asylum, and the prohibition of inhuman or degrading treatment. The study concludes that strengthening the legal and institutional mechanisms governing border management is essential for addressing contemporary migration challenges and adapting national policies to evolving geopolitical realities.

Keywords:

state border; irregular migration; war; transnational conflict; legal liability; human rights

DIGITAL ROUTES, HIDDEN PROFITS: INVESTIGATING MIGRANT SMUGGLING ON THE BALKAN ROUTE

Author(s): *SORIN SILVIU FINTA, 1 DECEMBRIE 1918 UNIVERSITY OF ALBA IULIA, ROMANIA*

Abstract:

This article examines practical difficulties, risks and emerging trends in investigating migrant smuggling on the Balkan Route, with particular attention to encrypted communications, fragmented payments, cross-border cooperation and corruption risks. It asks how digital, financial and tactical-operational investigations can support the documentation of transnational criminal networks while respecting the rights of vulnerable persons. The study uses a legal and interdisciplinary approach, combining international and EU legal instruments, Romanian criminal procedure, institutional reports and selected academic and technical literature. The analysis shows that encrypted content does not eliminate the evidentiary value of associated data: location information, communication patterns, device links and financial records can become meaningful when corroborated. Early financial investigation can help identify organisers, intermediaries and criminal proceeds, while special investigative measures and joint investigation teams can connect evidence dispersed across jurisdictions. Publicly reported Europol operations are used only as illustrative examples of current operational challenges, not as an empirical sample. The article also stresses the need to distinguish facilitators from vulnerable migrants or trafficking victims and to apply legality, necessity and proportionality throughout evidence gathering. Its contribution lies in connecting legal safeguards with practical investigative difficulties without proposing a universal investigative model. It concludes that effective investigations increasingly depend on multidisciplinary teams able to combine digital forensics, financial analysis, investigative tactics and international cooperation without weakening procedural safeguards or victim protection.

Keywords:

digital forensics; financial investigation; special surveillance methods; judicial cooperation; victim protection

HUMAN RIGHTS AT RISK: STRENGTHENING UAE- GCC TRADE CORRIDORS THROUGH CUSTOMS MODERNIZATION, GEOPOLITICAL LOGISTICS RESILIENCE, AND MEDIATION FRAMEWORKS AGAINST ORGANIZED CRIME AT SEA AND ACROSS BORDERS

Author(s): *DENIZE CAMILLE FRANCISCO, AMPLE CONSULTANCY & MEDIATION SERVICES, UAE*

Abstract:

The impact of the Strait of Hormuz disruption tested the whole world, including the existing strategic maritime corridors connecting the Gulf Cooperation Council (GCC) with the rest of the globe, and how they respond to complex organized crime at sea and cross boarders where there are significant risks to human rights, international trade, and regional stability. With the recent US & Iran deal, hope rises and stakeholders bounce back either to regain their previous footing or further improve their positions.

This paper aims to examine, the relationship between organized maritime crime and human rights protection through the lens of UAE-GCC trade corridors. Through qualitative legal and policy analysis, the study reviews international maritime governance instruments, customs, border management frameworks, and regional cooperation initiative relevant to the Gulf region.

The study concludes by proposing a practical approach/policy model for UAE-GCC stakeholders that integrates security, trade efficiency, advanced customs technologies, alternative dispute resolution mechanisms to mitigate vulnerabilities exploited by organized criminal networks, and human rights considerations within a rapidly evolving geopolitical environment.

Keywords:

human rights; UAE GCC maritime corridors; mediation; alternative dispute resolution; se and cross-boarders

SURROGACY AS THE PURPOSE OF HUMAN TRAFFICKING: A CHALLENGED TO BE FACED

Author(s): *TANIA GARCÍA, CARLOS III, SPAIN*

Abstract:

Virtually no international human rights instrument contains provisions specifically addressing surrogacy, as most of these instruments were drafted at a time when surrogacy was neither a practical reality nor a challenge to the effective protection of human rights. Nevertheless, surrogacy raises concerns relating to the potential infringement of a wide range of human rights. The adoption of Directive (EU) 2024/1712 of the European Parliament and of the Council of 13 June 2024, amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims (hereinafter, "Directive 2024/1712"), which recognizes the exploitation of surrogacy arrangements as a form of exploitation within the framework of the offence of trafficking in human beings,[1] gives rise to numerous legislative and public policy challenges.

The offence of trafficking in human beings is established when the constituent conduct is carried out through the prescribed means and for one of the purposes expressly defined by law. It is particularly important to emphasize that the material result of the trafficking offence is not the actual exploitation of the victim. Consequently, the legal characterization and criminalization of the conduct constituting the purposes of trafficking represent a fundamental element of the offence itself..

Keywords:

surrogacy; human trafficking; directive; transposition; crime

MARITIME ENVIRONMENTAL CRIMES AND THEIR RECOGNITION IN INTERNATIONAL LAW

Author(s): *LAURA GAZDAGOVÁ, PAVOL JOZEF ŠAFÁRIK UNIVERSITY OF KOŠICE, FACULTY OF LAW, PHD. CANDIDATE*

Abstract:

Maritime environmental crimes constitute a major factor contributing to the destruction of marine ecosystems and the degradation of marine life. Despite their serious impact, efforts to combat these crimes remain limited. One of the key reasons is that they are often perceived as matters falling primarily within the jurisdiction of individual States. As a result, international cooperation in addressing maritime environmental crimes remains insufficient. Joint law enforcement operations are rare and are typically carried out on a case-by-case basis rather than through systematic cooperation. Furthermore, only a limited number of States have adopted specific legislation addressing maritime environmental crimes, which further weakens the overall legal framework. These shortcomings reveal significant gaps in the existing legal tools available to effectively address maritime environmental crimes. The aim of this paper is to examine the current limitations of the legal framework governing maritime environmental crimes and to highlight the need for a more comprehensive global approach within international law to ensure more effective protection and preservation of the marine environment.

Keywords:

crimes; international law; law of the sea; ecosystem; UN

INVISIBLE VICTIMS: HUMAN RIGHTS IN THE SHADOW OF ORGANIZED CRIME AND ARMED CONFLICTS

Author(s): *ALINA GENTIMIR, UNIVERSITY "ALEXANDRU IOAN CUZA", ROMANIA*

Abstract:

Human trafficking constitutes a grave violation of international human rights law and is increasingly perpetrated within the structural nexus of transnational organized crime and armed conflict. Criminal networks and armed groups systematically exploit vulnerable populations - "invisible victims," subjected to enslavement, forced labour, sexual slavery, forced recruitment, and other forms of exploitation prohibited under international law. Trafficking operations are often integrated into broader systems of organized criminality and conflict-related violence, serving both economic and strategic functions. Under international legal frameworks and relevant human rights treaties, States bear obligations to prevent trafficking, prosecute perpetrators, and protect victims. In parallel, international criminal law provides a complementary accountability framework: trafficking-related conduct may fall within the jurisdiction of the International Criminal Court when constituting crimes against humanity or war crimes under Articles 7 and 8 of the Rome Statute, particularly acts of enslavement, sexual slavery, persecution, forced displacement, and other inhumane acts. This study argues for a strengthened integration of international human rights law and international criminal law, emphasizing victim-centered protection, enhanced transnational cooperation, and improved enforcement mechanisms that enable the persistent production of invisible victims.

Keywords:

human trafficking; organized crime; armed conflicts; human rights; international criminal court jurisdiction

THE PROTECTION OF THE ENVIRONMENT THROUGH CRIMINAL LAW: ROMANIAN REALITIES AND EU PERSPECTIVES

Author(s): *IONITA GHEORGHE-IULIAN, ROMANIAN-AMERICAN UNIVERSITY, ROMANIA; IONITA-BURDA ȘTEFANIA-DIANA, ROMANIAN-AMERICAN UNIVERSITY, ROMANIA*

Abstract:

We set out to review the main national and EU efforts to criminalise conduct on the regime of environmental protection. Before any analysis, we highlighted aspects regarding Eco crimes: the concept, forms of manifestation (including ecocide), impact, connections with business and organized crime. We outlined the Romanian reality by analysing the regulations in the field, highlighting the lack of vision of the Romanian legislator, the ineffectiveness and inefficiency of some legislative interventions, the poor systematization of criminalisation norms, the superficial analysis and the lack of correlation of provisions; providing an overview, we systematized the 113 identified criminalisations into two large groups. We outlined the EU vision by analysing the two directives on the protection of the environment through criminal law, pointing out the deficiencies found in the practical implementation of Directive 2008/99/EC and the measures taken to correct them, embodied in Directive (EU) 2024/1203; justifying the progress, we highlighted the main key aspects: the variety of criminalisations, the conditioning of the criminalisation of conduct, the qualified forms of criminalisations, penalties for natural persons and liability of and penalties for legal persons, as well as the impact on the legislation of the member states and on the 2025 Council of Europe Convention on the Protection of the Environment through Criminal Law.

Keywords:

environmental protection; environmental criminal law; eco crime; ecocide; systematization of criminalisation norms; environmental crime directive

THE ROLE OF THE PRINCIPLE OF LEGALITY IN DEFINING CRIMINAL LIABILITY FOR ORGANIZED CRIME

Author(s): *ANA-MARIA GHERMAN-GRIMAILO, ACADEMY "ȘTEFAN CEL MARE" OF THE MINISTRY OF INTERNAL AFFAIRS, REPUBLIC OF MOLDOVA, SLISARENCO ION, THE „ȘTEFAN CEL MARE" ACADEMY OF THE MINISTRY OF INTERNAL AFFAIRS, REPUBLIC OF MOLDOVA*

Abstract:

The principle of legality is the cornerstone of criminal liability, ensuring that the criminalization and punishment of acts associated with organized crime are based exclusively on clear, accessible, and predictable legal norms. Given the evolving and sophisticated nature of this type of crime, the principle serves a complex function: it facilitates the effectiveness of criminal intervention by establishing tailored criminal offenses (including regarding criminal participation and aggravated forms), while simultaneously providing safeguards against the arbitrariness of state authorities. The configuration of criminal liability in this area entails an expansion of the scope of criminalization, including, within certain limits, the punishment of preparatory acts or membership in criminal organizations. This trend, however, poses challenges regarding compliance with the requirements of legality, particularly concerning the rigorous determination of the content of criminalization provisions. In this context, the principle of legality functions as a mechanism for controlling the legitimacy of criminal norms, preventing over-criminalization or overly broad and unfavorable interpretations.

Keywords:

the principle of legality; criminal liability; organized crime; criminalization; normative predictability; legal certainty; broad interpretation; rule of law

THE CONNECTIVITY PARADOX IN THE AMAZON: LEO SATELLITES, ASYMMETRIC CONFLICT, AND THE EROSION OF STATE AUTHORITY

Author(s): *LEONARDO GUIMARÃES, UNIVERSIDADE FEDERAL DO RIO DE JANEIRO, BRAZIL*

Abstract:

Low Earth Orbit (LEO) satellite constellations, notably Starlink, have reconfigured security and governance in the Brazilian Amazon. This paper investigates how technological dependence and capacity symmetrization with non-state actors erode state authority in border regions. Methodologically, it analyzes military procurement contracts, environmental enforcement (IBAMA) reports, and asset seizure data. The findings reveal a dual strategic paradox. Tactically, while defense apparatuses rely on commercial LEO infrastructure, transnational criminal networks (narcotrafficking and illegal mining) appropriate the same low-latency connectivity, creating early-warning networks that neutralize the state's tactical advantage. Strategically, routing sovereign military traffic through private, foreign-owned infrastructure compromises operational security (OPSEC), rendering logistics transparent to external owners. Ultimately, this study exposes how dependencies in space technology accelerate asymmetric conflicts and compromise territorial defense. Arguing that connectivity without autonomy results in a net strategic loss, the paper proposes utilizing innovation procurement ("Encomendas Tecnológicas") to foster sovereign LEO infrastructure, offering a blueprint for digital self-determination in the Global South.

Keywords:

transnational organized crime; amazon border; digital sovereignty; operational security; asymmetric conflict; technological dependence; emerging threats

IS IT POSSIBLE TO TRANSFORM SOCIAL CONTROL INTO SOCIAL INTEGRATION THROUGH THE USE OF DIGITAL TECHNOLOGIES?

Author(s): *ARCADIO VICENTE HERRERA ARVAY, UNIVERSIDAD NACIONAL DE LA RIOJA, ARGENTINA*

Abstract:

Is it possible to improve the traditional use of pretrial services to reduce pretrial detention and prevent defendants from being recruited by organized crime through the incorporation of technological advancements—such as artificial intelligence (AI) and digital supervision—while simultaneously enhancing public safety? The excessive use of pretrial detention constitutes a serious human rights concern and may contribute to the expansion of transnational organized crime. Overcrowded prisons can become recruitment and operational hubs, exposing defendants charged with minor or non-violent offenses to criminal organizations and increasing their vulnerability to coercion, exploitation, and recidivism. This dynamic reveals how abusive remand may transform preventive detention into a driver of criminality rather than an instrument of public safety. Pretrial services offer an alternative based on individualized risk assessment, supervision, and assistance, reducing unnecessary confinement while safeguarding the presumption of innocence. Artificial intelligence can strengthen these services by processing large datasets, identifying relevant risk indicators, improving supervision strategies, and facilitating individualized interventions. However, its application requires rigorous safeguards against algorithmic bias, discrimination, stigmatization, and privacy violations. A responsible integration of AI into pretrial services may therefore reconcile public safety, effective prevention of transnational organized crime, and protection of fundamental human rights within a proportionate and rights-based framework.

Keywords:

abusive use of pretrial detention; pretrial release; pretrial services; digital supervision; individualized support; social integration; ai assisted risk assessment; discriminatory bias

ALGORITHMIC PATROLS & THE TEHNO-BORDERSCAPE

Author(s): *KADIR IBRYAM, BFU, BULGARIA; MARTIN IVANOV TRENDAFILOV, ILIYAN NIKOLAEV BACHKOV, ALEKSANDRA PETROVA FILIPOVA, BFU, BULGARIA*

Abstract:

The digitalisation of the European Union's maritime borders has transformed border control from a territorial line into a distributed techno-borderscape composed of drones, sensors, interoperable databases and AI-driven surveillance systems. This paper examines how such technologies reshape human mobility and create an architecture of (dis)protection, in which access to asylum and protection against refoulement formally exist but are practically delayed, filtered or displaced. Using a socio-legal and interdisciplinary approach, the study combines analysis of EU legal instruments, including the AI Act and the EUROSUR framework, with relevant ECtHR case law and evidence from investigative reports, flight tracking analysis and NGO documentation. The paper argues that digital border management facilitates a form of contactless control, where responsibility is fragmented through aerial surveillance, data sharing and cooperation with third-country actors. Attention is paid to Frontex surveillance operations in the Central Mediterranean, the externalisation of interceptions to Libya, and the Pylos/Adriana shipwreck. The analysis shows that AI-based border technologies often prioritise deterrence over rescue, risk profiling over individual assessment, and security over fundamental rights. The paper concludes that the EU's digital border regime must be redirected from predictive rejection toward predictive protection, supported by independent oversight, transparency and stronger human rights safeguards.

Keywords:

digital borders; artificial intelligence; Frontex; right to asylum; non-refoulement; fundamental rights protection

DIGITAL EVIDENCE AND THE PROTECTION OF FUNDAMENTAL RIGHTS IN CROSS-BORDER HUMAN TRAFFICKING INVESTIGATIONS WITHIN THE EUROPEAN UNION

Author(s): *MILA IVANOVA, BURGAS FREE UNIVERSITY, BULGARIA; MIRIAM GOSPODINOVA, BURGAS FREE UNIVERSITY, BULGARIA*

Abstract:

Human trafficking is increasingly facilitated through digital communications, social media and online platforms. At the same time, the digital environment has become a significant source of information for law enforcement authorities. Data obtained from mobile devices, electronic communications, geolocation services, cloud storage and digital financial transactions play an increasingly important role in the investigation and prosecution of trafficking in human beings. The collection and use of digital evidence in cross-border investigations raise important legal challenges related to the right to privacy, personal data protection, the rights of the defence and the guarantees of a fair trial. Additional difficulties arise when evidence is collected in one jurisdiction and used in another, or when access to electronic data involves multiple jurisdictions. This paper examines the role of digital evidence in human trafficking investigations within the European legal framework, with particular emphasis on the European Investigation Order, Directive 2011/36/EU, the Charter of Fundamental Rights of the European Union and the European Convention on Human Rights. The analysis focuses on achieving a balance between the effective fight against organised crime and the protection of fundamental rights in the context of the ongoing digitalisation of judicial cooperation in criminal matters.

