

# COVID-19, Surveillance, and the Border Industrial Complex

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Technological experimentation at the border is being given free rein, knit together into what amounts to a tapestry of an increasingly powerful [global border industrial complex](#). This experimentation legitimizes techno-solutionism at the expense of human rights and dignity and has only been accelerated by the COVID-19 pandemic. Powerful actors—often in the private sector—increasingly dictate what technology should be developed and deployed, while communities experiencing the sharp edges of this innovation—including refugees and others on the move—are consistently left out of the discussion. Unfortunately, despite the key State obligations reflected in the *14 Principles*, rights abuses are rampant when it comes to COVID-19, surveillance, and border control. Indeed, evaluation of the intersection of technology, COVID-19, and the border demonstrates that the border industrial complex proliferates opportunities for rights abuses while reducing avenues for redress.

Below, I start by grounding the border industrial complex in the lived experience of people on the move. I then describe how the European Union (EU) is increasingly turning to technology as a way of managing migration and that this turn has only increased in response to the pandemic. I then consider the role of rights and turn to the case study of Greece during the pandemic. What my ongoing fieldwork with colleagues reveals is effectively a pandemic panopticon on the borders of the European Union. I close with some reflections on the political economy of the border industrial complex.

## I. Grounding the Border Industrial Complex in the Lived Experience of People on the Move

The people I have interviewed for my work [share feelings of dehumanization](#), of being reduced to data points and fingerprint scans. They talk about systemic and anti-Black racism that is so pervasive in immigration and refugee decision-making, and their fear that biases that are firmly baked into the current system [will be exacerbated](#) through the use of automation and algorithmic technologies. Unfortunately, the communities that become the experiments for technological development have been historically made

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marginalized. Techno-solutionism at the border is exacerbating these divisions of power and privilege, keenly felt during a global pandemic that clearly highlights whole perspectives matter.

## **II. Migration Management Technologies: A Regulatory Free-For-All Amplified During the Pandemic**

Borders and other spaces of migration continue to be the setting of various migration management experiments with technology. The pandemic has only exacerbated this trend. Unfortunately, technology generally—and its use during the pandemic in particular—is shielded from scrutiny, leaving people with few avenues for redress.

Many of the most troubling experiments with technology as a means of migration management can be found in Europe. Indeed, they have been actively encouraged by the EU, as codified most recently in its [Migration Pact](#), and confirmed at [various press conferences](#) with EU officials. Such policies and conferences are replete with [explicit messaging](#) around the “management” of migration, a “Europeanized” deportation process, protecting the border, and strengthening the work of Frontex, the EU’s border force. The EU is increasingly exploring various experiments with technology as a primary way to strengthen its migration management machine. Technologies, such as automated decision-making, biometrics, and unpiloted drones, and most recently violent [border sound canons](#) are increasingly controlling migration and affecting millions of people on the move.

However, this is by no means an EU-only phenomenon, with examples from algorithmic immigration detention at the [U.S.-Mexico border](#) to Canada’s [automated visa decision-making](#). Nor is it limited to States, as with the use of biometrics [by international organizations](#) like the United Nations High Commissioner for Refugees (UNHCR). Actors in various contexts across the world are experimenting with techno-solutionism as a primary means of migration management.

Governments quickly moved towards [bio-surveillance](#) as a way to contain the spread of the COVID-19 pandemic. Indeed, there has been an increase in surveillance and automation projects presented as a viable way to stem the flow of the pandemic, such as through controlling the movement across borders, including through the use of drone surveillance.

## **III. Technology, Pandemic Migration Management, and Rights**

If previous use of technology is any indication, refugees and people crossing borders will be disproportionately targeted and negatively affected. Various technologies that have been presented to combat COVID-19, including [virus-targeting robots](#), [cellphone tracking](#), and [AI-based thermal cameras](#) can all be used to limit the freedom of movement of—and for discrimination against—people crossing borders, with far-reaching human rights impacts. In particular, border technologies frequently exacerbate [systemically discriminatory](#) border logics that have been historically weaponized against communities on the move.

This use of technology to manage and control migration amid a global

pandemic is also shielded from scrutiny because of [its emergency nature](#). In addition, the current regulatory free-for-all creates a gray zone of accountability. The basic protections available to more politically powerful groups are often simply not available to people crossing borders, leaving non-citizens without access to mechanisms of redress and oversight.

It also clearly plays into broader regional strategies of border enforcement, expanding the mandate of entities like Frontex, bolstering deportations and return, and at the most extreme, facilitating violent and [illegal pushbacks at the frontiers of Europe](#).

