

# Border Management Identification: The biometric technology to detect criminals and terrorists often travel using falsified identity documents

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**Abstract:** This essay focuses on the use of biometric technologies in the African Union to identify terrorists and criminals who frequently travel with forged identity cards. The increasing acknowledgement of the distinct value and practical benefits of using biometric data is shown in the following areas: illegal immigration The entry of illegal immigrants into the African Union has been the main concern because of the border's permeability. Smuggling: A Major concern with this area of the African border is the smuggling of weaponry, ammunition and drugs its applicability to transnational issues pertaining to border control, law enforcement and intelligence collecting. Due to a shortage of resources at the border crossing, terrorists and criminals frequently enter the African Union using forged identity cards. The paper presents an overview of the applications of biometric information and devices, including counterterrorism. The use of biometrics and its impact on human rights, such as the rights to privacy and data protection, are then discussed. In this regard, it also emphasizes the obligations of corporations and the government. In the end, it provides a number of recommendations for activities. As previously mentioned, public authorities have long employed biometric technologies for border management, criminal justice, law enforcement, and military applications. They are however increasingly employed in a variety of new ways. As such, they have been linked to the provision of government services and benefits in many jurisdictions. Basically, data collection is the methodical process of obtaining primary and secondary sources of information in order to comprehend the relevant problems involved in the research field. Secondary data for this study was acquired from studies and literature already in publication on biometric technologies to identify terrorists and criminals who frequently travel with forged identity documents. Secondary data is easily accessible, typically theoretical and abstract, and has not been directly gathered by the researcher. The non-empirical data collection used in the qualitative research design and methodology is done through the use of documentary analysis, closed case files found online, and law enforcement annual reports from the Special Investigation Unit, Hawks, Boarder Management Authority, South African Police Service, and Home Affairs.

**Keywords:** *Forensic Identification, Biometric Technology, Detect, Criminal, Terrorist, Falsified Identity Documents.*

## Background And Introduction

The automatic identification of people based on their biological and behavioral traits is known as biometric recognition, or simply biometrics. This process is known as border management identification. Automated person recognition using fingerprints and other biological features is becoming more and more common due to the effectiveness of fingerprints in forensic science and law enforcement applications, as well as growing concerns about financial crime, cyber security, and border control (Marakalala, 2023:np). Thus, the widespread usage of biometrics in many facets of our society shouldn't come as a surprise.

Applications include access to restricted facilities, mobile payments, border crossing, national civil registration, smartphone security, and mobile payments (Mironov & Zhuravskaya, 2016:54). Although biometrics has shown to be an efficient tool in many industries, there are still many unanswered questions and untapped prospects for biometric identity authentication, especially if the individual is biometric or resistive. Today's security business relies heavily on biometric technologies. According to Marakalala (2023:np), this includes, among other things, how the military and law enforcement handle border security, criminal justice systems, and civic identity. According to Michael-Kramer (2018:np), automation has made biometrics even more powerful instruments in recent years. It makes sense that, while highlighting the positive features of these instruments and how they promote societal growth and the rule of law, public discourse also expresses worry about the short- and long-term repercussions of these instruments on individuals and society.

More and more people are realizing the unique worth and usefulness of using biometric data, especially when it comes to managing borders, addressing trans-border issues in law enforcement and intelligence collection, and using the data for forensic and evidentiary purposes (Amoore, 2008:54). According to Van Niekerk (2017:11), biometric technology is being used extensively and is advancing quickly, but the guidelines for using it to detect criminals and terrorists who travel with forged identity documents are still inadequate. Bridging the human rights guidance gap concerning the use of biometric tools in the border management identification context is essential to advance compliance with existing State human rights obligations (Van Niekerk, 2017:13).