Keywords:

human trafficking; digital evidence; fundamental rights; cross-border investigations; European Investigation Order (EIO); European Union; judicial cooperation in criminal matters

HUMAN RIGHTS AT RISK ALONG LAND BORDERS: ORGANISED CRIME AND THE BALKAN ROUTE THROUGH NORTH MACEDONIA

Author(s): *OLGA KOSHEVALISKA, GOCE DELCEV UNIVERSITY, NORTH MACEDONIA, ANA NIKODINOVSKA KRSTEVSKA, GOCE DELCEV UNIVERSITY, NORTH MACEDONIA ELENA MAKSIMOVA, GOCE DELCEV UNIVERSITY, NORTH MACEDONIA*

Abstract:

This paper explores the interplay between human rights protection and organised crime at land borders, focusing on the Balkan migration route through North Macedonia. As a crucial transit corridor for the EU, North Macedonia faces significant human rights risks, particularly from migrant smuggling networks that exploit border vulnerabilities. The study highlights challenges in rights-based border management, such as limited asylum access, risks of ill-treatment, and concerns regarding the treatment of asylum seekers. Stricter border controls and collaboration with European agencies have decreased detection rates for irregular crossings but also allowed criminal networks to adapt, increasing risks for migrants. The analysis reveals a tension between security-focused migration management and the protection of vulnerable groups, advocating a shift to a human rights-based model. This approach should strengthen accountability, improve coordination, and embed safeguards in border procedures to align migration management with international human rights standards.

Keywords:

human rights; asylum seekers; migrants; transnational organised crime

THE ROLE OF THE COASTAL STATE IN COMBATTING HUMAN RIGHTS ABUSES IN THE FISHING INDUSTRY

Author(s): *HOLLY LEUNG, UNIVERSITY OF OXFORD, UNITED KINGDOM; BONNIE LAI, UNIVERSITY OF HONG KONG, HONG KONG*

Abstract:

The convergence between illegal, unreported, and unregulated (IUU') fishing and human rights abuses against fishers is well-documented. Unfortunately, there have yet to be effective solutions to address these maritime crimes, especially the latter. While labour standards for fishers exist, the fundamental problem lies in the current model for enforcement, which relies on flag State and port State jurisdiction. First, flag State enforcement is limited or even non-existent since vessels engaged in IUU fishing are usually registered under flags of convenience. Second, while Port States may conduct inspections on labour standards under different MoUs, they often lack the will to act. Considering these deficiencies, this paper proposes that coastal States should play a larger role in combatting human rights abuses in the fishing industry. Given their interest in combatting IUU fishing, Coastal States are in the best position to act against human rights of fishers, which is invariably linked to and fuels IUU fishing. Measures by the coastal State may include adding compliance with human rights standards as a requirement for granting fishing licenses to foreign vessels, revoking licenses for breach of such standards, and data-sharing to prevent 'white-washing' of compliance records, thus incentivising fishing companies to uphold human rights.

Keywords:

IUU fishing; human rights; fishing industry; law of the sea; flag states; port states; coastal states

CHILDREN AT RISK: CRIMINAL RECRUITMENT, HUMAN RIGHTS VIOLATIONS, AND ORGANIZED CRIME GOVERNANCE IN ECUADOR

Author(s): *DAYANA LEÓN FRANCO, UNIVERSIDAD ANDINA SIMÓN BOLÍVAR, SEDE ECUADOR, ECUADOR*

Abstract:

This paper examines the recruitment of children and adolescents by organised criminal groups in Ecuador as both a grave human rights violation and a mechanism of criminal governance. It links local protection failures to transnational criminal economies through a chain connecting ports and maritime logistics, border routes and displacement, neighbourhood territorial control, digital contact, and the exploitation of children. Drawing on documentary evidence and conceptual work on criminal governance, the paper analyses the escalation and territorial concentration of lethal violence affecting minors and the coercive, relational, and digital mechanisms through which recruitment operates. It argues that recruitment should not be understood merely as juvenile offending or as a secondary consequence of violence. Rather, it supports criminal organisations through surveillance, messaging, logistics, extortion, drug distribution, and generational continuity. Digital platforms amplify, but do not replace, family, peer, school, and neighbourhood relationships embedded in territorial control. A rights-based response must distinguish adult recruiters, financiers, intermediaries, and beneficiaries from recruited children, who should be treated primarily as victims of forced exploitation. Prevention requires specialised protection and reintegration, family and psychosocial support, early-warning mechanisms, safe educational pathways, and investigation and sanction of adult actors.

Keywords:

child recruitment; criminal governance; organised crime; human rights; Ecuador; digital recruitment; child protection; schools

THE BANKING FRAUD IN THE REPUBLIC OF MOLDOVA: BETWEEN ORGANIZED CRIME AND POLITICAL CAPTURE OF INSTITUTIONS

Author(s): *VICTORIA LISNIC, MARIA DIACON, LEGAL, POLITICAL AND SOCIOLOGICAL RESEARCH INSTITUTE OF MOLDOVA STATE UNIVERSITY*

Abstract:

The banking fraud in the Republic of Moldova, widely known as the "Theft of the Billion," constitutes one of the most significant cases of financial crime in the country's post-independence history. Beyond its immediate economic consequences, the case offers an important analytical framework for examining the intersection of organized economic crime, institutional corruption, political influence, and weaknesses in democratic governance. Between 2012 and 2014, three major banks became involved in a complex financial scheme that generated losses estimated at approximately one billion US dollars. An investigation conducted by the Kroll identified a coordinated scheme involving substantial loans granted to interconnected companies, followed by the rapid transfer of funds through multiple accounts and jurisdictions and operations associated with money laundering. This study examines the banking fraud not solely as a financial crime, but as a potential manifestation of organized economic crime with broader political and institutional implications. It focuses on the interactions between financial networks, political actors, public institutions, and regulatory authorities, seeking to identify the institutional and political conditions that enabled the scheme to emerge and persist. Particular attention is given to institutional capture, conflicts of interest, political influence, regulatory deficiencies, and the effectiveness of mechanisms of public oversight and accountability.

Keywords:

banking fraud; organized economic crime; political influence; institutional capture; state capture; political-business networks; democratic accountability

INVISIBLE VICTIMS OF THE BLUE ECONOMY: HUMAN RIGHTS IMPLICATIONS OF ORGANIZED CRIME AT SEA AND ACROSS BORDERS

Author(s): *ARUNDATHI M S, GUJARA NATIONAL LAW UNIVERSITY, INDIA, SAIR GORI, GUJARAT NATIONAL LAW UNIVERSIY, INDIA, AKRITA KAUR, PUNJAB UNIVERSITY, INDIA*

Abstract:

Organized Crime at Sea and Across Borders (OC-SAB) presents a significant challenge to human rights, maritime security, and sustainable ocean governance. Criminal networks exploit jurisdictional gaps and weak enforcement mechanisms to engage in activities such as human trafficking, forced labour on fishing vessels, migrant smuggling, drug trafficking, and Illegal, Unreported and Unregulated (IUU) fishing. These crimes often occur simultaneously, creating complex transnational threats and exposing fishers, seafarers, and migrant workers to severe human rights abuses, including violence, exploitation, and denial of access to justice. This paper examines the nexus between organized maritime crime and human rights through the framework of international maritime law, human rights law, and fisheries governance. It analyses the adequacy of existing legal instruments, including UNCLOS and anti-trafficking conventions, in addressing maritime human rights violations. The paper argues that fragmented jurisdiction and limited international cooperation undermine effective enforcement and victim protection. It proposes stronger cross-border cooperation, enhanced state responsibilities, and a human rights-based approach to maritime governance to combat organized crime and protect vulnerable populations at sea.

Keywords:

organized crime at sea; human trafficking; forced labour; IUU fishing; human rights at sea; maritime security; transnational crime; UNCLOS; fisheries governance; cross-border cooperation

HUMAN TRAFFICKING AND ORGANIZED CRIME IN THE FISHING INDUSTRY: LABOUR EXPLOITATION AT SEA

Author(s): *FLORENCIA MALDONADO, UNIVERSITY OF TURIN, ARGENTINA; MIHAI CAZACU, BUCHAREST ACADEMY OF ECONOMIC STUDIES, ROMANIA*

Abstract:

This paper analyses human trafficking and labour exploitation in the fishing industry through the lens of organized crime, emphasizing how weaknesses in maritime infrastructure, globalized supply chains, and digitalized management systems enable abuse. It frames exploitation at sea as part of a criminal economic strategy aimed at reducing labour costs and maximizing profits in an increasingly competitive global market. Economically, the paper examines how financial structures, flag-of-convenience systems, document fraud, and fragmented maritime governance create zones of institutional invisibility that traffickers and criminal networks exploit. It also shows how communication technologies and data-driven vessel management tools can intensify control over workers while complicating regulatory monitoring. Legally, the paper draws on international labour and human trafficking standards to outline key indicators of exploitation. These dynamics are illustrated through an Argentine court case involving Senegalese fishers on a Spanish-flagged vessel, who were recruited across multiple ports and subjected to excessive working hours, dangerous conditions, and severe abuse in isolated offshore environments. The analysis shows how emerging digital technologies facilitate cross-border recruitment and coordination, increasing opacity and reducing accountability. Bringing together legal, economic, logistical, and technological perspectives, the paper argues that global fisheries function as enabling environments for labour exploitation and organized crime.

Keywords:

human trafficking; labour exploitation at sea; organized crime; fishing industry; emerging technologies; maritime communication; data-driven labour management; regulatory oversight

ILLEGAL CONSTRUCTION OFFENCES IN THE CONTEXT OF URBAN PLANNING VIOLATIONS: A COMPARATIVE ANALYSIS BETWEEN REPUBLICA MOLDOVA AND EUROPE

Author(s): *VATAMANITA MARIANA, "CONSTANTIN STERE" UNIVERSITY OF EUROPEAN POLITICAL AND ECONOMIC SCIENCE, REPUBLIC OF MOLDOVA*

Abstract:

Illegal construction remains a significant challenge in contemporary urban development, particularly in transitional economies and rapidly urbanizing regions, where regulatory frameworks are often evolving and institutional control mechanisms may be insufficiently enforced. This article explores construction-related offences within the broader framework of illegal urbanism, with a particular focus on unauthorized buildings and illegal extensions that frequently alter the structural integrity and intended use of urban spaces. It analyses both criminal and administrative implications, emphasizing not only the legal consequences but also the practical difficulties associated with enforcement, monitoring, and sanctioning such violations. Furthermore, the study highlights the broader impact of illegal construction on the public interest, including risks to public safety, degradation of urban aesthetics, pressure on infrastructure, and negative environmental consequences such as loss of green spaces and increased pollution. Through a comparative perspective between the Republic of Moldova and European states, the paper identifies both common patterns and significant divergences in legislative frameworks, enforcement practices, and policy responses. The findings underline the necessity of strengthening institutional capacity and enhancing legal coherence.

Keywords:

illegal construction; unauthorized buildings; urban planning violations; criminal and administrative liability; public interest protection

NAVIGATING SEAFARING LABOUR QUALITY: ASSESSING EUROPEAN MARITIME WORKING CONDITIONS VIA FUZZY MULTICRITERIA DECISION-MAKING

Author(s): *JUAN CARLOS MARTÍN, UNIVERSITY OF LAS PALMAS DE GRAN CANARIA, SPAIN*

Abstract:

This study evaluates the complex, multidimensional nature of working conditions at sea using a fuzzy hybrid TOPSIS (Technique for Order of Preference by Similarity to Ideal Solution) approach. Utilising empirical data from the European Working Conditions Survey (EWCS), the research captures the inherent subjectivity and ambiguity characteristic of human perceptions regarding occupational quality, safety, and well-being. Unlike traditional statistical methods, the proposed fuzzy hybrid framework eliminates the need for strict normalisation of indicator scales, thereby preserving the semantic richness of the original survey responses by mapping distinct answer formats onto a unified universe of discourse. By evaluating the maritime sector through this robust multi-criteria decision-making (MCDM) model, this paper ranks and analyses key dimensions of seafaring employment - such as physical risks, work-time arrangements, and social environment. The findings provide destination and maritime policy-makers with a nuanced, data-driven tool to identify critical areas for regulatory intervention and to improve the overall quality of work for European sea workers.

Keywords:

working conditions at sea; European working conditions survey (EWCS); fuzzy hybrid topic; multi-criteria decision-making; maritime labour

DIGITAL CURRENTS AND DARK NETWORKS: HUMAN RIGHTS RISKS IN MARITIME ORGANIZED CRIME

Author(s): *ROB MCCUSKER, DGHE, UNITED KINGDOM*

Abstract:

This paper examines the evolving nexus between organized crime, human rights violations, and emerging technologies in maritime and cross-border contexts. It argues that transnational criminal networks increasingly exploit digital tools - such as encrypted communications, autonomous vessels, and satellite tracking - to expand illicit activities including human trafficking, forced labour in fishing industries, and smuggling of migrants and contraband. These developments challenge traditional enforcement mechanisms while intensifying risks to fundamental rights, particularly for vulnerable populations operating in legally ambiguous maritime zones. This paper will explore how technological asymmetries between criminal actors and state authorities hinder accountability and enable impunity. It also examines the unintended consequences of technologically enhanced surveillance and border control systems, which may themselves generate human rights concerns, including privacy violations and discriminatory enforcement practices. The paper proposes a rights-based framework for addressing maritime organized crime that integrates technological governance, international cooperation, and victim-centred protections. It calls for adaptive regulatory responses that balance security imperatives with human rights obligations, emphasizing transparency, oversight, and equitable access to justice.

Keywords:

maritime; crime; rights; technology; trafficking

HUMANITARIAN BOARDING IN MARITIME SECURITY

Author(s): *JACEK MIERZWA, THE BORDER GUARD ACADEMY (WSSG), POLAND*

Abstract:

Maritime security operations are no longer limited to border control, interdiction, and law enforcement. Increasingly, maritime officers are required to operate at the intersection of security, human rights protection, and humanitarian response. Humanitarian boarding has emerged as an important operational practice enabling authorities not only to ensure maritime safety but also to identify individuals exposed to exploitation, abuse, and trafficking. This paper examines humanitarian boarding as an evolving component of contemporary maritime security. Drawing on operational experience and training practices within border and coast guard services, it explores how boarding teams can contribute to the identification of victims of human trafficking and other vulnerable persons encountered during maritime operations. Particular attention is devoted to behavioural indicators, vulnerability assessment, and the practical challenges of distinguishing between irregular migration, migrant smuggling, and human trafficking in complex operational environments. The paper adopts perspectives from maritime security and border criminology to analyse the growing humanitarian dimension of maritime law enforcement. It argues that effective boarding procedures require not only security-oriented competencies but also awareness of human rights obligations and victim-centred approaches.

Keywords:

humanitarian boarding; maritime security; human trafficking; border criminology; human rights at sea; maritime law enforcement; victim identification; migrant smuggling; border guards; transnational organized crime

BEYOND DEEPFAKES: GENERATIVE AI AND THE NEW ARCHITECTURE OF TRANSNATIONAL CRIME

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Abstract:

Contemporary debates on artificial intelligence and crime remain largely focused on deepfakes, misinformation, and cyber-enabled harms. This paper argues that such perspectives overlook a more fundamental transformation. Generative AI is not merely expanding the toolkit of criminal actors; it is reshaping the structural conditions under which transnational organized crime operates. By reducing the costs of deception, automating trust production, enabling scalable identity fabrication, and transcending linguistic and jurisdictional barriers, generative AI is transforming the architecture of criminal coordination across borders. The paper contends that this shift represents not only a technological challenge but also a governance challenge for contemporary human rights regimes. Existing legal frameworks are largely grounded in assumptions of identifiable actors, territorial enforcement, and stable chains of responsibility. Generative AI destabilizes these assumptions by diffusing agency, obscuring attribution, and facilitating new forms of transnational harm that increasingly evade conventional regulatory boundaries. Adopting a human rights-based approach, the paper examines the implications of this transformation for privacy, equality, freedom of expression, and democratic integrity. It concludes that protecting human rights in the age of generative AI requires a broader rethinking of accountability and transnational legal responsibility in digitally mediated environments.

