The Dangerous Digital Borders

Like a cut in the land, the rusty border wall goes along Arizona's Camino Del Diablo, the Devil's Highway. You can drive up to it and touch it, and the rust will stay on your hand all day. This wall, once very important to the Trump government, is again at the center of a growing political argument.

I slowly travel for a few hours through the dusty Sonora desert. I follow the path of a search-and-rescue team in southern Arizona to a memorial for Elias Alvarado. He was a young husband and father from Central America whose body was found just a few kilometers from a big highway. Alvarado was caught in a growing surveillance and "smart border system," a trap at the U.S.-Mexico border that has already caused thousands of deaths. The U.S. government is trying to make a virtual smart border that goes far beyond the physical border.

Dangerous and uncontrolled border technologies are affecting every part of migration. At the U.S.-Mexico border, fixed AI-surveillance towers look for movement in the Sonora desert. These join other border technologies like ground sensors, license plate readers, and face recognition systems used by Customs and Border Protection (CBP). Now, in an election year, migration continues to be a big issue for both the Biden government and former President Trump. Trump promises to send many people back to their countries, make the wall stronger, and increase its surveillance. We must pay close attention to these dangerous technologies. They are making the differences bigger between the powerful people who make these high-tech tools and the weak communities who are affected by them.

As a lawyer and researcher, I have been studying how new technologies are changing migration. Over the last six years, I have worked at borders from the U.S.-Mexico area to the edges of Europe to East Africa and beyond. I have seen many times how technological border violence works in a system full of making migration illegal, anti-migrant feelings, and too much trust in private companies in a growing border business. From lots of biometric data collected without permission in refugee camps, to computer programs replacing visa officers and making unfair decisions, to AI lie detectors used at borders, the use of uncontrolled technologies is always growing. The biggest problem is that the unclear and unfair world of border control and immigration decisions is built on social structures with racism and discrimination against people migrating. This allows dangerous technological experiments to grow at the border.

While presented as solutions to a so-called "border crisis," border technologies as a way to stop people do not work. In fact, they lead to more deaths. People desperate for safety—and using their right to ask for asylum—will not stop coming. Instead, they will use more dangerous routes. Researchers have already shown that deaths at the U.S.-Mexico border have increased three times as the smart border grows. While studying this technology and visiting Alvarado's memorial in early spring of 2022, something very strange happened. The U.S. Department of Homeland Security (DHS) announced that it was going to use robot dogs to help control the border along the US-Mexico area. In the future, will people like Alvarado be chased by these robot dogs?

It is not by chance that very few laws exist to control dangerous technologies at the border. For example, despite years of hard work by groups of people and researchers, the European Union's new law to control artificial intelligence doesn't do enough to protect the most vulnerable people. The EU's AI Act could have been an important global standard for protecting these rights. But it did not provide the necessary protections around border technologies. In fact, the lack of bans on dangerous uses of border technologies in the EU goes against years of research and international guidance. A 2023 report by the UN's Office of the Human Rights Commissioner (OHCHR), which I helped write, argues for a human rights-based approach to digital border technologies. This includes stopping the use of harmful and dangerous border technologies like border surveillance for a while. The EU did not even take a small part of this position on border technologies.

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The U.S. is also not doing enough, and in an election year where migration is again a big topic, there doesn't seem to be much reason to control technologies at the border. The Biden government's 2023 Executive Order on AI does not mention how border technologies affect people migrating. And while the DHS has released its 2024 Roadmap on Artificial Intelligence, showing its plan for what the agency thinks is "responsible use of AI," the document doesn't talk about the human rights impacts on people who are moving. More globally, the UN itself has a lot of work to do. Its recent resolution on AI, once again, doesn't deal with the real harms that these technologies cause for people who are migrating.

We must also pay close attention to the role of private companies, as big businesses drive the development of border technologies. Private companies don't have a reason to control these profitable projects. Surveillance companies decide what we create and why, offering technical "solutions" to migration like robot dogs or AI lie detectors. Instead, they could develop AI to find racist border guards, or create technologies for sharing information or mental health support at the border.

Borders are a good place to test technologies. But often, this technology doesn't stop there. Projects like robot dogs chasing people at the border become normal and spread into public life. For example, the New York City Police Department announced in 2023 that it will be using robot dogs to "keep New York safe." One of these robot dogs is even painted with spots like a dalmatian dog.

How many more people must die because of a deadly and digital border system before we pay attention?

We need stronger laws to stop more human rights abuses at these dangerous digital borders. To change the conversation, we must focus on the serious human costs as smart borders appear around the world. With bodies becoming passports and life-and-death decisions being made by computers, watching and sharing stories is a way to fight against the pride and cruelty of those trying to use technology to turn human beings into problems to be solved.

Questions:

1. What are some examples of surveillance technology used at the US-Mexico border?

2. How are robot dogs being used at the border, and how do some people feel about this?

3. Why does the author think border surveillance technologies are dangerous for people trying to cross the border?