In order to combat terrorism and violent extremism, this paper examines the use of biometric tools and data at border gates in the African Union to identify criminals and terrorists who frequently travel with false identity documents. It places special emphasis on the challenges facing biometric technology in this regard. According to the research by Modugu & Anyaduba (2013:np), it gives an overview of the manner in which biometric information and instruments are used, particularly in the context of biometric technology's use in identifying terrorists and criminals who frequently travel with forged identity cards. The use of biometrics and human rights are then discussed, including but not limited to the rights to privacy and data protection. State obligations are also described. Finally, it offers a list of suggestions on how to advance the use of biometric tools and data for the technology to detect terrorists and criminals who frequently travel with forged identity documents. These suggestions are intended to support the border management identification system approach.

### **Problem Statement**

The use of biometric technologies to identify terrorists and criminals In the African Union, people frequently travel with forged identity documents. As a result, frontline law enforcement agents are increasingly required to precisely identify criminals in almost real time. Compared to other criminal identification methods, biometrics offer a better level of reliability in a danger environment that is continuously changing. Terrorists and criminals use false identities, aliases, and physical characteristics in an effort to elude law authorities. According to Adey (2016:34), biometric technologies are still not used by border control and law enforcement agencies in the African Union when individuals travel with forged identity documents.

This covers all forms of transnational crime, including the smuggling of migrants, human trafficking, and the trafficking of drugs, weapons, or stolen cars (Anonymous, 2023:np). In addition, terrorism, property crime, corruption, and basic financial fraud can all be made easier by document fraud. "Document fraud continues to be a key enabler of threats at the South African external borders," SA notes in its most recent risk study. Although questions and worries about biometrics have just lately come up in public discourse, biometrics as a concept and instrument are not new; in fact, their history dates back centuries (Adey, 2016:34). Public agencies have employed early forms of biometrics, like fingerprints or photo-based identification, since the 1800s. According to Anonymous (2023:np), biometric systems were widely used in the former colonial world. The colonial authorities, among other problematic claims, supported the use of fingerprints for identification, claiming that "natives were too illiterate for the common use of signatures."

### **Research Aim and Objectives**

According to Kumar (2020:34); Leedy and Ormrod (2020:54), the terms "objective" and "aim" are frequently used synonymously. The study aim outlines the researcher's intended course of action, goal, or accomplishment. Hence, a paper's aim identifies how biometric technology can be used to identify terrorists and criminals who frequently travel with forged identity documents, while the objectives specify the particular problems the research raises and the actions that must be taken to fulfill the study's goal. The goal of a research study, according to Welman, Kruger,

and Mitchell (2010:02); Maxfield and Babbie (2018:56), is to analyze the many types of research methodologies that are employed when doing the research.

- The aim of this study is to explore the biometric technology to detect criminals and terrorists often travel using falsified identity documents.

### **Research Objectives**

- To identify the biometric technology to detect criminals and terrorists often travel using falsified identity documents
- To identify challenges that the forensic investigators encounter in border management identification.
- To establish best practices in investigating the biometric technology to detect criminals and terrorists often travel using falsified identity document.

### **Overview of the objectives**

- Develop efficient Morphing Attack Detection (MAD) solutions that are suitable for enrolment, forensic investigation, and border crossing.
- Develop a prototype demonstrator for Document Verification and Fraud Detection (DVFD) tools.
- Assess vulnerabilities in biometric systems, notably against morphing attacks.
- Provide DVFD tools to support border guards with their missions.
- Anticipate new morphing attacks against face images and other biometric modalities for future travel documents.
- Train people involved in ID document application, delivery, and checks to increase their ability to detect morphing attacks.
- Standardize Presentation Attack Detection (PAD) and face image quality assessment.
- Provide open access benchmarks to research activities on MAD.
- Ensure that new technologies developed for iMARS respect privacy and other AU regulations and are accepted by citizens.

