

## **BALI PROCESS SENIOR OFFICIALS MEETING**

### **BALI, INDONESIA, 10 MARCH 2011 CO-CHAIRS' STATEMENT**

1. The Co-Chairs of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process) hosted a meeting of senior officials in Bali, Indonesia on 10 March 2011. The meeting was attended by representatives of Afghanistan, Australia, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, China, China (Hong Kong), China (Macau), India, Indonesia, Iran, Iraq, Lao PDR, Malaysia, Maldives, Mongolia, Myanmar, Nauru, Nepal, New Zealand, Pakistan, Papua New Guinea, the Philippines, Republic of Korea, Samoa, Singapore, Sri Lanka, Thailand, Timor Leste, Tonga, Vanuatu, Vietnam as well as representatives from the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration.
2. Attending the meeting in an observer capacity were Canada, France, the Russian Federation, the United States of America, the ASEAN Secretariat, the Asian Development Bank, the Global Forum on Migration and Development (represented by the Swiss Chair-in-Office), the International Committee of the Red Cross, INTERPOL, and the United Nations Office on Drugs and Crime.
3. The purpose of the meeting was to take stock of Bali Process activities and achievements, including those of the Ad Hoc Group (AHG), since the Third Bali Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime, held in Bali from 14-15 April 2009, and to make recommendations to the Fourth Bali Process Ministerial Conference on 30 March 2011.

#### **Proceedings**

4. The Meeting was opened by the Co-Chairs and the agenda and program of work were adopted. The Co-Chairs recalled the previous Senior Officials' Meeting in Brisbane, Australia on 24-25 February 2009, and the Co-Chairs' Statement of the Third Bali Process Ministerial Conference. The Third Bali Process Ministerial Conference agreed to task the AHG mechanism of the Bali Process with the terms of reference: (a) to develop practical outcomes at the operational level to assist countries to mitigate increased irregular population movements; (b) to enhance information sharing arrangements between most-affected countries; and (c) to report to Co-Chairs through the Steering Group with concrete recommendations to inform future regional cooperation on people smuggling and trafficking in persons.

#### *Review of Bali Process work since the last SOM*

5. The meeting reviewed the very full range of activities undertaken since the last meeting of Bali Process Senior Officials in February 2009 and welcomed reports by countries and international organisations on their support for and actions taken to further develop and implement Bali Process objectives. The Co-Chairs provided a report to participants on the activities of the AHG as reflected in the AHG Progress Report by the Co-Chairs (attached). Hosts of the various workshops, meetings and

projects then provided reports on outcomes and progress across a range of topics including document examination, seaport security and research projects.

### *Trafficking in Persons*

6. Participants highlighted that trafficking in persons was an issue of ongoing concern to many countries in the region and affirmed the need for additional cooperation to assist member states to strengthen capacity to address trafficking in persons, including victim assistance and protection. During the session devoted to trafficking in persons, Indonesia provided delegates with some very useful insights on trends and key priorities in the field of trafficking, and Cambodia updated participants on the array of measures it applies against trafficking syndicates. Participants affirmed that people smuggling and trafficking in persons are related but distinct crimes, and that each requires a targeted response.
7. Participants expressed concern about the particular vulnerability of victims of trafficking, especially women and children. Participants agreed on the need to observe the problem of trafficking in persons from two points of view: a broad migration and development approach; and a more specific approach of crime prevention and law enforcement. Participants highlighted the significance of raising awareness about the issue of trafficking as part of broader prevention measures. Participants also underlined the importance of implementation of effective legislation, and welcomed increased cooperation on this matter.
8. Participants supported the enhanced focus in the Bali Process on trafficking in persons issues, including the initiative to have a regional workshop on trafficking in persons under the Bali Process in collaboration with related international and regional organisations.