Keywords:

generative ai; transnational organized crime; human rights governance; accountability; digital harm

THE LEGAL OBJECT AND THE MATERIAL OBJECT OF ROBBERY: PROBLEMATIC ASPECTS REGARDING THE MATERIAL OBJECT

Author(s): *ALEXANDRU NEGOITA, ACADEMIA „ȘTEFAN CEL MARE", REPUBLIC OF MOLDOVA*

Abstract:

This article aims to elucidate the importance of correctly identifying the legal object and the material object. Establishing these elements represents a fundamental guarantee for the effective protection of the social values and relations affected, as well as for the correct application of criminal law norms. The study focuses on practical divergences regarding the delimitation of the material object and its impact on the legal classification of acts and the determination of their degree of social danger. The adopted methodology includes doctrinal analysis, examination of relevant case law, and comparison of norms and interpretations concerning the object of offenses against property. The research results highlight that the complex nature of the crime of robbery involves a special legal object composed both of social relations concerning the possession of movable property and, in certain situations, social relations regarding the person's health or the inviolability of the dwelling. Clear delimitation of the legal object and the material object ensures predictability in the application of penalties and facilitates the realization of the principle of legality in criminal law.

Keywords:

robbery; legal object; material object; social values; social danger

PAYING THE PRICE FOR PEACE: HOW AN AI SPEED TAX SECURES ACCOUNTABILITY IN ASEAN MARITIME AND CYBER FRONTIERS

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Abstract:

This paper examines how regional security organizations operationalize AI governance across defence, security, and public governance sectors within ASEAN. The central research question is: How can regional blocs effectively transition from normative AI ethics principles to verifiable, field-ready security deployments while maintaining international humanitarian law and human rights compliance? We define operationalizing trust as the verifiable alignment of AI systems with IHL and human rights principles, ensuring technical reliability, transparency, and accountability in high-stakes environments. Employing comparative governance analysis and qualitative case studies, this research triangulates policy documents (ASEAN AI SAFE network and the ADMM Joint Statement), defence cooperation mechanisms, and regional pilot programs as its primary evidence sources. Three case studies illustrate this: (1) AI-powered maritime domain awareness deployments in the South China Sea; (2) predictive modelling systems supporting regional peacekeeping operations; and (3) AI-enhanced cyber defence workflows. The cyber defence case examines the "AI speed tax," a term describing the operational latency and resource strain introduced when embedding mandatory ethical oversight and human-in-the-loop verification into rapid-response security systems. It contextualizes the challenges of AI integration. We assert that ASEAN's governance approach provides a scalable blueprint for responsible AI deployment.

Keywords:

Asian; maritime domain awareness (MDA); ai speed tax; maritime security; maritime defense; artificial intelligence; cyber resilience

BOUND TO THE CRIME THEY WERE FORCED TO COMMIT: THE NON-PUNISHMENT GAP FOR EU VICTIMS OF CYBER-ENABLED TRAFFICKING IN SOUTHEAST ASIAN SCAM COMPOUNDS

Author(s): *VITOR NEVES, L6 ADVOGADOS, PORTUGAL*

Abstract:

Cyber-scam compounds in Cambodia, Myanmar, Laos and the Philippines have generated a new category of trafficking victim: EU nationals recruited online, transported under deception, and coerced into committing predicate cyber-fraud against victims in their own countries. On return — whether through escape, embassy repatriation or law-enforcement extraction — these victims encounter a procedural architecture that treats them simultaneously as suspects of the crime they were forced to commit and as evidentiary assets in the investigation of their own exploitation. The non-punishment principle, codified in Article 8 of Directive 2011/36/EU and Article 26 of the Council of Europe Convention on Action against Trafficking, is meant to insulate them from prosecution. It does not. National authorities apply it inconsistently, late, or as a discretionary outcome rather than a procedural shield. The European Court of Human Rights in V.C.L. and A.N. v. United Kingdom (2021) read Article 4 ECHR as requiring an early identification mechanism that conditions any prosecutorial decision; that requirement remains largely aspirational. This paper maps the non-punishment gap from a defence perspective, argues that extraterritorial trafficking exposes the structural tension between victim protection and evidentiary instrumentalization, and proposes procedural anchors derived from the trilogy V.C.L., S.M. v. Croatia and Rantsev.

Keywords:

non-punishment principle; trafficking in human beings; scam compounds; cyber-enabled trafficking; article 4 ECHR; directive 2011/36/EU; Warsaw convention; V.C.L. and A.N. v. United Kingdom; extraterritorial victim identification; defence rights

INVISIBLE FLOWS: AI, FINANCIAL SYSTEMS, AND HUMAN TRAFFICKING

Author(s): *MARIA-ECAERINA NISTOR, LUND UNIVERSITY, SWEDEN*

Abstract:

Human trafficking generates illicit profits that must ultimately enter legitimate financial systems. As digital payment platforms, fintech services, and AI-driven transaction systems expand, both traffickers and financial institutions increasingly rely on automated technologies. This paper examines the dual role of artificial intelligence in facilitating and detecting trafficking-related financial activity. It explores how AI-enabled identity fraud, synthetic identities, and automated transaction processes can obscure the origins of illicit funds, while AI-based monitoring tools are increasingly used by financial institutions to identify suspicious activity. However, transaction monitoring systems often operate with limited contextual information and may struggle to detect complex forms of exploitation hidden within ordinary financial activity. The paper argues that effective responses to trafficking-related financial crime require more than technological solutions. AI-supported monitoring must be combined with human oversight, institutional accountability, and cooperation between financial institutions, regulators, law enforcement agencies, and anti-trafficking organizations. Ultimately, the effectiveness of AI in combating human trafficking depends on the governance frameworks that shape its use and ensure that financial systems contribute to protection rather than enabling exploitation.

Keywords:

human trafficking; artificial intelligence; financial crime; fintech; human rights; organized crime; financial monitoring; algorithmic accountability

SECURING THE ECOWAS-NIGERIA BORDER RELATIONS AMIDST SECURITY TENSION

Author(s): *OLUWASEGUN OGUNSAKIN, BELLWETHER INTERNATIONAL, NIGERIA, SAMUEL OLAWALE, TAI SOLARIN FEDERAL UNIVERSITY OF EDUCATION, NIGERIA, ADEKEMI DEBORAH ADEMOLA-OYELANA, AFE BABALOLA UNIVERSITY, ADO-EKITI, NIGERIA*

Abstract:

This study examines the security of ECOWAS-Nigeria border relations amid security tensions. The study addresses three research objectives: the sub-regional issues and patterns of the ECOWAS-Nigeria border relationship; the drivers and challenges of securing ECOWAS-Nigeria border relations amidst security tension; and strategies for securing ECOWAS-Nigeria border relations amidst security tension. The three objectives are designed using the qualitative content analysis method, in which data are derived from secondary sources and analysed using content analysis. The study adopted Karl Deutsch's Theory of Integration in International Relations to explain the contending issue of ECOWAS-Nigeria border relations and the need for better engagement in security and development. The study findings indicated that ECOWAS-Nigeria border relations have historical backing due to cultural, people, and economic factors. Meanwhile, with development and other emerging issues due to migrations, security has been fragile due to the activities of terrorists like the Boko haram, bandits, Islamic States of West Africa Province (ISWAP), and other criminal actors, including traffickers, smugglers, etc. The study concludes that engagement in ECOWAS-Nigeria border relations is essential for global and regional security. The activities of criminals should be challenged and addressed, as porous borders have weakened relations between ECOWAS and Nigeria.

Keywords:

cross border cooperation; crimes; security; policies; ECOWAS

CLIMATE-INDUCED DISPLACEMENT, MARITIME SMUGGLING, AND STATE RESPONSIBILITY AT SEA: REFRAMING HUMAN RIGHTS PROTECTION IN CROSS-BORDER MIGRATION ROUTES

Author(s): *OLUWANIMILO OLA-OLORUN, THOMAS ADEWUMI UNIVERSITY, OKO, KWARA STATE, NIGERIA*

Abstract:

Climate-induced displacement has affected global cross-border migration, as UNHCR estimated a total of 123.2 million forcibly displaced persons by the end of 2024. More than 20 million people are displaced annually due to floods, storms, and droughts, according to IDMC. The type of study used in this research is a mixed-method study, which means the research method uses a combination of doctrinal legal analysis and quantitative secondary data analysis. Climate vulnerability hotspots are found to be well correlated with increased attempts to migrate by sea. According to the International Organization for Migration (IOM), around 7,900 migrant deaths and disappearances were reported worldwide in 2024, with the Mediterranean Sea crossing being one of the deadliest routes. The study finds links between climate-driven displacement and maritime trafficking networks, as well as unequal enforcement of international commitments. There are over 123 million forcibly displaced persons in the world, and thousands of deaths at sea annually. The findings call for a new paradigm of state responsibility at sea and improved coordination of maritime governance mechanisms.

Keywords:

climate-induced displacement; maritime smuggling; state responsibility at sea; human rights law; irregular migration routes

MARITIME INSECURITY AND HUMAN RIGHTS AT RISK: ORGANIZED CRIME, ILLICIT ECONOMIES, AND GOVERNANCE CHALLENGES IN AFRICAN WATERS

Author(s): *FIRDAUS OLAKULEHIN, AHMADU BELLO UNIVERSITY ZARIA, NIGERIA*

Abstract:

Maritime spaces are increasingly emerging as areas where organized crime, weak governance, and human insecurity intersect. In Africa's coastal regions, the Gulf of Guinea and key maritime transit corridors, illicit activities such as piracy, trafficking, illegal fishing, and smuggling networks have expanded in scale and complexity. These criminal economies operate across borders and maritime jurisdictions, exploiting regulatory gaps and fragile institutional frameworks while exposing coastal communities, migrants, and maritime workers to significant human rights risks. This paper examines the intersection between transnational organized crime at sea and human rights vulnerabilities in African maritime domains. It explores how illicit maritime economies contribute to violations of fundamental rights, including forced labour, human trafficking, environmental harm, and the erosion of livelihoods dependent on coastal resources. Drawing on qualitative policy analysis, security reports, and secondary data on maritime crime trends, the study situates African maritime insecurity within broader global debates on maritime governance and transnational crime. The paper argues that addressing organized crime at sea requires a human-security-centred approach that integrates maritime security frameworks with human rights protection mechanisms.

Keywords:

human rights at sea; maritime security; organized crime; gulf of guinea; transnational crime; maritime governance; human trafficking; and coastal security

CRIMINALISING SEAFARERS? INTERPRETING MARITIME LABOUR STATUS IN CRIMINAL PROCEEDINGS IN BRAZIL AND CABO VERDE

Author(s): *PAULO HENRIQUE REIS DE OLIVEIRA, UNIVERSITY OF SÃO PAULO, BRAZIL*

Abstract:

The principle of freedom of the seas has long been regarded as a cornerstone of international law, traditionally associated with navigation, trade and state mobility. Yet this framework rarely considers the position of individuals working at sea. This tension becomes particularly visible in cases involving the detention and criminalisation of seafarers, who often operate within fragmented jurisdictional regimes and transnational labour structures. This paper examines how domestic criminal justice systems interpret the legal and professional status of seafarers when maritime workers become involved in criminal proceedings. Although international instruments recognise the specific vulnerabilities of seafarers, domestic courts frequently treat crew members as ordinary defendants, overlooking the hierarchical organisation of ships, the limited autonomy of maritime workers and the structural conditions of maritime labour. Methodologically, the paper adopts a qualitative case-study approach focusing on criminal proceedings in Brazil and Cabo Verde. Through an analysis of judicial decisions involving detained seafarers, it explores how courts assess responsibility, jurisdiction and evidentiary standards in transnational maritime contexts.

Keywords:

freedom of the seas; seafarers; criminalization of seafarers; maritime labour; maritime governance; transnational criminal justice

THE ILLICIT MARKET OF EXCLUSION

Author(s): *HILDA ISABEL PADILLA HEREDIA, UNIVERSITY OF APPLIED SCIENCES FULDA, GERMANY*

Abstract:

This article analyses the symbiotic relationship between European border enforcement and the proliferation of transnational organised crime networks at the Spanish enclave of Melilla. Drawing on situated empirical fieldwork, critical legal studies, and decolonial feminist theory, the study challenges the conventional dichotomy between state security and illicit smuggling, arguing that the racialised state of exception at the EU-Morocco frontier actively produces the market conditions and vulnerability that criminal networks exploit. To theorise this phenomenon, the article advances three original concepts that extend existing necropolitical and border studies frameworks. First, juridical necropower examines how bilateral agreements and judicial doctrines — notably the ECtHR Grand Chamber ruling in N.D. and N.T. v Spain (2020) — restrict legal pathways, channelling displaced individuals into smuggling networks. Second, juridical deafness demonstrates how asylum credibility criteria structurally silence testimonies, particularly those of African women, through Eurocentric evidentiary standards. Third, juridical necro-archiving reveals how the active erasure of border violence from official records produces institutional opacity that shields criminal exploitation. Ultimately, the article argues that organised crime at the Melilla border profits from a state-produced economy of exclusion in which law is not the remedy for violence but its architecture.

Keywords:

juridical necropower; juridical deafness; juridical necro-archiving; Melilla; racialised state of exception; EU border externalisation; organised crime; decolonial feminist legal theory

MARITIME CHILD SAFEGUARD PROTOCOL (MCSP) – A NOVEL LEGAL AND POLICY FRAMEWORK AGAINST CHILD TRAFFICKING AT SEA

Author(s): *ROZA PATI, ST. THOMAS UNIVERSITY COLLEGE OF LAW, UNITED STATES*

Abstract:

Child trafficking at sea, particularly forced labour on fishing vessels, remains a persistent gap in international law. Existing instruments (ILO C188, C182, Palermo Protocol) lack maritime-specific enforcement mechanisms, allowing flags of convenience and jurisdictional voids on the high seas to shield perpetrators. This paper intends to introduce an Optional Protocol complementing the UNCLOS and the Palermo Protocol to be called tentatively "Maritime Child Safeguard Protocol" (MCSP), which in turn would introduce a groundbreaking presumptive universal jurisdiction. It treats child trafficking at sea as a sui generis maritime crime equivalent to piracy, enabling any coastal state to board, inspect, and prosecute suspect vessels within Exclusive Economic Zones (200 nautical miles), potentially without prior flag-state consent when credible indicators of child victims are present. Policy recommendations would include mandatory digital "Child-Crew Manifest" for all commercial and fishing vessels; strict liability for vessel owners and operators, with automatic trade sanctions and port denial under a new IMO "No-Child-at-Sea" certification scheme; establishment of a standing Maritime Child Safeguard Protocol (MCSP) empowered to issue real-time disembarkation orders and victim-protection warrants. The MCSP would close enforcement loopholes, shift burden of proof to operators, and create the first binding maritime child-protection regime.

Keywords:

child trafficking at sea; jurisdictional maritime zones; protocol; convention

LEGAL REGULATION OF THE FIGHT AGAINST TERRORISM AT SEA

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Abstract:

Recent events indicate that in the world and in Ukraine, issues of legal regulation of the fight against terrorism at sea necessitate the study of its international legal and national legal aspects in the context of ensuring international and national security. The world community is concerned about the problems of countering acts of terrorism in the seas, which are becoming both international and transborder in nature. Shipping and human trafficking at sea are threatened by terrorists. Conclusion. The system of regulatory acts of Ukraine, which contain special provisions on combating terrorism at sea, has been analyzed, therefore the most important legal means of combating terrorism at sea in Ukraine is the legislation on criminal liability.

Keywords:

terrorism at sea; crime; human trafficking at sea; criminal liability; shipping; aggression; principle of freedom of the high seas; international security; national security

GEOPOLITICAL COLLATERAL AT SEA: CIVILIAN SEAFARERS, LABOUR RIGHTS AND THE PROTECTION GAP IN HYBRID MARITIME OPERATIONS

Author(s): *LAURENȚIU PETRILA, UNIVERSITY OF ORADEA, ROMANIA, BOGDAN BOLBOACĂ, INDEPENDENT EARLY-CAREER RESEARCHER, ROMANIA*

Abstract:

This paper examines the vulnerability of civilian seafarers caught in conflict-affected maritime chokepoints, with particular attention to the Strait of Hormuz. Although the region is usually analysed through energy security, freedom of navigation and military escalation, the article foregrounds the workers whose bodies remain inside the infrastructure of maritime crisis. It argues that civilian seafarers become geopolitical collateral: rights-bearing workers who absorb the risks of state conflict, commercial disruption, coercive maritime practices and fragmented legal responsibility. The paper situates this problem within the broader nexus between human rights at sea, transnational criminality and hybrid operations, asking how ship seizures, abandonment, intimidation, unlawful detention and obstructed repatriation can expose crews to protection failures that conventional security analysis tends to overlook. Drawing on the Maritime Labour Convention, 2006, the law of the sea, international humanitarian law and human rights law, the article shows that the problem is not a complete legal vacuum, but a protection gap. Existing norms provide relevant safeguards, yet they do not converge into an effective mechanism for evacuation, repatriation, medical care, psychological support or remedy. By conceptualising the Strait of Hormuz as a labour-rights chokepoint, the paper argues for a worker-centred model of maritime security.