### **Research Methodology**

Given the aforementioned contextual background, a qualitative research design was employed for the non-empirical data gathering. This will assist the researcher in learning about the biometric technology, which is based on a real-life issue, to detect terrorists and criminals who frequently travel using forged identity documents. Because it uses secondary data in the form of a literature review and tackles a real-world issue, the paper is non-empirical (Leedy & Ormrod, 2016:67; Korstjens & Moser, 2018:45). The majority of the data needed for this study will be qualitative in nature. Document review is typically the first step in the qualitative research process in order to gather data. Data will be collected from multiple sources, including relevant national and international literature, pertaining to investigation of mobile fraud (Corbin, & Strauss, 2019:33).

Research on the status of biometric technology to identify terrorists and criminals who frequently travel the world with forged identity documents was done through a survey of the literature. A review of additional scholarly works, business reports, official records, and media articles was also included (Mason, 2018:65). It has mainly relied on primary sources, especially the annual reports from the following agencies: SABRIC, Special Investigation Units (SIU), Hawks, journalists, private sector suppliers, regulators, and government representatives. In particular, documentary analysis from these agencies was done to identify terrorists and criminals who frequently travel with forged identity documents.

### **Data Collection and Method**

Data collection is fundamentally a systematic procedure of acquiring both secondary and primary information sources in order to grasp the significant concerns implicated in the subject of research (Clark, Foster & Bryman, 2019:34). Secondary data for this study was acquired from studies and literature already in existence on biometric technologies to identify terrorists and criminals who frequently travel with forged identity documents. Secondary data is commonly available, has not been personally gathered by the researcher, and is typically theoretical and abstract (David & Thomas, 2018:56; Leedy & Ormrod, 2020:65). In that regard, secondary data is based on studies that have been previously conducted by other experts, scholars, research professionals, and practitioners in the field of police killings. In the views of (Creswell, 2020:23). The secondary data collection process was appropriate

because the information was readily and quickly available than primary sources, cost-effective and more immaculately structured (Leavy, 2022:76).

### **Result Analysis and Discussion**

to determine how biometric technology is used for border control at airports. to evaluate the potential benefits and accuracy of biometrics in ID processing. the identification and analysis of the obstacles facing the biometric entry-exit program at the border controls and preclearance facilities of African Union airports. to research biometric ideas, including privacy implications, multimodal biometric use, artificial intelligence applications, and connections to COVID-19 pandemics. There is a general lack of research on the impact of biometric technologies at African Union border gate customs and border control. Although some research has been conducted on travelers' attitudes towards airport technologies, little is known from the literature about the operational efficiency biometrics can bring to airport customs or border control

#### **To identify the biometric technology to detect criminals and terrorists often travel using falsified identity documents**

Biometric authentication is not a novel concept. Since most of us always have things like fingerprint recognition on our cellphones, it has practically become a part of our daily lives. However, biometric identification is even more crucial to the fight against crime in the corporate sphere. Our technologically advanced society provides sophisticated tools for fraudsters to commit crimes. The chief operations officer of Comcorp, a software innovator and expert in authenticating technology solutions, Shanaaz Trethewey, claims that biometrics is the gold standard for identification and an indisputable means of confirming that the individual is who they claim to be.

The Financial Intelligence Centre Act (FICA) and Know Your Customer, which are intended to confirm a customer's identity and identify risk factors, require South African businesses of all sizes and in all sectors—but particularly in the financial sector—to make sure they comply with stringent identification checks and regulations (Corruption Watch, 2021:np). But since these anti-terrorism and anti-money laundering laws were modified last month, companies that weren't previously considered accountable institutions are under more pressure to tighten consumer due diligence policies and step up regulatory monitoring.

#### **The benefit of biometrics**

Actually, there are a number of benefits for any business that uses biometric identification. Here, the adage "time is money" is extremely applicable. Biometric identification offers a rapid and effective way to stop potential fraud, which lowers a company's subsequent expenses. These digital procedures are also highly relevant and appealing to the younger generation of customers and enterprises outside of the traditional financial services industry, claims Anonymous (2021:np). These younger generations don't perceive the necessity for manual labor, corruption, migrant smuggling, or fake documentation because they are used to the newest technologies. Some of the ways in which corruption can facilitate the use of fraudulent documents for the purpose of migrant smuggling include:

- Corruption in the issuance of false travel and identity documents;
- Corruption to facilitate the use of fraudulent documents;
- Corruption in the issuance of genuine travel and identity documents on the basis of fraudulent support documents, issued by the public administration or the private sector;
- Corruption of private sector business and organisations in support of fraudulent applications for passports, visas, or permanent residency (e.g., fraudulent certificates of marriage, paternity, filiation, employment, registration in an academic institution).