#### IV. A Pandemic Panopticon on the Frontiers of Europe

My fieldwork with colleagues in Greece reveals that the proliferation of migration management technology, accelerated in connection with the response to COVID-19, has effectively created a pandemic panopticon on the frontier of Europe. This is revealed through the lived experience of people who interacted with these technologies.

[In my work with colleagues](#), Greece is an ideal case study, both because it is a frontier space for migration and because it happens to be a technological testing ground—a sandbox. In September 2020, colleagues and I went to the ruins of Moria camp, one of the biggest refugee camps in Europe on the island of Lesbos, in the aftermath of a huge fire that displaced thousands of people. We witnessed the creation of a new camp from the ground up. The building of this camp on a [barren windswept peninsula](#) has paradoxically been coupled with an EU-wide obsession to introduce more and more draconian technology and surveillance equipment to manage migration and control people who are experiencing the harmful, sharp edges of this technological testing ground. Unfortunately, the COVID-19 pandemic was explicitly weaponized by the Greek government, resulting in refugee camps on the islands remaining closed much longer than the rest of Greece. The government also used the pandemic as an excuse to limit access to lawyers, NGO workers, and even journalists.

[I have been back to Lesbos](#) multiple times since the burning of Moria, as recently as May 2021, and these issues remain live. In Greece, the five proposed Multi-Purpose Reception and Identification Centres (MPRICs) on Lesbos, Samos, Chios, Leros, and Kos have all been [reported to include](#) “camera surveillance with motion analysis algorithms monitoring the behaviour and movement of centre residents.” This new system, [called Centaur](#), boasts an “integrated digital system of electronic and physical security management placed inside and around the facilities using cameras and a motion analysis algorithm (AI Behavioral Analytics).” These camps and their technological interventions are generously funded by the EU. On March 26, 2021, [Frontex put out a press release](#) trumpeting a fulsome report from the Rand Corporation on uses of AI in border operations, including “automated border control, object recognition to detect suspicious vehicles or cargo, and the use of geospatial data analytics for operational awareness and threat detection.

## V. *14 Principles and Human Rights in Technological Experiments*

COVID-19 and its impacts crystalize many of the human rights issues already inherent in the unregulated free-for-all of migration management technologies. As my work in Greece and globally tries to highlight, the very real impacts of surveillance, automation, and border enforcement on people's lives and rights crosscut numerous of the [14 Principles](#), including rights to equal treatment and freedom from discrimination, limits on arbitrary restrictions of movement, detention, obligations to protect life and health, particularly for people in refugee camps, as well as privacy. For example, using [automated drone technology to police borders](#) and facilitate pushbacks impacts people's right to the protection of life as well as their ability to move freely (not to mention the internationally protected right to claim asylum). The opaque nature of immigration and refugee decision-making also creates an environment ripe for [algorithmic discrimination](#). New technologies are likely to only widen the scope of [privacy infringements for people on the move](#), whose data is often sensitive and needs to be robustly protected. These and other rights reflected in the *14 Principles* are especially important to think about in high-risk contexts, where the repercussions of incorrect decisions can be far-reaching, particularly during a global pandemic.

## VI. Why is this Happening? The Political Economy of the Border Industrial Complex

The attempt to understand how border technological experiments are playing out is also an attempt to highlight how power operates in society and how technology reinforces hierarchies of oppression, with very real impacts on people's rights and lives. While technology can offer the promise of novel solutions for an unprecedented global crisis, we must ensure that COVID-19 innovation does not unfairly target refugees and other people on the move, racialized communities, indigenous communities, and other marginalized groups, nor make discriminatory inferences that can lead to detention, family separation, and other irreparable harms. This type of experimentation foregrounds certain framings over others, which in turn [prioritize certain types of interventions](#) (i.e., "catching liars at the border" vs. "catching racist border guards") and drive regional policy decisions to fortify borders. In the COVID-19 reality, making people on the move more trackable and detectable justifies the use of more technology and more data collection in the name of public health and national security, often without adequate safeguards and mechanisms of oversight. This in turn impacts people's fundamental human rights and can contravene various of the *14 Principles*.

In this crucial global moment, the conversation must also be about broader questions: who gets to participate in conversations around innovation and what our post-COVID-19 world may look like. How can we ensure that we are not reinforcing hierarchies of power and systemic oppression through the very tools that purport to help shepherd us through this crisis? [Pandemic responses are clearly political](#), as are the technological testing grounds that may remain with us long after COVID-19.