Keywords:

civilian seafarers; human rights at sea; maritime security; strait of Hormuz; protection gap; labour rights; transnational crime

GRAY AREAS IN DIGITAL INVESTIGATIONS OF CROSS-BORDER CRIME

Author(s): *AITANA RADU, UNIVERSITY OF MALTA, MALTA*

Abstract:

Human trafficking is one of the hardest crimes to prevent, investigate and prosecute, and this is due to a number of reasons. Part of the difficulties lies in the narrow way national legal frameworks may define the 'trafficking' dimension, the typology of victims, and also a lack of training among practitioners. However, a major obstacle is increasingly tied to traffickers' modus operandi, who often exploit individuals' online vulnerabilities and platform algorithms. On the other hand, European law enforcement agencies seem unable to fully leverage existing technologies for investigation & prosecution. This paper, based on field research conducted in Malta as part of the EU-funded DISRUPT and IMPACT projects, explores both the legal and operational dimensions of the challenges encountered by law enforcement. On the one hand, national and European legislation is contributing to increased complexity in conducting digital investigations by introducing new interpretations of the application of open-source intelligence and undercover operations. At the operational level, successful trafficking investigations often rely on an intelligence picture shaped by information and digital evidence collected from a wide range of stakeholders, extending beyond the perceived security framework to include NGO workers, social workers, teachers, and other societal actors.

Keywords:

human trafficking; digital investigations; OSINT; human rights; intelligence

LICENSED TO EXPLOIT: SOUTH ASIAN RECRUITMENT NETWORKS, THE KAFALA SYSTEM, AND THE TRANSNATIONAL ORGANISED CRIME GAP

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Abstract:

Millions of Indian migrant workers enter Gulf Cooperation Council states annually through a two-stage transnational pipeline: licensed recruitment agencies operating under India's Emigration Act 1983 at the origin end, and the kafala (sponsorship) system at the destination end. Each stage has been studied in isolation, the former as a labour regulation failure, the latter as a Gulf governance problem. This paper argues that treating them separately is not merely an analytical error but a jurisprudential one that structurally immunises a transnational organised criminal enterprise from prosecution. Applying UNTOC Article 2's definitional criteria, this paper demonstrates that Indian recruitment agencies, through systematic fee fraud, document confiscation, and debt bondage, satisfy the threshold of organised criminal groups. At the same time, Kafala's legal transfer of worker personhood to employers constitutes the receiving infrastructure of the same criminal chain. Drawing on Lon Fuller's congruence principle and Joseph Raz's service conception of law, the paper argues that both India's Emigration Act and Gulf bilateral labour agreements are jurisprudentially mis-built: they produce outcomes systematically at odds with their stated protective purpose. The paper concludes by proposing a transnational reclassification framework grounded in UNTOC and the ILO Forced Labour Protocol (2014) as a corrective instrument.

Keywords:

kafala system; transnational organised crime; Indian migrant labour; UNTOC; bonded labour

KEY POINTS ON PREVENTING AND COMBATING ORGANIZED CRIME IN THE CONTEXT OF HYBRID THREATS

Author(s): *MIHAELA ROTARU, ,,ALEXANDRU IOAN CUZA" POLICE ACADEMY, ROMANIA*

Abstract:

The world is constantly changing. Technological advancements make people's lives easier, but at the same time, they also allow criminals to adapt, adopting new methods and new ways of operating that make it harder to prove a link between the crime and the perpetrator. In this context, the analysis of the phenomenon of organized crime is all the more important given that European Union legislation highlights its transnational nature and particular seriousness. The evolution of organized crime is also discussed at the level of various international institutions in the reports they prepare on different types of crimes, highlighting the intertwining of organized crime with these offenses, which reinforce one another. The existence of hybrid threats at the European Union level is still a reality today, as evidenced by the set of measures that have been taken at this level over time, including the creation of the European Centre of Excellence to counter them. This paper aims to analyse how organized crime has evolved in the context of hybrid threats, with a focus on the legislative framework, which plays a key role in preventing and combating this phenomenon.

Keywords:

organized crime; hybrid threats; prevention; combating; legal framework

PSYCHOLOGICAL ASSISTANCE IN THE TRIAD: PERSONALITY - FAITH - DELINQUENCY

Author(s): *VIACHESLAV RUBSKYI, ODESSA NATIONAL MARITIME UNIVERSITY, UKRAINE*

Abstract:

Traditional rehabilitation often overlooks the existential and spiritual dimensions of delinquency. This report proposes a structured psychological model linking personality, faith, and delinquent behavior. Viewing delinquency as a disruption of prosocial values, the framework treats faith broadly as a mediator between inner psychological structures and social adaptation, integrating evidence-based practices with meaning-centered interventions. Key propositions include: the non-linear, context-dependent interplay among the triad's components; the dual regulatory role of faith, which may serve as either a protective factor or a risk amplifier, necessitating differentiated assessment; the imperative for psychologically help to maintain a secular stance while remaining open to existential inquiry; the value of integrative interventions combining cognitive-behavioral, narrative, and meaning-centered techniques; and strict adherence to ethical boundaries, including professional competence in psychology of religion and prevention of radicalization. The model emphasizes resocialization through meaning reconstruction, fostering empathy, responsibility, and prosocial identity. This approach aims to transform psychological support from behavioral correction into a process of restoring personal integrity and existential grounding.

Keywords:

psychological help; personality; faith; delinquency; resocialization; meaning-making; existential psychology; ethics; rehabilitation; spirituality

CYBER-ENABLED HUMAN TRAFFICKING AT SEA: A COMPREHENSIVE ANALYSIS OF FLAG STATE RESPONSIBILITY, JURISDICTIONAL VOIDS, AND THE INTEGRATION OF EMERGING LEGAL FRAMEWORKS

Author(s): *WARBHUVAN SARAVANAN, GUJARAT MARITIME UNIVERSITY, INDIA; SIDDHARTH SUNIL WARBHUVAN, NANDINI, INDIA*

Abstract:

The structure of transnational organized crime has evolved with the rise of cyber-enabled markets. Human trafficking increasingly relies on digital tools across all stages, including recruitment, deceptive advertising, transportation logistics, payment systems, and victim control. When such operations intersect with maritime routes or use ships as sites of exploitation, they engage the law of the sea and raise concerns regarding flag State accountability. The existing international legal framework, including UNTOC, its Trafficking and Smuggling Protocols, UNCLOS, the UN Convention against Cybercrime, and human rights instruments—does not adequately address cyber-enabled trafficking at sea, creating significant normative and enforcement gaps. This paper examines how such trafficking exploits regulatory deficiencies, with a focus on flag State obligations to prevent, investigate, and punish abuses on vessels flying their flag. It begins by clarifying key concepts such as human trafficking, cyber-enabled crime, and maritime jurisdiction, followed by an analysis of relevant legal frameworks. Attention is given to UNCLOS Article 94, emerging human rights at sea doctrines, and jurisdictional provisions under the Cybercrime Convention. The paper argues that existing law provides underutilized bases for flag State responsibility, structural issues like flags of convenience weaken enforcement, and interpretative integration of current instruments can strengthen accountability without requiring a new treaty.

Keywords:

cyber-enabled human trafficking; flag state; law of the sea (UNCLOS); transnational organized crime; maritime jurisdiction; un convention against cybercrime; flags of convenience; human rights at sea

COMBATING ORGANISED CRIME IN THE CONTEXT OF THE REPUBLIC OF MOLDOVA'S EUROPEAN PATH: CHALLENGES AND PROSPECTS WITH THE LAUNCH OF CLUSTER 1 (FUNDAMENTALS)

Author(s): *VERONICA RUSSU, UNIVERSITY OF WROCLAW, INSTITUTE OF INTERNATIONAL AND SECURITY STUDIES, POLAND*

Abstract:

The Republic of Moldova has made rapid progress in its efforts to join the European Union. A crucial step in this process was the recent launch of Cluster 1 (Fundamentals), which marks a new phase in state reform and the country's journey towards European integration. In this context, analysing the fight against organised crime is important, as strengthening the rule of law, the judiciary and internal security are essential for the country's European path as well as for protecting society from new vulnerabilities. The paper aims to analyse the impact of the European integration process on Moldova's capacity to combat organised crime. It seeks to assess the institutional, legislative, and operational progress made by the authorities in Chisinau in aligning with EU standards, as well as to identify the main risks posed by hybrid threats and external pressures. To achieve these objectives, the paper employs a mixed-methods approach, combining a qualitative analysis of official European documents, such as the European Commission's enlargement reports and conclusions on bilateral screening, with a comparative analysis of indicators related to governance, the rule of law, and judicial efficiency. At the same time, statistical data and reports from international institutions and EU agencies such as Europol and Eurojust are examined to measure progress in investigating complex forms of cross-border crime. The paper concludes with a set of recommendations.

Keywords:

organized crime, Republic of Moldova, EU enlargement, Cluster 1 (Fundamentals), rule of law, hybrid threats, judicial reform

THE MIGRATION MIRAGE: POST-PANDEMIC DESPAIR, TRANSNATIONAL CRIMES AND INDIA'S NEWEST BORDERLESS PRISONERS

Author(s): *SONA SINGH, LLOYD LAW COLLEGE, INDIA; AVANTIKA DUREHA, LLOYD LAW COLLEGE, INDIA*

Abstract:

There has been an increase in large-scale trafficking in persons for purposes of forced labour and forced criminality in scam compounds across Southeast Asia. Reports highlight how people from different nationalities are trapped and forced to carry out online fraud. However, there is a gap in the estimates regarding the number of Indian nationals actually trapped in these compounds. Newspaper reports highlight skilled Indian workers trafficked, enslaved, and brutalized in cyber scam operations across the Golden Triangle — Cambodia, Myanmar, and Laos. Despite rescue operations carried out, the trafficking pipeline remains intact. According to the Indian Cybercrime Coordination Centre, Indians lost nearly Rs 11,333 crore to cyber scams in 2024. The paper explores how Southeast Asia has emerged as a hotspot for cybercrime compounds in the context of increasing global poverty and unemployment, where thousands are trafficked and forced into online scams. It examines certain blind spots regarding forced criminality in South Asia, specifically looking at the indigenous cybercrime industry in India as opposed to the industrial-level operations of these compounds which have emerged as the hotbed for these operations, along with the systemic failures that allow them to flourish. The paper looks at policy gaps and India's preparedness for the changing realities of global immigration in the context of neo liberal world order and changing dynamics of modern slavery.

Keywords:

forced criminality; human trafficking; cybercrime; cyberfraud; scam centres; India; transnational crimes

DIGITAL MARITIME CRIMINALITY AND THE LIMITS OF TERRITORIAL GOVERNANCE: HUMAN RIGHTS AT THE INTERSECTION OF PLATFORMS, PORTS, AND ORGANISED CRIME

Author(s): *RIYA SINGH, INDIAN INSTITUTE OF TECHNOLOGY KHARAGPUR, INDIA*

Abstract:

The growing convergence of digital infrastructures and maritime networks exposes a tension between the territorial foundations of legal governance and the realities of contemporary organised crime. Human trafficking networks increasingly recruit through encrypted platforms, coordinate movement through digital communication systems, and facilitate payments through online channels before individuals reach a port or cross a maritime border. Cybercriminal actors also exploit vulnerabilities in smart ports, logistics systems, and supply chains, generating harms that may affect access to essential goods, humanitarian assistance, and human security. Recent examples of migrant smuggling in the Mediterranean and cyberattacks on port infrastructure illustrate how organised crime increasingly operates across digital and maritime environments. This paper examines how digitally mediated maritime criminality challenges assumptions underpinning human rights protection and transnational criminal governance. Using digital maritime criminality as an analytical lens, it explores the relationship between organised crime operating across borders and fragmented systems of governance. Drawing on transnational legal theory, human rights law, and maritime governance scholarship, the paper argues that existing frameworks struggle to address accountability gaps where harmful conduct, technologies, affected individuals, and regulatory authority are spread across multiple jurisdictions.

Keywords:

human rights at sea; organised crime; maritime governance; digital platforms; human trafficking; cybersecurity; transnational law; platform accountability; law of the sea; digital governance

DIFFICULTIES IN ENSURING HUMAN SECURITY IN THE FACE OF THE NEED TO CONTROL ORGANIZED CRIME AT SEA AND ACROSS BORDERS

Author(s): *SERGHEI SPRINCEAN, MOLDOVA STATE UNIVERSITY, INSTITUTE OF LEGAL, POLITICAL AND SOCIOLOGICAL RESEARCH, REPUBLIC OF MOLDOVA*

Abstract:

Human security has become a central concern in contemporary international relations, particularly in the context of transnational threats such as organized crime. Activities including human trafficking, drug smuggling, arms trafficking, migrant smuggling, piracy, and money laundering undermine public safety, economic stability, and the rule of law. Ensuring human security while effectively controlling organized crime requires coordinated efforts at local, national, and international levels. Organized crime operating at sea and across borders constitutes a major obstacle to ensuring human security due to its transnational nature and ability to exploit governance gaps. Traditional state-centered security approaches are insufficient to address the multidimensional impact of organized criminal activities on individuals and communities. The conception of the paper is based on the human security framework, which emphasizes the protection of people from threats to their lives, freedoms, and well-being. Criminal networks adapt rapidly to technological, political, and economic changes, making them difficult to detect and dismantle. Strengthening international cooperation, improving information sharing, enhancing maritime and border security capacities, promoting good governance are essential for reducing organized crime. A comprehensive human security approach can contribute to protecting individuals and communities while fostering regional stability and sustainable development.

Keywords:

human security; organized crime; maritime security; border control; transnational threats

DIGITAL TOOLS AGAINST CROSS-BORDER TRAFFICKING: WEB CRAWLING, WEB SCRAPING AND AUTOMATED DETECTION, ANALYSIS AND REPORTING

Author(s): *ALEXANDRU TABUSCA, ANDREI LUCHICI, ROMANIAN-AMERICAN UNIVERSITY, ROMANIA*

Abstract:

The increasing migration of criminal activities to online environments poses significant challenges to the effective protection of human rights and the detection of trafficking in persons. This paper examines how automated web crawling and web scraping techniques can support the identification, categorization, analysis, reporting, and referral of online content potentially associated with human trafficking and related criminal activities.

The research combines a technical assessment of automated open-web data collection with legal and policy analysis of the applicable human rights, data protection, and criminal justice frameworks. It proposes a structured workflow through which publicly accessible online information can be collected, filtered using predefined indicators, classified according to risk and relevance, and transformed into actionable reports for competent authorities or specialized organizations.

The paper argues that such technologies can substantially enhance the scale and timeliness of online monitoring, while their use must incorporate safeguards concerning privacy, legality, proportionality, data accuracy, and human oversight. Its original contribution lies in developing an interdisciplinary framework connecting automated web intelligence with human-rights-based anti-trafficking responses, demonstrating how technological capabilities can strengthen early detection and cross-border cooperation without undermining the rights they are intended to protect.

Keywords:

human trafficking, automated web crawling, web scraping, online detection, open-source intelligence (OSINT), organized crime, and cross-border criminal justice cooperation

ARTIFICIAL INTELLIGENCE AND ALGORITHMIC DECISION-MAKING IN JUVENILE JUSTICE: COMPATIBILITY WITH THE 'BEST INTEREST OF THE CHILD' PRINCIPLE UNDER THE JJ ACT, 2015

Author(s): *WASI ULLAH, JAMIA HAMDARD UNIVERSITY, INDIA, SAJID HAMID, JAMIA HAMDARD UNIVERSITY, INDIA*

Abstract:

The integration of Artificial Intelligence into criminal justice processes raises profound constitutional challenges within juvenile justice, which rests on a welfare-oriented, rehabilitative paradigm. This paper, part of the author's doctoral research on implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015 in Delhi, examines the prospective deployment of AI-driven predictive risk-assessment tools, recidivism forecasting, and automated bail/disposition recommendations within Juvenile Justice Boards. Anchored in Sub-themes II (AI in Judicial Decision-Making) and V (Human Rights & Ethical Dimensions), it interrogates the tension between algorithmic efficiency and core statutory principles under Section 3 of the JJ Act, 2015 — the best interest of the child, non-discrimination, and fair hearing — alongside constitutional guarantees under Articles 14, 15(3), 21, and 39(f), and India's obligations under the UNCRC. Employing doctrinal methodology supplemented by stakeholder consultations across Delhi's Juvenile Justice Boards and observation homes, the study highlights risk of algorithmic bias, decisional opacity, and erosion of judicial discretion that disproportionately affect marginalised children and undermine parens patriae. It advocates explainable AI frameworks, mandatory child-rights impact assessments, bias audits, and human oversight, concluding with legislative recommendations to reconcile technological innovation with juvenile justice's constitutional commitments.