Corruption is a fundamental factor in the creation and use of bogus documents, which frequently play a significant role in migrant smuggling operations. The purchase of passports and visas through dishonest diplomatic officials is one type of document fraud. According to Anonymous (2023:np), it is quite easy to obtain authentic documents with entirely or partially fraudulent information in exchange for a bribe in several nations due to flaws in government administration, slowness, and pervasive corruption.

The replacement of a bio-data page in a passport, for instance, requires the involvement of a person with access to specialized techniques; however, it may be much easier for a corrupt official to issue documents by fraud rather than to alter a document. Fraudulent supporting documents may be used to obtain a genuine passport or visa. Some technological advances to protect the integrity of official identification and travel documents can be defeated by corruption (Anonymous, 2023:np).

### **To identify challenges that the forensic investigators encounter in border management identification**

*Access to Information and Data Transfer:* When conducting cross-border investigations, the biggest challenge facing investigators is most likely information access (Anonymous, 2023:np). The data or evidence may have been erased by the time investigators arrive at the investigation's destination.

*Lack of Cross-Border Investigation Process:* Anonymous (2023:np) mentioned that in some organizations, the time hasn't been taken to sit down and develop a protocol for conducting internal investigations, let alone cross-border investigations (Polner, 2015:np; UNODC, 2018a).

Some guidance for the first steps to take during a cross-border investigation (for the full list, view the report) border management annual report (2019-2023):

- Assess the business's global investigation capabilities and benchmark them against recognized best practices.
- Assess the organization's investigation competence and adequacy of protocols at the highest levels of the organization.
- Have a single, global point of accountability for responding to suspicions or actual incidents of fraud and misconduct.
- Prepare resources based on the uniqueness of cross-border fraud and misconduct issues.
- Consider developing a written incident-response document.

#### *Legal Differences*

Laws and business practices vary throughout countries. distinct rules apply to distinct categories of people in some countries. Before starting an inquiry, investigators must complete their assigned reading and familiarize themselves with these statutes (Anonymous, 2022:np). Getting the local government to help and cooperate while investigating government officials can be challenging.

The KPMG report recommends gaining a thorough understanding of keeping privacy and protecting confidentiality of information and the individuals involved in the inquiry in order to handle various regulations relevant to evidence collecting. Additionally, the study advises fostering close ties with local authorities because these connections have the power to make or break an inquiry (Polner, 2015:np; UNODC, 2018a).

#### *Cultural Differences*

- According to Polner (2015:np); UNODC (2018a), there are "unwritten rules" concerning how commerce is conducted in many nations. According to Anonymous (2022:np), there will be differences in the methods used for conducting business at a company's headquarters and its international offices.
- Language and communication are blatant examples of a cultural divide. Often, hiring multilingual employees, translators, or local experts with all the required investigative abilities allows businesses to get past this obstacle.
- Nonverbal communication can also be problematic because many nonverbal cues that could give rise to suspicions of lying in BMA could just be cultural norms. For instance, when someone lies in AU, some people find it difficult to look BMA in the eye. Direct eye contact with someone may be frowned upon in other nations.
- Learn about these trends, as there are numerous more cultural distinctions that need to be investigated and taken into account while conducting cross-border investigations (UNODC, 2018a).