### *Regional Framework Approaches*

9. The meeting underlined the collective responsibility of source, transit and destination countries in responding to complex migratory movements, noting that a cooperative framework approach would offer an opportunity to accommodate the interests of all states involved, consistent with applicable international standards.
10. Participants acknowledged the recent focus within the AHG on cooperative regional approaches and agreed this should be further pursued amongst interested states. Participants endorsed the core elements of a framework and guiding considerations for arrangements under the framework set out in the AHG SOM Co-Chairs' Statement (including paragraphs 16 and 19). In addition, the UNHCR paper on a regional cooperative approach to address refugees, asylum seekers and irregular movement (in particular the three regional support functions set out therein), presented at the AHG Workshop on Regional Cooperation and Irregular Migration in Manila on 22-23 November 2010, was seen as a useful foundation for future cooperation to address irregular movement in the region. Operationalisation of the framework could include engagement with UNHCR, IOM and other relevant international organisations.

### *Continued Border Security, Legal and Law Enforcement Cooperation*

11. Participants welcomed the informative presentations during this session. Malaysia described its recent successful experience of incorporating people smuggling legislation into its Anti-Trafficking in Persons Act, and Samoa updated participants on its experiences in dealing with people smuggling and trafficking in persons.
12. UNODC delivered a presentation on the support it can offer in the field of data collection and analysis on migrant smuggling. Participants underscored the very high level value attached to enhanced sharing of information and welcomed UNODC assistance in this respect through establishing a reporting system on migrant smuggling and related conduct in support of the Bali Process.

### *International Linkages*

13. During this session, Switzerland, the current Chair-in-Office of the Global Forum on Migration and Development (GFMD), outlined GFMD views on irregular migration and canvassed possible opportunities for linkages between the Bali Process and GFMD in the future. Participants welcomed the informative presentation from INTERPOL on the various law enforcement cooperative tools it could provide to Bali Process members.
14. Participants also discussed linkages between the Bali Process and other consultative forums and the meeting clarified the process by which new members might be invited to join the Bali Process.

### **Action Items**

15. Participants considered the AHG Co-Chairs' Progress Report and AHG SOM Co-Chairs' Statement of 9 March 2011 (attached). Participants agreed that the AHG Report provided an accurate summary of the AHG's achievements over the past two years; and that the recommendations contained in the AHG SOM Co-chairs Statement, including that Ministers give consideration to agreeing to a regional framework, provided an appropriate and effective direction for the AHG and Bali Process moving forward. The meeting endorsed the AHG SOM Co-Chairs' Statement and the AHG Report and commended both documents to Bali Process Ministers for consideration.
16. The meeting welcomed participants' commitment to further progress the work of the Bali Process in undertaking to organise the following:
  - a workshop on immigration aspects of airport security, to be held in Bangkok in June 2011;
  - a workshop on document examination, following on from the successful document examination workshop in Manila in 2009; and
  - a workshop on measures to counter trafficking in persons to be held in Indonesia in the second half of 2011.

17. The meeting endorsed the forward workshop program of the AHG, set out below:

- a workshop to deliver the results of the research project on regional approaches to protection, resettlement and repatriation and to consider how this research might be used to inform regional framework activities;
- a second meeting of the Technical Experts Working Group on Irregular Movement by Air to further progress the Regional Immigration Liaison Officer Network;
- a workshop focusing on maritime safety in the context of irregular maritime migration;
- a Technical Expert Meeting on Mutual Legal Assistance (MLA) and Law Enforcement;
- one or more workshops focusing on measures to combat trafficking in persons, that will be open to the full Bali Process membership;
- a workshop on Immigration Intelligence Analysis Best Practice;
- a workshop on Integrity of visa processes at overseas missions; and
- bilateral exchanges by Bali Process AHG members with other member countries to further pursue options to enhance the visa regimes of member countries

18. Senior officials recommended that the Bali Process continue in a more streamlined way and asked the Co-Chairs, with the assistance of the Steering Group, to further develop and finalise proposals for targeted activities consistent with paragraphs 16 and 17 of this statement and subject to available resources.

19. The Co-Chairs acknowledged the support of the IOM in assisting invited members to participate in the SOM.

20. The Meeting expressed its appreciation to the Government of Indonesia for its generosity and hospitality in hosting the SOM.