Keywords:

artificial intelligence; juvenile justice act 2015; algorithmic bias; best interest of the child; judicial decision-making; explainable ai

PROTECTION OR IMPUNITY? JUVENILE JUSTICE FRAMEWORKS, CROSS-BORDER TRAFFICKING NETWORKS, AND THE HUMAN RIGHTS PARADOX IN SOUTH ASIAN LAW

Author(s): *WASI ULLAH, LLOYD LAW COLLEGE, INDIA*

Abstract:

Transnational organized crime networks across South Asia have inverted a foundational premise of juvenile justice. India's Juvenile Justice (Care and Protection of Children) Act 2015, designed to shield children from exploitation, now operates as strategic infrastructure for trafficking syndicates — juvenile status conferring near-total prosecutorial immunity that criminal networks deliberately engineer. Drawing on Dworkin's rights-as-trumps thesis and Ambedkar's substantive equality framework, this paper identifies three critical failure points: first, the Act's categorical inability to recognise children as operational instruments of organised criminal enterprises rather than solely passive victims; second, the institutional accountability vacuum emerging when Child Welfare Committees and Juvenile Justice Boards encounter trafficking operations architecturally designed to trigger procedural protections; and third, the jurisdictional arbitrage produced by divergent juvenile justice regimes across India–Nepal–Bangladesh–Myanmar trafficking corridors. The paper proposes a rights-reconstitutive framework grounded in the UNCRC Optional Protocol on the Sale of Children and UNTOC's organised crime definitional architecture — one that distinguishes children weaponised by criminal enterprises from children merely victimised by them, without dismantling the protective core of juvenile justice.

Keywords:

juvenile justice; transnational organised crime; child trafficking; south asian law; rights-reconstitutive framework

TRAFFICKING RISK AT SEA: REMOTE SURVEILLANCE, COORDINATED INTERCEPTION, AND STATE DUE DILIGENCE UNDER INTERNATIONAL LAW

Author(s): *EKIN DENIZ UZUN, ANKARA YILDIRIM BEYAZIT UNIVERSITY LAW FACULTY, TÜRKIYE*

Abstract:

This article examines how remote maritime surveillance affects state obligations toward potential victims of human trafficking at sea. It asks whether drones, satellite imagery, aerial surveillance, and vessel-monitoring tools can generate vessel-specific indicators sufficient to trigger preliminary trafficking-related duties of screening, referral, and protection. It further asks to what extent such obligations remain engaged when a state does not physically intercept a vessel but still plays a material role in interception through tracking, intelligence-sharing, and operational coordination. Methodologically, the article adopts a doctrinal approach. It takes the Palermo Protocol as the definitional starting point and examines how trafficking-related duties are given legal effect through the law of the sea, search-and-rescue rules, and regional anti-trafficking and human rights law (in particular the Council of Europe anti-trafficking framework and Article 4 European Convention on Human Rights case law), with non-refoulement applied where return risks arise. The framework is tested against recent practice in the Central Mediterranean. The article argues that remote surveillance narrows the space for states to rely on uncertainty and develops a technology-sensitive due diligence framework for assessing trafficking-related protection duties, considering what surveillance technologies allow states reasonably to know, foresee, and prevent at sea.

Keywords:

human trafficking; maritime surveillance; constructive knowledge; due diligence; search and rescue; non-refoulement; extraterritorial responsibility; central mediterranean

EUROPEAN COAST GUARD COOPERATION - FRONTEX AND HUMAN RIGHTS PROTECTION IN MARITIME BORDER SECURITY

Author(s): *SERGIU ADRIAN VASILE, "ALEXANDRU IOAN CUZA" POLICE ACADEMY, ROMANIA*

Abstract:

The paper examines the evolving role of European coast guard cooperation in strengthening maritime border security while ensuring compliance with fundamental human rights standards. Particular attention is given to the operational and coordinating role of Frontex within the European integrated border management framework, especially in relation to joint maritime operations, cross-border surveillance, search and rescue activities, and cooperation with national coast guard authorities. The analysis explores the growing complexity of maritime threats, including organized crime, migrant smuggling, trafficking networks, and hybrid security risks in the European maritime domain. In this context, the paper evaluates how operational effectiveness must remain balanced with obligations related to the protection of human dignity, non-refoulement, access to international protection, and accountability mechanisms during border control activities at sea. The study also highlights current developments in interagency cooperation, digital surveillance capabilities, operational interoperability, and specialized training promoted through European agencies and coast guard networks. The conclusions emphasize the need for stronger operational coordination, common standards, and continuous professional training to reinforce both maritime security and institutional legitimacy within the European Union framework.

Keywords:

maritime border security; Frontex; European coast guard cooperation; human rights protection; integrated border management; maritime surveillance; organized crime; search and rescue operations; interoperability; maritime governance

WOMBS ACROSS BORDERS: ORGANIZED CRIME, REPRODUCTIVE TRAFFICKING, AND HUMAN RIGHTS IN THE GLOBAL SOUTH

Author(s): *SHIKHA VASISHTA, BENNETT UNIVERSITY, GREATER NOIDA, UTTAR PRADESH, INDIA*

Abstract:

The globalization of assisted reproductive technologies has transformed reproduction into a transnational enterprise, generating complex networks that increasingly intersect with organized crime, irregular migration, and human rights violations. While existing scholarship examined commercial surrogacy and reproductive labor primarily through bioethical and legal perspectives, limited attention has been paid to illicit reproductive economies operating across national borders. This paper argues that reproductive trafficking constitutes an emerging form of transnational organized crime in which women's reproductive capacities are commodified through clandestine brokerage networks, exploitative surrogacy arrangements, coerced egg procurement, and cross-border fertility markets. Situated within the political economies of inequality in the Global South, these practices disproportionately exploit economically marginalized women, resulting in reproductive coercion and systemic rights violations. Drawing on feminist political economy, critical human rights scholarship, and biopolitical analysis, the paper examines how regulatory fragmentation, governance deficits, and the commercialization of reproduction have enabled illicit reproductive markets. Using case studies from India, Nepal, Cambodia, and Ukraine, it demonstrates the inadequacy of existing anti-trafficking frameworks and advances a rights-based governance approach that reconceptualizes reproductive trafficking as a critical challenge at the intersection of

Keywords:

reproductive trafficking; transnational organized crime; human rights; global south; reproductive justice; feminist political economy; cross-border governance; assisted reproductive technologies; human trafficking; global health governance

RETHINKING FOREIGN LABOUR MIGRATION IN ALBANIA: EMERGING HUMAN RIGHTS THREATS AND LABOUR EXPLOITATION

Author(s): *FABIAN ZHILLA, ARMELA XHAHO, ELVIRA FETAHU, UNIVERSITY OF ELBASAN "ALEKSANDËR XHUVANI", ALBANIA*

Abstract:

Albania's strategic location and growing labor shortages in sectors such as agrotourism, construction, agriculture, industry, and services have made the country an increasingly attractive destination for foreign labor migrants. These shortages, driven by workforce mismatches and the emigration of Albanian workers, have increased demand for foreign labor to support economic development. While this trend offers opportunities for growth, it also raises concerns regarding labor rights and migrant protection. This study examines the dynamics of labor exploitation among foreign workers in Albania and explores the structural factors that contribute to their vulnerability. A mixed-methods approach was used, combining qualitative and quantitative research. Data were collected through interviews with 75 foreign labor migrants and 15 experts representing civil society organizations and policy institutions. Findings reveal that foreign workers often face significant risks due to non-transparent recruitment practices, exploitative working conditions, and insufficient legal protections. Unclear employment arrangements, limited access to information, and weak monitoring mechanisms increase their vulnerability to exploitation and labor abuse. Although Albania has made progress in aligning its legal framework with international labor standards, enforcement remains inconsistent. Institutional fragmentation and limited coordination among responsible agencies further weaken protection mechanisms.

Keywords:

exploitation; foreign migrant workers; modern slavery; labor rights; migration policy; gender

CYBERATTACKS, SEAFARERS, AND SAFETY AT SEA

Author(s): *SAAKSHI YADAV, O.P. JINDAL GLOBAL UNIVERSITY, INDIA*

Abstract:

The increasing digitalisation of maritime operations has transformed vessels into highly interconnected environments in which information technology and operational technology support navigation, communication, propulsion, and other safety-critical functions. While this digitalisation has improved operational efficiency, cyberattacks targeting these systems may create risks extending beyond commercial disruption to the safety, health, and wellbeing of seafarers. This paper examines whether existing maritime safety frameworks sufficiently recognise the risks faced by seafarers when cyber incidents disrupt safety-critical systems during voyages. The paper adopts a doctrinal and policy-oriented approach, examining the International Convention for the Safety of Life at Sea, the International Safety Management Code, IMO cyber risk management instruments, and selected national and industry regulatory responses. It analyses these frameworks against the practical consequences of cyber disruption, including loss of communication, interference with navigation and propulsion, increased collision and grounding risks, isolation at sea, and delays in accessing emergency or medical assistance. The paper argues that maritime regulation increasingly recognises cybersecurity as an operational safety risk, particularly through the integration of cyber risk into Safety Management Systems. However, existing frameworks remain predominantly concerned with governance, resilience, infrastructure protection, and operational continuity, with comparatively limited attention to the direct protection of seafarers exposed to cyber-related dangers. The paper contributes to contemporary maritime law scholarship by reframing cyberattacks affecting vessels as not merely technological or commercial risks, but as human rights concerns that directly implicate the right to life, safety, and humane working conditions of seafarers at sea, thereby highlighting a significant gap in the existing maritime regulatory framework.

Keywords: *maritime cybersecurity; seafarers; maritime safety law; cyber risk management; SOLAS; human rights*

HUMAN RIGHTS AT RISK: WHEN CRIMINAL NETWORKS LEARN TO SAIL WITH ALGORITHMS

Author(s): *KAMILA ZARYCHTA -ROMANOWSKA, EUROREG, UNIVERSITY OF WARSAW, POLAND*

Abstract:

Artificial intelligence and autonomous technologies are reshaping the operational environment of organised crime. Human trafficking, migrant smuggling and cross-border criminal networks increasingly exploit predictive systems, digital infrastructures and AI-supported tools to expand their activities across maritime and border spaces. Criminal networks are not merely crossing borders; they are learning to operate through algorithms. This paper argues that the challenge is not solely technological but institutional and legal. Existing criminal-law frameworks remain largely based on assumptions of identifiable actors, intentional conduct and linear chains of responsibility. Increasingly autonomous environments challenge these assumptions and create responsibility gaps that may weaken accountability and undermine human-rights protection. While AI-supported maritime awareness systems, interoperable databases and predictive tools may strengthen prevention of irregular migration flows, trafficking and smuggling networks, technology alone cannot ensure resilience. Effective responses require anticipatory governance and stronger investment in education and operational preparedness of law-enforcement and border actors. The paper argues that future security systems must remain human-centred: capable of using intelligent technologies while preserving accountability, human dignity and fundamental rights.

Keywords:

ai governance; maritime security; organized crime; human rights; migration; law enforcement

RESILIENCE BEYOND BORDER CONTROL: HUMAN RIGHTS, INTEROPERABILITY AND MARITIME SECURITY AT SEA

Author(s): *KAMILA ZARYCHTA-ROMANOWSKA, UNIVERSITY OF WARSAW, POLAND*

Abstract:

Contemporary maritime security is increasingly challenged by the convergence of transnational organised crime, human trafficking, migrant smuggling, hybrid activities and rapidly evolving technologies. These threats operate across legal, institutional and geographical boundaries, creating complex environments in which maritime actors must simultaneously ensure security, enforce the law and protect fundamental rights. This paper examines how resilience can strengthen the capacity of maritime security systems to respond to organised crime while safeguarding human rights at sea. Drawing on maritime security studies, human-rights frameworks and emerging research on resilience and governance, it explores the role of interoperability, interagency cooperation and shared situational awareness in addressing increasingly interconnected maritime threats. Attention is devoted to the growing tension between security imperatives and rights protection, as well as the institutional mechanisms that enable both objectives to be pursued simultaneously. The paper argues that resilience in maritime security should be understood not only as the ability to withstand disruption, but also as the capacity of interconnected institutions to adapt, cooperate and protect human dignity in the face of evolving criminal and hybrid threats.

Keywords:

maritime resilience; human rights at sea; transnational organised crime; interoperability; human-centred security; maritime governance; hybrid threats; human trafficking; security governance; maritime domain awareness

Section: HUMAN RIGHTS

THE LEGAL DEFINITION OF PIRACY VS. ARMED ROBBERY AT SEA AND ITS IMPACT ON HUMAN SECURITY

Author(s): *A. BALAGURU, VEL TECH SCHOOL OF LAW, VEL TECH RANGARAJAN SAGUNTHALA R&D INSTITUTE OF SCIENCE AND TECHNOLOGY, INDIA; P. JOSHUVA PREETHAM, UNIVERSITY OF MADRAS, INDIA*

Abstract:

This paper explores the critical jurisdictional dichotomy between piracy and armed robbery at sea under international law, examining its direct implications for human security and human rights protections. Under the United Nations Convention on the Law of the Sea (UNCLOS), Article 101 strictly restricts "piracy" to acts committed on the high seas, triggering universal jurisdiction. Conversely, identical violent acts occurring within a state's 12-nautical-mile territorial sea are classified as "armed robbery at sea," falling under the exclusive jurisdiction of the coastal state. Organized crime syndicates increasingly exploit this legal fragmentation, leveraging cross-border maritime boundaries to evade law enforcement. Through a theoretical legal analysis, this paper argues that this state-centric jurisdictional divide creates significant "protection gaps" for vulnerable maritime actors, including seafarers, fishers, and migrants. By focusing on the intersection of maritime security and international human rights law, the study highlights how rigid geographic definitions undermine the collective duty to protect human life from transnational organized crime. Ultimately, the paper advocates for a theoretical shift toward a human-centric interpretation of maritime jurisdiction and emphasizes the necessity of regional cooperation frameworks to bridge these legal loopholes and safeguard human rights at sea.

Keywords:

international law of the sea; UNCLOS; piracy; armed robbery at sea; human rights; organized crime; jurisdictional gaps; maritime security

THE REVISION OF THE FACILITATORS PACKAGE AND THE SO-CALLED CRIME OF SOLIDARITY

Author(s): *LUTTINE ILENIA BUIONI, TOR VERGATA UNIVERSITY, ITALY*

Abstract:

The evolution of European Criminal Law aims at strengthening the progressive development of criminal cooperation in line with the Union's fundamental principles. The Court of Justice has often emphasised the relevance attached by the Charter to the principles of legal certainty and proportionality. Nevertheless, the Facilitation Directive 2002/90/EC on unauthorized entry, transit, and residence of migrants merely acknowledges the domestic discretion 'not to punish' individuals providing humanitarian assistance. The Commission proposal for a revised Directive aims to design a comprehensive instrument establishing criminal responsibility and exclusionary substantive grounds. In the wake of an increased awareness of dangers linked to domestic overcriminalisation, the Union has been gradually expanding its legislative powers. Even so, such an approach could be hampered by certain Member States opposing altruistic assistance. Although Member States retain the legislative power to punish crimes not contemplated by the Union's law and most criminal proceedings originating from solidarity is decided through the lens of domestic law, European Criminal Law is entering a new era where criminal offences are slowly falling outside the scope of domestic legislation. Accordingly, the European Court is playing a pivotal role in determining if and to what extent domestic offences undermine the Union's law.