#### *Overcoming the challenges*

- Consent is the greatest obstacle to each new technology's implementation. The storage and usage of data from this technology, as well as its location and method of storage, are major concerns.
- Surprisingly, the worries are often voiced by regular consumers who fear mismanagement, abuse, and misuse rather than the legal profession (UNODC, 2018a). Laws that are specifically designed to safeguard the rights of consumers, such as the Protection of Personal Information Act, should provide a sense of relief.
- Educating companies about the costs they run the danger of not embracing these cutting-edge technologies is another difficulty. According to Trethewey, the cost component is based on how long a business is willing to wait to make such a change and what they stand to lose in the meanwhile.

- Failure to comply with FICA regulations may result in fines of up to R1 million, suspension of the business, and up to 10 years in jail for noncompliant parties.

The good news is that most companies already have platforms that make roll-out easy. After approvals and process discussions have been administered, and all stakeholders are aligned and trained, these integration projects can be turned around quickly and seamlessly by a company. Fortunately, the majority of businesses already have systems in place that facilitate roll-out. These integration projects can be completed swiftly and smoothly by a business once all stakeholders have been trained and clearances and process talks have been handled.

### **Border authority to extend hours ahead of expected surge of 'about six million people' through ports**

The Minister of Home Affairs has granted our request to extend the operation hours on additional selected vital ports for specific periods after we reached an agreement with our respective neighboring nations, even though some of our busiest ports are already open around-the-clock (Ndlovu, 2023:np). For its Christmas season operations, the Border Management Authority (BMA) is putting into action a comprehensive plan that includes extra personnel on the ground and longer border station operational hours. According to the statement released by Ndlovu (2023:np), BMA commissioner Dr. Michael Masiapato informed the media on Sunday at a Pretoria briefing that the organization anticipated at least six million people to enter the nation over the holiday season.

Furthermore, around 380 extra staff members will be stationed at the busiest ports of entry to help with service delivery and technical support throughout this time (Ndlovu, 2023:np). A number of senior members of the Border Technical Committee (BTC) have also been assigned certain ports to visit during the designated key dates in order to offer assistance. Ndlovu (2023:np) added that in order to lessen the impact of load-shedding on operations, infrastructure—including generators—has been sought after. A truck pulls a trailer full of cargo close to the South African border crossing with Zimbabwe, which is located near Musina.)

Following their engagement with the Department of Public Works and Infrastructure, Ndlovu (2023:np) stated that they will be supplying extra infrastructure, including temporary lighting, restrooms, unique temporary barricades, and a JoJo tank for the supply of water to travelers at the designated critical land ports. With an emphasis on cross-border organized crime groups and other general crimes committed in the ports of entry and border law enforcement area, the Boarder Management Authority aims to stop the unlawful movement of people and products (Ndlovu, 2023:np).

### **To establish best practices in investigating the biometric technology to detect criminals and terrorists often travel using falsified identity document**

According to Interpol (2018:np), the largest international police organization in the world, Interpol is in a unique and perfect position to develop and share global biometrics expertise in order to support law enforcement in preventing and investigating crime and terrorism. Targeted datasets for DNA and fingerprints are among the tools that Interpol has developed; development on a facial recognition system is still ongoing. Naturally, fingerprints are among the most ancient police "tools" still in use today, and they continue to be one of the most effective ways to identify a person (Interpol & UNEP: 2016:np). The way that fingerprints can be taken and verified, as well as how quickly they may be verified, have changed.

One example was in Mali, where an Interpol team had been assigned to help identify high-value inmates suspected of terrorism. The prisoners were fingerprinted, photographed, and iris-scanned by Mali's Gendarmerie after receiving training on Interpol-provided biometric equipment (Interpol: 2018:np). A match was found between the fingerprints and an individual wanted by Algeria for terrorism who had been detained under a false identity, according to checks against Interpol's fingerprint database. Among other things, Interpol is currently collaborating with Frontex, Europol, and the Greek authorities to provide improved biometric border screening capabilities through the use of fingerprint identification at the migrant screening centers set up on the island of Lesbos (Interpol: 2018:np).

Interpol implemented the AFIS gateway in 2018, facilitating fingerprint searches on the Interpol Database for member nations. This year, Interpol will test a project involving two member nations to allow direct searches from national databases (Interpol: 2018:np). The DNA gateway maintained by Interpol is dynamic, much like fingerprints. It is crucial to note that Interpol does not maintain any nominal information in the DNA database that would associate a profile with a specific person.

Countries have been able to connect cases through Interpol checks and identify offenders who have committed crimes distant from their original scene. An Austrian sex offender was connected to several unresolved US rapes

through an Interpol DNA check. After being identified, a 32-year-old Afghan national was taken into custody and transferred to the United States, where he is currently serving a 60-year prison sentence. By working with Interpol, it was also possible to identify and apprehend a global hitman by combining the use of CCTV footage with DNA evidence. Two separate attempted assassinations occurred in 2012 in two different countries. The Interpol DNA database matched DNA evidence from both crime scenes.

CCTV photos of the suspect from the first shooting were provided with the national police in the second, despite the fact that the identity behind the DNA profile remained unknown in both countries (Interpol: 2018:np). Here, the police identified the person, and the culprit was the subject of an Interpol Red Notice, also known as an international wanted persons notice. The Interpol Fugitives unit provided assistance in identifying and apprehending the suspect in a third country, which led to his extradition. According to Interpol (2018:np), a direct DNA comparison verified the match between the samples obtained from the two shootings, and the suspect is presently being prosecuted.

For this reason, we urge all of our member nations to submit the entire set of biometrics that were taken from a crime scene. Sharing all known and accessible biometric data along with Interpol's worldwide Notices system greatly improves the odds of identifying, tracking down, and apprehending the criminal. The newest Interpol technology, facial recognition, is scheduled to launch in 2016. Member nations will have access to this centralized facial image matching system, which was created in collaboration with Safran/Morpho, and a specialised team at the General Secretariat will carry out comparison work.

Although in its infancy, this innovative approach offers promising prospects for biometric matching in cases of ATM fraud and rioting, for example, where neither DNA nor fingerprints are available. A significant help in identifying people in important locations like border control points is undoubtedly the live facial recognition technology that forensic investigators and border management specialists will be examining in addition to the central database.

An essential component of developing our biometrics and forensics abilities is the provision of training complemented through our working groups to identify member country needs. Facial recognition for this paper, emphasis will be placed on facial recognition. Although facial recognition technology has existed for some time, the aviation industry has begun integrating it with existing processes only recently, including integration in Artificial Intelligence programs. As facial features are different for everyone, the aim is to quickly identify imposters and illegal immigrants by matching a live facial image with a previously captured image from the database(Interpol: 2018:np). As forensic investigators or boarder management subject matters further develop these services forensic investigators or boarder management subject matters will see increased data sharing by our member countries which will result in more identifications and fugitives brought to justice around the world (Interpol: 2018:np). This is because the traveler will interact with the border control officer to ensure that facial recognition takes place for the traveler. Similarly, the traveler who avoided facial recognition will be caught at the boarding gate as the non-boarded seat will be double-checked on board the aircraft. One may argue that identifiers with low circumvent should be incorporated such as iris or retina scan to compensate for the high circumvent of facial recognition.

### **Data Analysis and Interpretation**

The process of analyzing, classifying, and transforming the collected data into statements that are understandable or pertinent to the study topic and research questions is known as data analysis. 2018:78; Creswell & Creswell). Mukherjee (2020:13) defines data analysis as a quick technique used to identify and effectively evaluate data from the gathered data. In order to create a reliable framework or context for research findings, Cho (2018:76) states that data analysis typically starts shortly after data collection and involves organizing, processing, classifying, and categorizing collected data into themes. Accordingly, the reduction and methodical organization of data that has been deduced from the initial body of information retrieved is understood to constitute data analysis.

The Qualitative Data Analysis (QDA) Miner software was utilised for coding and classifying the acquired data into themes. This method was suitable because it allowed the researcher to code data quicker, more reliably, and to locate all the references in a single topic (DePoy & Gitlin, 2016:87).