Keywords:

cooperation; migrants; overcriminalisation; humanitarian assistance; solidarity

PRIVACY, DATA PROTECTION AND AI INSIDE AND OUTSIDE TERRITORIAL WATERS: RE-POSITIONING EUROPE'S RESPONSE TO ORGANISED CRIME AT SEA AND ACROSS BORDERS

Author(s): *JOSEPH A. CANNATACI, UNIVERSITY OF MALTA / UNIVERSITY OF GRONINGEN, MALTA / THE NETHERLANDS*

Abstract:

Face recognition is a key tool at sea as on land and is potentially one of AI's great contributions in combating organised crime at sea and across borders. Patrol boats, drones and sea border posts equipped with face recognition technology have the potential to help identify both perpetrators and victims in a variety of crimes including illegal migration, human trafficking, drug smuggling, cigarette contraband and illegal fuel transport. Yet the smaller EU maritime nations like Malta, Cyprus and Greece neither have access to tools such as Clearview AI nor do they have the financial means to create their own versions of Clearview AI. This paper examines the human rights and operational issues posed by decisions taken by several EU Data Protection authorities to prohibit the use of Clearview AI's face recognition technology in stark contrast to its successful use in both the Ukraine war and by Law Enforcement in the USA. It also posits these issues in the wider context of the grey areas and occasional impracticalities of the EU AI Act while seeking a holistic collaborative response from the EU from all perspectives including human rights, data protection, technological development and economic dimensions, within a truly European sovereign approach.

Keywords:

face recognition; ai; data protection; EU AI act; Clearview AI; Malta; Greece; Cyprus

CONSTITUTIONALISING THE OCEAN: HUMAN DIGNITY, STATE POWER AND THE HUMAN RIGHTS CHALLENGES OF MARITIME ORGANISED CRIME

Author(s): *SRISHTI CHATURVEDI, NATIONAL LAW INSTITUTE UNIVERSITY, BHOPAL, INDIA; NIVEDITA CHAUDHARY, DELHI UNIVERSITY, INDIA*

Abstract:

Organised maritime crime is typically tackled through surveillance, interdiction and cross-border enforcement. This paper argues that this is a constitutional issue too, raising questions about how states regulate coercive power, protect human dignity and provide accountability where territorial assumptions about the protection of rights are weak or fractured. This paper explores the human rights risks of maritime enforcement against organised crime, including interdiction practices, detention, use of force, jurisdictional ambiguity and the lack of effective remedies. It indicates that the absence of complete territorial control does not lessen constitutional duties when state power extends to the sea, but rather, it enhances the importance of legality, proportionality, and supervision. The paper reads the ocean as a constitutional space and shows that maritime security and human rights protection are not competing imperatives but mutually reinforcing requirements of lawful governance. The paper advances a framework that combines constitutional limits on executive power, rights-sensitive enforcement and transnational accountability, contributing to debates on organised crime at sea. It ends with the argument that maritime governance must be judged not only on its ability to combat crime, but also on its fidelity to human dignity and the rule of law.

Keywords:

maritime organised crime; human rights; constitutional law; human dignity; state power; maritime enforcement; accountability; jurisdiction; rule of law; ocean governance

ALGORITHMIC COMPLICITY AT SEA: HOW AI-POWERED MARITIME SURVEILLANCE SYSTEMS ENABLE AND CONCEAL TRANSNATIONAL ORGANISED CRIME

Author(s): *SHWETA CHATURVEDI, DHIRUBHAI AMBANI SCHOOL OF LAW, INDIA*

Abstract:

The explosion of AI-driven MDA systems, which are marketed as solutions to combat illegal fishing, smuggling, and migration movements, has produced a paradox that has received insufficient scholarly attention: the same algorithmic system that countries employ to control their oceans are also being exploited by transnational organised criminal groups to escape from any form of monitoring. The paper proposes the term 'algorithmic complicity' to illustrate the connection between commercial maritime AI, procurement processes carried out by governments, and changes implemented by criminal actors on the ocean. Utilising public data collected through vessel-tracking systems, procurement contracts, investigations by journalists, and recent jurisprudence, we show that the lack of regulation surrounding dual-use maritime AI systems produces systemic violations of human rights, specifically the rights of migrants, fisherfolk, and maritime workers. We suggest a new "Algorithmic Due Diligence" (ADD) framework for States and firms that deploy AI surveillance technologies in the maritime domain, which is inspired by the UN Guiding Principles on Business and Human Rights. Our paper addresses an important lacuna in literature, at the junction between maritime criminal law, surveillance research, and human rights

Keywords:

ai maritime surveillance; automatic identification system (AIS) spoofing; algorithmic complicity; organised crime at sea; human rights; dark vessel detection; regulatory gap; coastal state jurisdiction

THE NEED FOR REGULATION AS AGGRAVATING VARIANTS OF SOME HUMAN TRAFFICKING ACTIVITIES COMMITTED BY VIOLATION OF ROMANIA'S LAND AND MARITIME BORDERS

Author(s): *CIPRIAN COADĂ, UNIVERSITY OF CRAIOVA, ROMANIA*

Abstract:

The legal protection of victims of human trafficking requires that states discourage violations of fundamental rights and freedoms, by incriminating the conduct with criminal significance, which international legal instruments repress. In the case of Romania and other countries exposed to international human trafficking routes, combating this phenomenon should lead to a change in the state's criminal policy, by more severely sanctioning acts committed in violation of Romania's borders, especially those that threaten collective security. Although the recent legislative amendments concerned the special limits of the crimes of human trafficking and some of these provisions have consolidated part of the standards for the protection of victims, other normative deficiencies still depend on intervention by the legislator. Future legislative amendments should criminalize as aggravating variants of crimes acts committed in an organized manner, violating Romania's land and maritime borders, which expose victims to serious dangers, by returning to some solutions from the old criminal law or enshrining new aggravating forms. As Romania has also become a destination country for victims of human trafficking, these possible interventions would correspond to the new social realities and should lead to the elimination of the unpredictability in the criminal law, in order to consolidate the vision that Directive 2011/36/EU imprints on this matter. Consistent with our previous approaches, in this article we would bring into discussion a series of more important aspects, which could be of concern to the legislator, in the context of the challenges raised by the geopolitics of human migration and the threats to the security of Romania and Europe.

Keywords:

trafficking in persons; legal protection of victims of trafficking in persons; criminalization; Palermo Protocol; Directive 2011/36/EU; Warsaw Convention

DOCTRINAL AND NORMATIVE APPROACHES TO PROTECTING THE HUMAN RIGHT TO A HEALTHY ENVIRONMENT IN THE CONTEXT OF TRANSNATIONAL ORGANIZED CRIME AT SEA AND ACROSS BORDERS

Author(s): *MIHAELA COJOCARU, "ȘTEFAN CEL MARE" ACADEMY OF THE MINISTRY OF INTERNAL AFFAIRS, REPUBLIC OF MOLDOVA*

Abstract:

This study examines doctrinal, legislative, and jurisprudential approaches to the human right to a healthy environment in the context of risks posed by transnational organized crime. The relevance of this issue stems from the fact that transnational organized crime undermines not only public order and state security but also the environment, public health, and the effective exercise of fundamental rights. The research aims to provide a comprehensive analysis of the protection of the fundamental right to a healthy environment by examining its legal nature, normative content, and safeguards for implementation at national and international levels. Its scientific innovation lies in its multidimensional approach, focused on clarifying the legal foundations of this right, mechanisms for its recognition and protection, and the interdependence between environmental protection, international security, and human rights. The study argues that this right is not merely an environmental value, but an essential legal guarantee for protecting life, health, dignity, vulnerable communities, and sustainable development. In the context of organized crime at sea and across borders, the effectiveness of this law depends on the ability of states and international organizations to respond in a coherent, preventive, and punitive manner to new forms of transnational crime that have an impact on the environment.

Keywords:

human right to a healthy environment; transnational organized crime; environmental protection; public health; fundamental rights; international security; organized crime at sea; cross-border crime; sustainable development; vulnerable communities

EMPIRICAL STUDY ON CROSS-BORDER ORGANIZED CRIME AND THE RIGHT TO PRIVACY

Author(s): *DANIEL CRISTEA, CRIMINAL INVESTIGATION OFFICE, COUNTY POLICE INSPECTORATE BUZAU, ROMANIA*

Abstract:

The study highlights how the expansion of criminal networks across borders, facilitated by globalization, technology and mobility, generates major risks for the security of states and for the protection of individuals' personal data. The phenomenon includes activities such as human trafficking, clandestine migration, money laundering, drug trafficking and infiltration of financial systems, being considered a direct threat to national security. In parallel, modern investigative methods - electronic surveillance, international data exchange, police and judicial cooperation - raise issues regarding respect of the right to privacy, requiring a balance between the efficiency of investigations and the protection of fundamental freedoms. The studies analyzed emphasize the need for clear standards, international cooperation and control mechanisms to prevent abuses and ensure the proportionality of intrusive measures.

Keywords:

right to privacy; cross-border organized crime; international judicial cooperation; clandestine migration; national security; investigations; human trafficking; electronic surveillance; money laundering; data protection

THE RIGHT TO PRIVATE LIFE OF PERSONS WHO ESCAPE CRIMINAL PROSECUTION IN THE FIELD OF CROSS-BORDER ORGANIZED CRIME

Author(s): *LAURENȚIU GABRIEL CÎRSTEA, "ȘTEFAN CEL MARE" ACADEMY OF THE MINISTRY OF INTERNAL AFFAIRS, REPUBLIC OF MOLDOVA; CRISTEA DANIEL, CRIMINAL INVESTIGATION OFFICE, COUNTY POLICE INSPECTORATE BUZAU, ROMANIA*

Abstract:

The study raises highly complex legal and sociological issues: how can the state exercise effective measures to locate, monitor and capture highly mobile, well-financed and internationally networked individuals, without exceeding the constitutional and conventional limits of privacy protection. Empirical studies show that individuals who evade criminal prosecution use sophisticated techniques to avoid detection - multiple identities, encrypted communications, "safe haven" areas, criminal infrastructures - which leads authorities to resort to intrusive measures such as electronic surveillance, monitoring of communications, access to location data, international police cooperation and real-time data exchange, while respecting, of course, proportionality and interferences that must be provided for by law, necessary in a democratic society and subject to judicial control. The study highlights the structural tension between the need for collective security and the guarantee of individual freedoms, emphasizing the importance of a clear regulatory framework, international cooperation and institutional oversight mechanisms to prevent abuses.

Keywords:

private life of targeted individuals; cross-border organized crime; evasion of prosecution; technical surveillance; police cooperation; international tracking and tracing; proportionality in interferences with private life; location data

INVISIBLE LIVES AT SEA: MIGRANT VULNERABILITY AND PROTECTION CHALLENGES IN TÜRKIYE'S MARITIME BORDERS

Author(s): *GÜLCIHAN AYBIKE DILEK KART, BURDUR MEHMET AKIF ERSOY UNIVERSITY, TÜRKİYE, MUSTAFA KART, BURDUR MEHMET AKIF ERSOY UNIVERSITY, TÜRKIYE*

Abstract:

Irregular maritime migration remains one of the most critical yet under-addressed humanitarian challenges of our time, where security-driven policies often overshadow fundamental human rights. Positioned at the crossroads of major migration routes from the Middle East, Asia, and Africa to Europe, Türkiye plays a pivotal role in shaping both migration governance and humanitarian response in the region. Drawing on a non-systematic synthesis of international reports, peer-reviewed literature, and policy documents, this study reveals that maritime spaces function as zones of heightened invisibility, where migrants are exposed to compounded risks including preventable health threats, violence, exploitation, human trafficking, and fatal incidents. Current approaches at Türkiye's maritime borders remain insufficient to adequately safeguard vulnerable populations. A paradigm shift is urgently needed—one that transcends security-centered frameworks and embraces human rights-based, multisectoral, and public health-driven strategies. Strengthening cross-sector collaboration, improving access to care, and embedding protection principles into maritime governance are essential steps toward addressing this critical gap. By foregrounding the often overlooked human dimension of maritime migration, this study contributes to ongoing debates and calls for more equitable and rights-oriented policy responses.

Keywords:

migrant health; maritime security; vulnerable populations; human rights; irregular migration; Türkiye

FROM MIGRANT SMUGGLING TO HUMAN TRAFFICKING

Author(s): *MARIA DIMOU, INTERNATIONAL HELLENIC UNIVERSITY, ITALY*

Abstract:

The relationship between migrant smuggling and human trafficking has become increasingly complex and interconnected within contemporary migration systems. While smuggling generally involves the consensual facilitation of unauthorized border crossings for financial gain, trafficking is characterized by coercion, deception, or exploitation. Migration-led trafficking is more common in relatively low-cost smuggling arrangements in which those on the move either pay as they go at different points on their journey, or "travel now, pay later." This paper explores how smuggling operations can evolve into trafficking networks, creating vulnerabilities that expose migrants to forced labor, sexual exploitation, debt bondage, and other forms of abuse. Drawing upon different cases studies from different migration routes, the paper examines the conditions under which migrants transition from being smuggled persons to trafficking victims. The findings demonstrate that the boundary between smuggling and trafficking is often fluid rather than fixed, requiring integrated policy responses that address both migration management and human rights protection. The paper concludes by recommending strengthened international cooperation, victim-centered interventions, and legal frameworks capable of responding to the evolving relationship between migrant smuggling and human trafficking.

Keywords:

migrant smuggling; human trafficking; migration routes; human exploitation; human rights violations

THE ITALY-ALBANIA MIGRATION AGREEMENT: HUMAN RIGHTS PROTECTION RISKS IN CROSS-BORDER AND MARITIME CONTEXTS

Author(s): *ALBA GERDECI, EPOKA UNIVERSITY, ALBANIA*

Abstract:

The Italy-Albania Migration Agreement (2023), upheld by the Albanian Constitutional Court, establishes two centers in Albania where migrants intercepted at sea are transferred for accelerated asylum or return procedures. Although located on Albanian territory, the centers function as Italian border zones, under Italy's financial and operational control, while Albania retains responsibility for external healthcare and security. Presented as an innovative model of EU migration governance combining externalization, border control, and extraterritorial jurisdiction, the agreement nevertheless raises significant concerns under international human rights and refugee law. Risks include prolonged and non-individualized detention, limited access to legal assistance, and reduced procedural safeguards due to the remoteness of the facilities. Offshore transfer may also delay disembarkation and access to a place of safety for vulnerable migrants. Italian judicial authorities have already questioned aspects of the scheme, with several detention orders under its framework being invalidated by domestic courts. Recent jurisprudence of the Court of Justice of the European Union on safe country of origin designations further questions the legality of accelerated procedures in this context. Against this background, the paper argues that the agreement illustrates the growing tension between migration control strategies and the protection of fundamental rights across maritime and cross-border settings where procedural safeguards are most vulnerable.

Keywords:

Italy-Albania migration agreement; migration; externalization; human rights; EU law

DIGITAL BORDERS AND INVISIBLE BIAS: HUMAN RIGHTS CHALLENGES IN DATA-DRIVEN CROSS-BORDER CRIME CONTROL

Author(s): *RADU GIANINA, "ALEXANDRU IOAN CUZA" POLICE ACADEMY BUCHAREST, ROMANIA*

Abstract:

The digitalization of border governance has fundamentally transformed the mechanisms used to detect and prevent cross-border crime. Authorities increasingly rely on data-driven systems, algorithmic risk assessments, and interoperable databases to enhance efficiency and predictive capacity. However, these developments raise significant concerns regarding the protection of fundamental human rights. Drawing on recent scholarship on human rights in the digital domain, this paper examines how digital border technologies may generate forms of “invisible bias” that affect individuals subjected to surveillance, profiling, and automated decision-making. It argues that algorithmic systems, often characterized by opacity and limited oversight, can reproduce structural inequalities, reinforce discriminatory outcomes, and restrict access to procedural safeguards. Using an interdisciplinary approach that combines legal analysis and digital governance perspectives, the study explores how fragmented regulatory frameworks and cross-border data-sharing practices contribute to accountability gaps. Particular attention is given to the impact on migrants and other vulnerable groups. The paper concludes that current data-driven border control models risk prioritizing security objectives over fundamental rights and calls for a rights-based framework grounded in transparency, accountability, and ethical technological governance.