### **Literature Review**

Literature review is the on-going methodical or systematic process of searching, consulting, processing and categorisation of available information sources from previously conducted studies or research by others in the same field of research (Anderson, 2019:26; Efron & Ravid, 2019:28). The review of literature sources or secondary data was facilitated by means of academic books, journals, annual reports, dockets, published and unpublished

dissertations and theses, as well as search engines and databases on the biometric technology to detect criminals and terrorists often travel using falsified identity documents. (Fouché, Strydom & Roestenburg, 2021:98) states categorically that the review of literature serves the purpose of learning from both international and local perspectives, approaches, best practices, current problems, as well as theoretical and methodological developments regarding the subject under investigation (Flick, 2020:88)

### Document Review

Document review refers to the systematic consultation and identification of collected data that has already been gathered through analysis and interpretation (Gray, 2019:76). Document review entails an intense analysis of the content of legalistic and policy-oriented reports and documents that are mostly government-oriented in nature. In this study, the document review process involved relevant to *the biometric technology to detect criminals and terrorists often travel using falsified identity documents* and Acts, annual reports, case dockets from the armoury, and online news articles related to *boarder management identification*.

The researcher further used secondary data collection (documentary analysis) that they had the right to anonymity, privacy, and confidentiality. In this regard, they were informed that their names would not be divulged under any circumstances to any person who was not associated directly with the study without the written consent of the participants (Hennink, Hutter & Bailey, 2020:93). It is worth stating that each semi-structured interview was audio-recorded with the participants' verbal agreement, which ensured that none of the participants' verbatim responses were omitted or missed (Maxfield & Babbie, 2018:29; Khaldi, 2017:67).

### Research Findings

Regional initiatives such as the cyber security expert group of the African Union (AU) should ensure that emerging biometric technologies is well applied in African Society. The research finding of this paper will focus on the following aspect:

- The potential for countries such as South Africa and AU to become surveillance states, for the moment appears to be limited by resource constraints and government capacity.
- The key drivers of biometric surveillance are governments, international organisations such as the World Bank, and the private sector (including banking and security industries).

South Africa could become the testing ground for emerging biometric technologies, with South Africa and the AU leading the way in piloting such technologies and offering them on a trial or discounted basis.

***South African Law Enforcement relate to Border Management Identification Control:*** The law enforcement structure that are in the involvement of Border Management Identification: The biometric technology to detect criminals and terrorists often travel using falsified identity documents. The structure includes crime prevention, detection and reactions of crime scene relating to Border Management Identification.

### Recommendations

Since the AU and the various border management agencies are essentially involved in the maintenance of various aspects of law and order, this paper should also examine the nature of training techniques and approaches by the border management agencies and banking subject matter specialists' structures in order to identify the weaknesses, compare and integrate the strengths, and apply a uniform approach.

The purpose of the documents is to give UN Member States a foundation upon which to enact Security Council resolution 2396 (2017), which establishes mandatory systems adoption and development for the collection of biometric data necessary for the responsible identification of terrorists. Findings from discussions between the Member States, the Counter-Terrorism Committee, and their civil society partners are included in CTED's Analytical Brief. "In promoting implementation of these resolutions by Member States, CTED has identified effective practices, issues, gaps, and challenges in their use of biometrics for counter-terrorism purposes," the report reads. In addition, this paper should also explore the nature of training techniques and approaches by the border management agencies and banking subject matter specialist's structures in order to detect the weaknesses, compare and integrate the strengths, and apply a uniform approach since both the AU and the various the border management agencies are essentially involved in the maintenance of various aspects of law and order.

The document suggests that while 118 of the 193 UN Member States have taken some steps towards the introduction of biometrics for counter-terrorism purposes, the extent and expertise of these systems varies



substantially from state to state. From a geographical perspective, the UN Analytical Brief mentioned how almost half of European Member States have deployed such systems, with applications across the Middle East still marginal, and entirely lacking in more than half of African Member States.