Keywords:

digital borders; human rights; algorithmic bias; cross-border crime; data-driven governance; surveillance; accountability; risk profiling

THE DIGITAL STATE OF EXCEPTIONALGORITHMIC BIOPOLITICS AND THE EROSION OF HUMAN RIGHTS IN EU MARITIME SURVEILLANCE

Author(s): *EMETE GÖZÜGÜZELLI, ANKARA SOCIAL SCIENCES UNIVERSITY, CYPRUS*

Abstract:

Modern maritime border management in the EU is undergoing a paradigm shift from human-led policing to AI-driven autonomous surveillance. While international law (UNCLOS) and human rights frameworks assume a human decision-maker, the integration of systems like Eurosur creates a "digital state of exception." This paper explores the algorithmic biopolitics of the sea, arguing that predictive algorithms categorize individuals in distress not as subjects of rights, but as quantified data points of risk. This delegates the "Right to Life" to non-human actors, where binary logic replaces the legal nuance of "distress." A pivotal focus is the friction between the EU AI Act (Regulation 2024/1689) and maritime security. While the Act labels surveillance as "high-risk," broad exemptions for national security create a legal vacuum, risking the institutionalization of "digital refoulement." This study analyzes how "Blue Rights" are eroded by the absence of mandatory "Human-in-the-Loop" requirements. By synthesizing Agamben's theory with tech-ethics, it identifies conflicts between digital sovereignty and fundamental rights. It concludes by proposing mandatory Human Rights Impact Assessments and legal audits for maritime algorithms. This is essential to ensure that the EU's commitment to Blue Rights remains a reality, preventing the high seas from becoming a lawless laboratory for unaccountable autonomous technologies.

Keywords:

blue rights; algorithmic biopolitics; digital refoulement; EU AI act; maritime surveillance

ALGORITHMIC PATROLS & THE TECHNO-BORDERSPACE

Author(s): *KADIR IBRYAM, BURGAS FREE UNIVERSITY, BULGARIA; MARTIN TRENDAFILOV, ILIQN BANCKOV, ALEKSANDRA FILIPOVA, BURGAS FREE UNIVERSITY, BULGARIA*

Abstract:

The digitalisation of the European Union's maritime borders has transformed border control from a territorial line into a distributed techno-borderscape composed of drones, sensors, interoperable databases and AI-driven surveillance systems. This paper examines how such technologies reshape human mobility and create an architecture of (dis)protection, in which access to asylum and protection against refoulement formally exist but are practically delayed, filtered or displaced. Using a socio-legal and interdisciplinary approach, the study combines analysis of EU legal instruments, including the AI Act and the EUROSUR framework, with relevant ECtHR case law and evidence from investigative reports, flight tracking analysis and NGO documentation. The paper argues that digital border management facilitates a form of contactless control, where responsibility is fragmented through aerial surveillance, data sharing and cooperation with third-country actors. Attention is paid to Frontex surveillance operations in the Central Mediterranean, the externalisation of interceptions to Libya, and the Pylos/Adriana shipwreck. The analysis shows that AI-based border technologies often prioritise deterrence over rescue, risk profiling over individual assessment, and security over fundamental rights. The paper concludes that the EU's digital border regime must be redirected from predictive rejection toward predictive protection, supported by independent oversight, transparency and stronger human rights safeguards.

Keywords:

digital borders; artificial intelligence; Frontex; right to asylum; non-refoulement; fundamental rights protection

THE SOLIDARY OBLIGATION TO MAKE REPARATION: A SECONDARY LEX SPECIALIS FOR INDIVISIBLE HUMAN RIGHTS HARM CAUSED BY THE INDISPENSABLE CONTRIBUTION OF PLURAL STATES AT SEA AND ACROSS BORDERS

Author(s): *HYE-MIN KIM, UTRECHT UNIVERSITY, THE NETHERLANDS*

Abstract:

Human rights violations in human trafficking and maritime migration control frequently result from the intertwined contribution of plural States. Seeking reparation under State-centric general international law, victims encounter a structural deadlock. Because the resulting harm is indivisible and the States' contribution is indispensable, the traditional proportionality principle is rendered inoperable by unapportionable relative causal shares. Tracing backwards from factual harm to causative conduct, a novel 'trace-back analysis' diagnoses a trace-back impasse, leaving victims unredressed. To resolve this, the paper operationalises the principle of "solidary obligation to make reparation", effectuating the victim's right to reparation by anchoring the reparative debt to the entire damage rather than to relative contribution. Exploiting doctrinal indeterminacy in the law of State responsibility via Article 38(1)(c) ICJ Statute, the paper distils and transposes the underlying logics of domestic 'solidary liability' as a general principle of law. Integrated into international human rights law as a damage-based, victim-centric secondary lex specialis, it preserves the unitary legal damage as a solidary reparative debt. Counterfactually testing human trafficking (Rantsev) and maritime pushbacks (A.S.), the analysis demonstrates how this mechanism bypasses internal apportionment, insulating the unity of the external reparation claim from uncertain relative causal contribution.

Keywords:

solidary obligation; right to reparation; plural state responsibility; relative causal uncertainty; trace-back analysis; maritime migration control; transnational human trafficking; unitary legal damage; secondary lex specialis; victim-centric approach

MIGRANT TRAFFICKING AND ORGANIZED CRIME AT SEA: THE EU'S CHALLENGE IN PROTECTING HUMAN RIGHTS

Author(s): *LINDITA LIÇAJ, UNIVERSITY ISMAIL QEMALI, VLORË, ALBANIA; ERIOLA CAKRANI, UNIVERSITY ISMAIL QEMALI, VLORË, ALBANIA*

Abstract:

Organized crime and the trafficking of migrants via maritime routes, in addition to land routes, present a significant challenge for the European Union. This challenge is evident in both state and EU security, as well as in the protection of human rights. EU maritime interception and rescue operations are coordinated by the Frontex agency in cooperation with member states. These actions aim to prevent human trafficking and curb irregular migration. Operational practices, including pushbacks, arbitrary detentions, and strict border controls, often increase the risk of violations of migrants' fundamental rights, including the right to seek asylum and protection from inhumane treatment. This study employs legal analysis and case comparisons to assess and examine the relationship between state obligations to combat organized crime and the international duty to protect human rights. The research highlights legal gaps and practices that endanger migrant rights, offering recommendations for a more balanced approach to the relationship between maritime security and human rights protection within the European Union. This paper clearly illustrates the current challenge of safeguarding migrants within the borders of EU member states and contributes to the broader debate on migration, security, and the EU's legal responsibilities.

Keywords:

border control; state; human rights; trafficking of migrants; eu law

ECONOMIC VIOLENCE AGAINST WOMEN IN HUMAN TRAFFICKING AT SEA: A GENDER PERSPECTIVE

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Abstract:

In international human rights law, economic violence and human trafficking are distinct yet interconnected human rights violations that disproportionately affect women and girls. While economic violence remains largely invisible in international law, its role within trafficking contexts is insufficiently conceptualised, despite trafficking being sustained by deeply asymmetrical economic relationships between victim and trafficker. Furthermore, in maritime settings, these dynamics remain particularly overlooked. The specific features of the maritime domain - geographical isolation, fragmented jurisdiction, restricted access to justice, and heightened dependence on traffickers - may intensify economic coercion and deepen gender-based vulnerabilities. However, the intersection between economic violence, gender, and trafficking continues to be markedly underexplored. Against this background, this paper employs a doctrinal human-rights-based analysis and pursues three objectives. First, it distinguishes economic violence as a form of discrimination against women from the gender-based economic abuse embedded in trafficking practices. Second, it identifies the principal manifestations of economic violence against women in maritime trafficking contexts. Third, it reconciles fragmented international and European approaches considering the sui generis characteristics of the maritime sphere. The paper argues for a coherent, gender-sensitive human-rights-based framework designed to address the hidden economic dimensions of trafficking at sea.

Keywords:

economic violence; human trafficking at sea; human rights-based approach; gender sensitive perspective; women's rights; vulnerability; fragmentation of international framework

PROTECTION OF FUNDAMENTAL RIGHTS THROUGH THE CRIMINALIZATION OF FORCED MARRIAGE: EUROPEAN AND AMERICAN PERSPECTIVES

Author(s): *DIANA MILEA, "CONSTANTIN STERE" UNIVERSITY OF EUROPEAN POLITICAL AND ECONOMIC SCIENCE, FACULTY OF LAW, REPUBLIC OF MOLDOVA, BOŞCANEANU MARCEL, ACADEMY OF POLICE, REPUBLICA OF MOLDOVA*

Abstract:

Forced marriage is a grave violation of fundamental human rights, as it deprives individuals of their autonomy, dignity, and the freedom to choose a life partner based on genuine consent. This paper analyzes the criminalization of forced marriage as an essential legal tool for the protection of fundamental rights, using a comparative approach between European and American legal systems. It draws upon key international human rights instruments, including the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and the Istanbul Convention, in order to assess how forced marriage is regulated and sanctioned. The European framework is characterized by a more coherent and harmonized approach, largely influenced by the standards established by the Council of Europe and implemented within national legislations. In contrast, the United States presents a fragmented model, where legal provisions differ significantly across states, leading to gaps in both criminalization and victim protection. The study emphasizes that effective prevention and response require more than criminal sanctions alone. It highlights the importance of combining criminal law with civil remedies, social services, and procedural guarantees. Ultimately, the paper proposes improvements aimed at strengthening a victim-centered legal approach in addressing forced marriage.

Keywords:

forced marriage; fundamental rights; criminalization; comparative criminal law; Istanbul convention; CEDAW; victim protection; European human rights law; American legal framework; gender-based violence

THE VICTIM BEYOND BORDERS: UNDERSTANDING THE ONLINE-OFFLINE CONTINUUM OF CHILD SEXUAL EXPLOITATION AND ABUSE

Author(s): *IRINA NASTASE, INTERNATIONAL CENTRE FOR MISSING AND EXPLOITED CHILDREN, ROMANIA/INTERNATIONAL*

Abstract:

Child Sexual Exploitation and Abuse (CSEA) is increasingly recognized as a transnational human rights issue that transcends traditional distinctions between online and offline victimization. Technological developments have transformed the methods through which offenders identify, groom, exploit, and abuse children, while also facilitating cross-border collaboration among perpetrators and the rapid dissemination of child sexual abuse material. However, for victims, online and offline abuse are rarely separate experiences; rather, they form part of a continuous cycle of victimization. This presentation explores the relationship between online and offline forms of child sexual exploitation and abuse, highlighting how technology facilitates and amplifies existing patterns of abuse. Drawing on national and international research, and CyberTipline data, key forms of victimization, including online grooming, technology-assisted child sexual abuse, livestreamed abuse, sexual extortion, and emerging risks associated with artificial intelligence are being examined. Particular attention is given to the impact on victims and revictimization resulting from the ongoing circulation of abuse material online. Effective responses require a victim-centred, trauma-informed, and multisectoral approach that recognizes the continuum between online and offline exploitation and strengthens cooperation across sectors and national borders to better protect children's rights and wellbeing.

Keywords:

child sexual exploitation and abuse (CSEA); online child sexual exploitation and abuse (OCSEA); victim-centred approach; human rights; online grooming; transnational crime; child protection; sexual extortion; artificial intelligence

WHEN LANGUAGE BECOMES A PROCEDURAL RISK: INTERPRETERS AS HUMAN RIGHTS SAFEGUARDS IN MULTILINGUAL INSTITUTIONAL INTERVIEWS

Author(s): *NATALIJA ORLIĆ, UNIVERSITY OF MARIBOR, SLOVENIA*

Abstract:

Multilingual institutional interviews play a crucial role in international protection procedures, migration management, criminal investigations and other contexts involving vulnerable individuals. While interpreters are often viewed merely as language facilitators, communication mediated through an interpreter can significantly affect understanding, participation and the protection of fundamental rights. Drawing on research conducted in the field of international protection and migration, this paper examines interpreter-mediated interviews as an important procedural safeguard. Attention is paid to situations involving related languages, partial language proficiency, assumptions of mutual intelligibility and the use of ad hoc language solutions. Such practices may create hidden communication barriers, influence credibility assessments and limit an individual's ability to participate effectively in proceedings. The paper argues that interpreters should be recognised as active contributors to procedural fairness rather than as neutral language conduits. The discussion is linked to contemporary approaches to investigative interviewing, including the PEACE model and the Méndez Principles on Effective Interviewing. By highlighting the linguistic dimension of procedural justice, the paper contributes to broader debates on human rights protection in multilingual institutional settings.

Keywords:

human rights; interpreter-mediated interviews; multilingual communication; procedural safeguards; investigative interviewing

THE WEAPONISATION OF CONNECTIVITY: HYBRID THREATS, CRITICAL UNDERSEA INFRASTRUCTURE, AND HUMAN RIGHTS IN EMERGING MARITIME FRONTIERS

Author(s): *VESNA POPOSKA, MILITARY ACADEMY- SKOPJE, ASSOCIATED MEMBER OF UNIVERSITY GOCE DELCEV, NORTH MACEDONIA*

Abstract:

As global connectivity increasingly depends on seabed-based systems such as submarine cables and energy pipelines, these infrastructures have become indispensable yet highly vulnerable strategic assets. This paper argues that critical undersea infrastructure (CUI) is increasingly targeted by hybrid threats, where state and non-state actors exploit legal ambiguity, weak governance, and attribution challenges to pursue strategic objectives below the threshold of open conflict. Such dynamics are particularly evident in maritime chokepoints and emerging strategic regions, where infrastructure concentration intersects with intensifying geopolitical competition. Adopting an interdisciplinary approach that integrates international law, security studies, and human rights analysis, the study examines how disruptions to CUI generate cascading effects on fundamental rights, including access to information, economic security, and human safety. It highlights the limitations of existing legal frameworks, particularly under the law of the sea, in addressing these challenges. The paper argues for strengthening infrastructural resilience and enhancing international cooperation, emphasizing that the protection of connectivity has become a shared challenge requiring coordinated and cross-domain governance responses.

Keywords:

critical undersea infrastructure (cui); hybrid threats; maritime security; human rights

INDONESIA'S COMMUNITY-BASED SURVEILLANCE (POKMASWAS) AND THE FUTURE OF HUMAN RIGHTS AT SEA

Author(s): *YOGI PUTRANTO, MINISTRY OF MARINE AND FISHERIES AFFAIR OF REPUBLIC INDONESIA, INDONESIA, FELIX WAI HON CHAN, FACULTY OF LAW, UNIVERSITY OF HONG KONG, CORA CAN, FACULTY OF LAW, UNIVERSITY OF HONG KONG*

Abstract:

This article examines Indonesia's community-based surveillance system (Pokmaswas) as a model for integrating human rights into the governance of illegal, unreported, and unregulated (IUU) fishing. Drawing on Third World Approaches to International Law (TWAIL) and the enforcement framework of the United Nations Convention on the Law of the Sea, the study situates Pokmaswas within debates on maritime sovereignty, participatory governance, and justice at sea. While UNCLOS traditionally emphasizes state-centered enforcement, Indonesia's experience highlights the role of coastal communities in addressing human rights violations linked to IUU fishing, including labor exploitation, trafficking, and environmental harm. Using qualitative analysis of enforcement practices and cross-border fisheries cases, the article argues that community-based monitoring enhances regulatory legitimacy and complements formal maritime surveillance in peripheral waters. From a TWAIL perspective, Pokmaswas represents a Global South governance innovation that challenges dominant port-centered regulatory models. The study also considers implications for global maritime hubs such as Hong Kong, where port state responsibility and supply chain compliance are critical. Integrating community-based enforcement can strengthen implementation of UNCLOS and the FAO Port State Measures Agreement while promoting a more inclusive framework for protecting human rights at sea.

Keywords:

community-based surveillance; IUU fishing; human rights; TWAIL; UNCLOS

SPOTTING TRAFFICKING AT SEA: HUMANITARIAN BOARDING IN ACTION

Author(s): *JACEK MIERZWA, POLISH BORDER GUARD COLLEGE, POLAND; WERONIKA JAKUBCZAK, FIRE ACADEMY, POLAND; KAMILA ZARYCHTA ROMANOWSKA, UNIVERSITY OF WARSAW, POLAND*

Abstract:

Contemporary maritime security operations increasingly take place at the intersection of border management, organised crime prevention, human rights protection and humanitarian response. Boarding teams conducting maritime controls are often among the first authorities to encounter individuals exposed to trafficking, exploitation and coercion at sea. Their ability to recognise indicators of victimisation during boarding and inspection activities may determine whether protection mechanisms are activated or missed. This paper examines the role of humanitarian boarding and maritime controls within border security operations. Drawing on operational experience, training practices and insights from maritime security and blue criminology, it explores how boarding teams identify potential victims of human trafficking and distinguish trafficking from migrant smuggling and other maritime threats. Attention is given to behavioural indicators, vulnerability assessment and decision-making under operational pressure. The paper argues that effective humanitarian boarding requires integrating enforcement competencies with victim-centred approaches and human-rights awareness. It highlights lessons learned from operational environments and proposes recommendations for strengthening training, interagency cooperation and early identification mechanisms.