In terms of specific trends, the report identified modern technologies designed to capture, collect, process, and analyses biometric data, particularly amidst the pandemic.

These include facial recognition systems used in conjunction with CCTV video surveillance and unmanned aircraft systems (UAS) and know-your-client (KYC) and customer due diligence (CDD) biometrics-powered solutions.

The report notes an increase in some states in the sharing of biometric data as part of counter-terrorism cooperation and information-sharing measures. There are also several challenges hindering the prompt deployment of biometrics in counterterrorism, according to the Analytical Brief. Most of these originate from insufficient capacity, legal and administrative frameworks, as well as insufficient oversight, safeguards, and protection of privacy and data, and reinforcement of existing discrimination and inequalities.

To overcome these issues, CTED explained that a renewed coordinated delivery of technical assistance and capacity-building for the forensic investigators or boarder management subject matters are needed, together with a push from the private sector to ensure that biometrics solutions developed are respectful of privacy and other human rights. Such legal and regulatory frameworks which must be developed prior to the implementation of biometric systems are a critical pre-requisite for the effective and responsible use of biometrics at the national level, the report reads. Failure to introduce safeguards that prevent the abuse or misuse of biometric technologies and data (including violations of human rights) can also negatively impact international cooperation, potentially undermining regional and international counter-terrorism efforts.

The final section of the Analytical Brief includes a list of relevant international guidance and initiatives designed to support relevant stakeholders developing biometric technology to do so responsibly in the context of counterterrorism. Here are some suggestions from the report:

- Understand the rules and regulations regarding gathering, transporting and storing data across borders
- Preserve the integrity of the data. Establish a protocol that's implemented consistently across an organization to give credibility to the results of an investigation.
- Provide training to all employees about electronically stored information policies and procedures – as well as data privacy laws.
- Stay up to date on amendments made to international data privacy laws and make sure they are reflected in your procedures.

### **Biometric tools and data: Towards a human rights approach**

The human rights impact linked to the use of biometric tools and data is enormous. Related consequences are felt across a range of fundamental rights, including, but not limited to, the rights to life, to liberty and security of person, the right to be free from torture, cruel, inhuman or degrading treatment, the rights to a fair trial, privacy and family life, freedom of expression or movement, etc. It is the scale of impingement, together with the universal, interdependent, and interconnected nature of these rights leading to manifold, interrelated effects across a series of individual and collective freedoms that makes the need for human rights compliant regulation of the use of biometric tools and data an imperative and urgent need.

There's more to it: the broader human rights implications Biometric tools have been heralded for their promise to deliver positive outcomes in multiple regulatory contexts. Indeed, such tools can:

- Contribute to combating social exclusion or marginalisation;
- Enhance economic, social, and cultural rights, among others, by facilitating access and delivery of services such as food, health care, and other basic social needs;
- Facilitate meaningful and equal participation of all in political and public life, including through the strengthening of election processes, for example via biometric voter registration systems;
- Aid the setting up of identification and registration systems aimed at preventing identity fraud and theft; and, serve as a powerful tool to improve law enforcement efforts and the delivery of criminal justice.

## Conclusion

This includes all types of cross-border crime, such as migrant smuggling, trafficking in human beings as well as the trafficking of drugs, weapons, or stolen vehicles. The criminals and terrorists often travel using falsified identity documents, can also facilitate general financial fraud, corruption, property crime, and terrorism. SA reports, in its latest risk analysis. Document fraud continues to be a key enabler of threats at the South African external borders. Illegal immigration: Due to the porosity of the border, the primary challenge has been the influx of illegal immigrants in AU. Smuggling: A Major challenge with this part of the Indian border is the smuggling of arms, ammunition and drugs. The more countries and jurisdictions are involved, the harder it becomes to run and complete an investigation quickly, efficiently, and comprehensively. Various issues arise like language barriers, different cultural perceptions, local laws, data privacy provisions, and blocking statutes.

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