Keywords:

humanitarian boarding; maritime controls; human trafficking; human rights at sea; blue criminology; maritime security; victim identification; migrant smuggling; maritime law enforcement; transnational organized crime; Frontex; boarding; maritime law

CROSS-BORDER SECURITY AND HUMAN RIGHTS: MOLDOVAN–UKRAINIAN COOPERATION AGAINST IRREGULAR MIGRATION IN WARTIME

Author(s): *MARIANA ROSCA, MOLDOVA STATE UNIVERSITY, REPUBLIC OF MOLDOVA; RODICA CIOBANU, MOLDOVA STATE UNIVERSITY, REPUBLIC OF MOLDOVA*

Abstract:

The war in Ukraine has transformed Eastern European borders into complex security frontiers, where migration management, organized crime, and human rights concerns intersect in increasingly intricate ways. This paper examines Moldovan–Ukrainian cross-border cooperation in combating irregular migration in a wartime context, with particular attention to its implications for the protection of fundamental rights. Drawing on recent empirical evidence, including a joint operation in late 2024 that dismantled an organized criminal network facilitating illegal border crossings, the study demonstrates how criminal groups capitalize on conflict dynamics, border vulnerabilities, and heightened mobility pressures for profit. Situating these developments within the broader nexus of organized crime and human rights risks, the paper argues that while enhanced bilateral cooperation has strengthened border control and law enforcement effectiveness, it simultaneously raises concerns regarding the migrants' rights. By integrating perspectives from security studies, migration governance, and human rights scholarship, the paper explores the inherent tension between state security imperatives and international protection obligations. It further assesses how evolving patterns of cooperation between Moldova and Ukraine reflect wider regional responses to hybrid threats, in which organized crime, irregular migration, and geopolitical instability converge.

Keywords:

irregular migration; cross-border cooperation; Moldova–Ukraine relations; human trafficking networks; wartime governance

CRIMINAL LAW PROTECTION OF MINORS AGAINST SEXUAL ABUSE: DOMESTIC AND EUROPEAN PERSPECTIVES

Author(s): *ALEXANDRU- CRISTIAN ROSU, ROMANIAN AMERICAN UNIVERSITY, ROMANIA*

Abstract:

This article examines the criminal law protection afforded to minors against sexual abuse under Romanian legislation, with particular reference to recent normative developments. It analyzes the role of criminalization in safeguarding the child's sexual freedom, dignity, physical integrity, and psychological development. The study also considers the influence of European legal instruments, including the Lanzarote Convention and Directive 2011/92/EU. Special attention is given to situations involving authority, trust, dependence, or vulnerability, where a minor's consent cannot be assessed in abstract terms. The article argues that the protection of minors against sexual abuse represents both a criminal law objective and a fundamental human rights obligation.

Keywords:

child abuse; legal consent; sexual freedom; psychological development; human rights

THE EXPLOITATIVE NEXUS REVISITED: HUMAN TRAFFICKING, CROSS-BORDER ORGANISED CRIME, AND LEGAL GAPS IN SOUTH ASIAN AND EUROPEAN CONTEXTS

Author(s): *PARUL SHUKLA, GAUTAM BUDDHA UNIVERSITY, GREATER NOIDA, INDIA; BIJENDRA SHANDILYA, IIM ROHTAK, INDIA*

Abstract:

Trafficking in persons ranks among the most egregious and least addressed abuses of basic human rights that are enabled by transnational organised crime networks. Drawing on a mixed methods framework that integrates doctrinal legal analysis with qualitative scrutiny of case law, international instruments, and institutional reports, this paper critically assesses the legal and regulatory shortcomings that allow trafficking networks to thrive in a fragmented transnational governance landscape. The paper investigates how well the current international legal frameworks in place to combat trafficking in persons, such as the UN Palermo Protocol, can capture the multi-faceted nature of trafficking in persons, especially in the case of agricultural labour, forced marriage, and in the irregular migration corridor. Considerable focus is placed on governance competencies and weaknesses between origin and transit states, and destination states, and on the lack of ensuring legal assurances for the victim. Based on a comparative interdisciplinary legal lens, the paper makes practical normative suggestions for enhancing judicial cooperation at the border, harmonisation of enabling standards, and the implementation of measures to protect human rights in the cross-border criminal law enforcement frameworks of the region, including both the South Asian and the European ones.

Keywords:

human trafficking; transnational organised crime; Palermo Protocol; cross-border enforcement; victim protection; irregular migration; legal gaps; South Asia; human rights; governance

COMPLICIT BORDERS: EU MIGRATION EXTERNALISATION AND THE COLLAPSE OF HUMAN RIGHTS AT SEA

Author(s): *MOHD SIKANDAR, NATIONAL LAW UNIVERSITY, ODISHA, INDIA*

Abstract:

The European Union's progressive externalisation of migration management has produced a systematic and legally indefensible collapse of human rights protection at sea. Further, by financing and equipping coast guard and border enforcement without accountability, the EU has constructed a policy architecture of complicit externalisation. In this way, the EU has deliberately outsourced the violence of border enforcement to organised criminal actors. This paper argues that EU externalisation arrangements constitute not merely a policy failure but a legal wrong of the first order. It is a systematic violation of the non-refoulement obligation under the 1951 Refugee Convention, Article 3 of the European Convention on Human Rights, and the right to life under customary international law. Drawing upon the doctrine of effective control and upon the law of state responsibility, the paper demonstrates that EU member states bear direct legal responsibility for human rights violations at sea. These violations include illegal detentions characterised by torture, sexual violence, forced labour, and arbitrary deprivation of liberty. Thereupon, the paper advances a normative framework of shared responsibility and effective control. In this way, the paper attempts to restore the extraterritorial reach of non-refoulement and subject EU migration cooperation arrangements to the full rigour of international human rights accountability.

Keywords:

externalisation; EU migration policy; effective control; state responsibility; human rights

CLIMATE DISPLACEMENT, ORGANISED CRIME AT SEA AND THE PRINCIPLE OF NON-REFOULEMENT

Author(s): *VALERIO SINAJ, IUSS PAVIA & UNIVERSITY OF ROME UNITELMASAPIENZA, ITALY*

Abstract:

This paper examines the role of non-refoulement in protecting climate-displaced persons exposed to organised crime at sea and across borders. Climate change, particularly where combined with inadequate adaptation and disaster-risk reduction, may destroy homes, livelihoods and community life, pushing individuals towards irregular and dangerous migration routes. In these contexts, organised criminal networks may exploit climate-related vulnerability through smuggling, trafficking, extortion, forced labour, sexual exploitation and violence. The paper does not claim that climate change directly causes organised crime. Rather, it argues that climate displacement may make exposure to such harms foreseeable, thereby engaging States' obligations under the broader principle of non-refoulement in international law. Drawing on refugee law, international human rights law, ECtHR case law on jurisdiction at sea, and the ICJ Advisory Opinion on climate change, the paper asks whether States may return, intercept, transfer or cooperate in removing individuals where climate-related conditions, combined with criminal exploitation, create a real risk of irreparable harm. It ultimately proposes a climate-sensitive non-refoulement framework grounded in vulnerability, due diligence and extraterritorial human rights protection in maritime and cross-border contexts.

Keywords:

non refoulement; precautionary approach; positive obligations; ECTHR; climate displacement

SOCIAL-PHILOSOPHIC VISION OF MAIN CHALLENGES FOR HUMAN RIGHTS AT THE BLACK SEA REGION IN THE CONTEXT OF UN SUSTAINABLE DEVELOPMENT GOALS

Author(s): *OLEKSANDR STOVPETS, ODESSA NATIONAL MARITIME UNIVERSITY, UKRAINE*

Abstract:

This paper presents a socio-philosophical analysis of key challenges in the field of Human Rights protection in the Black Sea region, viewed through the lens of the UN's 2030 Sustainable Development Goals. The author argues that human rights are the foundation of social stability in the region, rather than merely a legal superstructure. The main focus is on environmental rights and the concept of the "blue economy". The paper examines international and regional initiatives such as the UN Decade of Ocean Science, the EU's Blue Economy strategy, the Common Maritime Agenda for the Black Sea (CMA) and the Bucharest Convention. Specific threats to the semi-enclosed Black Sea basin are analysed: eutrophication, plastic pollution, invasive species, and the natural factor of the hydrogen sulphide layer. The research provides a structural analysis of the global and regional maritime economies. It notes that the Black Sea region is dominated by logistics and cargo transportation, whilst innovative sectors (wind energy and biotechnology) currently account for only 2%. The author concludes that a transition to a model of sustainable blue growth is necessary to prevent irreversible biodiversity loss and ensure the long-term security of Human Rights in the coastal states.

Keywords:

human rights; Black Sea region; sustainable development; blue economy

BLUEPRINTS OF TRANSNATIONAL ORGANISED CRIME AND EXPLOITATION OF FUNDAMENTAL HUMAN VULNERABILITIES

Author(s): *SILVIA TABUSCA, ROMANIAN-AMERICAN UNIVERSITY, ROMANIA*

Abstract:
Human vulnerability is an inherent and universal characteristic of the human condition. This paper argues that 2 fundamental dimensions of vulnerability, relational and resource, constitute the primary foundations upon which many forms of organized crime are built. Relational vulnerability stems from the human need for attachment, belonging, affection, and social acceptance, while resource vulnerability derives from dependence on economic, social, and material resources necessary for autonomy, security, or well-being. Although these vulnerabilities are natural consequences of human interdependence, they are often exploited by criminal actors seeking profit, control, influence, or impunity.
The study examines how TOCG identify, target, and manipulate these vulnerabilities across diverse criminal markets and operational environments. By exploiting relational vulnerabilities, offenders are able to establish trust, create emotional dependency, facilitate recruitment, gain access to sensitive information, coerce compliance, and discourage cooperation with law enforcement authorities. At the same time, vulnerabilities stemming from financial needs, social exclusion, dependency, or limited access to information can increase individuals' susceptibility to various forms of criminal victimisation. Drawing upon vulnerability theory, human rights law, and security studies, this paper proposes a conceptual framework for understanding organised crime as a system that increasingly operates through the identification and exploitation of these 2 main vulnerabilities. It argues that many contemporary criminal methodologies include adaptive strategies designed to use relational and resource dependencies rather than relying on force or coercion.

Keywords:
transnational organised crime; human vulnerability; criminal exploitation; victimisation; human rights; criminal resilience; impunity; corruption

HUMAN TRAFFICKING PREVENTION IN VIETNAM: AN EXPLORATORY STUDY OF FAMILY-BASED CARE, CHILD PROTECTION AND EMERGING EXPLOITATION RISKS

Author(s): *MARIA TURDA, UNIVERSITY OF MANCHESTER, UNITED KINGDOM; CHAU NGUYEN, CARE FOR CHILDREN VIETNAM, VIETNAM*

Abstract:

Vietnam is a country of origin for human trafficking victims, including those identified in the UK. Despite growing interest in trafficking prevention, limited research has examined the role of family-based care as a protective factor against trafficking vulnerability. This study explores how family-based care and child protection systems may contribute to trafficking prevention among vulnerable children and young people in Vietnam. Using a qualitative design, the study combined policy analysis with semi-structured interviews with child protection and anti-trafficking stakeholders from governmental and non-governmental organisations in Vietnam. Data were analysed thematically to identify prevention mechanisms, emerging risks, and implementation challenges. Findings indicate that, despite legislative and policy developments, challenges remain, including fragmented inter-agency coordination, resource constraints, and uneven local capacity. Participants identified online recruitment, unsafe migration, and cross-border exploitation as growing risks. Family-based care, particularly kinship and foster care, was viewed as an important protective mechanism that strengthens stable relationships, social belonging, emotional security, and resilience. The findings highlight the need to integrate trafficking risk assessment within child protection systems and strengthen prevention-focused responses. The study contributes to debates on trafficking prevention by highlighting family-based care as a protective factor within broader child protection strategies in Southeast Asia.

Keywords:

human trafficking; trafficking prevention; Vietnam; family-based care; child protection; children and young people; care leavers; vulnerability; protective factors

EXTRATERRITORIAL JURISDICTION IN CYBERSPACE: BUILDING A GLOBAL LEGAL SHIELD FOR MIGRANT AND REFUGEE CHILDREN

Author(s): *NAZIR ULLAH, NATIONAL UNIVERSITY OF MALAYSIA, MALAYSIA*

Abstract:

Online child sexual exploitation has emerged one of the most complex transnational crimes of the digital era, disproportionately affecting migrant and refugee children who are often beyond the reach of adequate legal protection. Despite increasing awareness, existing legal regimes remain fragmented, with significant gaps in extraterritorial jurisdiction, international cooperation, and ethical approaches to digital enforcement. This paper addresses these gaps by exploring how a harmonized global legal framework can strengthen the protection of vulnerable children in cyberspace while aligning with the obligations of the UNCRC. Using a doctrinal and comparative legal methodology, the study examines legislative frameworks from multiple jurisdictions, with particular reference to the United States, where extraterritorial provisions, cybercrime enforcement models, and victim-protection mechanisms have achieved significant progress. These practices are analyzed to assess their adaptability to contexts such as Pakistan and other developing states, where institutional capacity and digital forensics remain limited. The paper argues for a rights-based global framework integrating digital ethics, cross-border prosecution, and privacy safeguards to protect children while preserving fundamental rights. The findings contribute to the discourse on transnational criminal law, child rights, and digital governance, emphasizing global cooperation.

Keywords:

online child sexual exploitation; cyberspace; refugee children; UNCRC; child protection

THE INDIAN COMMUNITY IN ROMANIA: AN EXPLORATION OF INTEGRATION, RIGHTS AND THE FACTORS INFLUENCING MIGRATION

Author(s): *ANA MARIA MIHAELA IORDACHE, ROMANIAN-AMERICAN UNIVERSITY, ROMANIA, HILDA-HEDVIG VARGA, ROMANIAN-AMERICAN UNIVERSITY, BUCHAREST, ROMANIA; CRISTINA COCULESCU, ROMANIAN-AMERICAN UNIVERSITY, ROMANIA;*

Abstract:

The study seeks to evaluate the legislative framework regarding the protection of migrants' rights and their integration into Romanian society, with a focus on the Indian community, as well as to identify the factors influencing migration dynamics. The research employs a mixed-methods approach. The qualitative component is based on an analysis of international, European and national legislation in the field of migration. The quantitative component consists of applying a multiple linear regression model estimated using the ordinary least squares (OLS) method, utilizing immigration data to identify the relationships between the explanatory variables and the phenomenon under analysis. The analysis highlights Romania's transformation from a predominantly emigration-oriented country into a major destination for non-EU workers. The Indian community represents a relevant example of new migration flows and the challenges associated with social and professional integration. The results of the econometric model show that it explains approximately 85.8% of the variation in the analyzed phenomenon and is statistically significant overall, but only one of the explanatory variables has a significant individual impact. This study contributes to the academic literature by integrating legal, sociological, and econometric perspectives into a unified framework for analyzing migration and the integration of migrants in Romania.

Keywords:

immigration; Romania; Indian; regression; discrimination; rights

GENDERED DIMENSIONS OF LABOUR MIGRATION IN ALBANIA: TOWARDS GENDER-SENSITIVE MIGRATION POLICY AND PRACTICE

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Abstract:

Albania's strategic location and growing labor shortages in sectors such as agrotourism, construction, agriculture, industry, and services have made the country an increasingly attractive destination for foreign labor migrants. These shortages, driven by workforce mismatches and the emigration of Albanian workers, have increased demand for foreign labor to support economic development. While this trend offers opportunities for growth, it also raises concerns regarding labor rights and migrant protection. This study examines the dynamics of labor exploitation among foreign workers in Albania and explores the structural factors that contribute to their vulnerability. A mixed-methods approach was used, combining qualitative and quantitative research. Data were collected through interviews with 75 foreign labor migrants and 15 experts representing civil society organizations and policy institutions. Findings reveal that foreign workers often face significant risks due to non-transparent recruitment practices, exploitative working conditions, and insufficient legal protections. Unclear employment arrangements, limited access to information, and weak monitoring mechanisms increase their vulnerability to exploitation and labor abuse. Although Albania has made progress in aligning its legal framework with international labor standards, enforcement remains inconsistent. Institutional fragmentation and limited coordination among responsible agencies further weaken protection mechanisms.

Keywords:

exploitation; foreign migrant workers; modern slavery; labor rights; migration policy; gender

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