

Bali Process Working Group on Trafficking in Persons (TiP)

Forward Work Plan: 2015-17

Background and Purpose

The Bali Process Working Group on Trafficking in Persons (Working Group) is a network of experts on trafficking from Bali Process member countries and organisations, led by the Bali Process Ad Hoc Group. The Working Group is a forum through which Bali Process members can share information on key initiatives, trends and issues related to trafficking in persons, and identify opportunities for cooperation and capacity building needs. Establishment of the working group was an outcome of the Fifth Bali Process Ministerial Conference Meeting held on 2 April 2013.

Role

As set out in its Terms of Reference, endorsed by the Bali Process Ad Hoc Group on 6 August 2014, the role of the Working Group is to:

- promote effective and coordinated approaches amongst members to prevent, investigate and prosecute trafficking in persons crimes and protect and assist trafficked people
- identify specific capacity building needs of Bali Process members and ways to address those needs
- explore the extent to which issues of increasing importance, such as trafficking for the purposes of labour exploitation, affect Bali Process members, and identify avenues for cooperation to address emerging issues
- share information on trends, issues, and initiatives related to trafficking in persons
- identify ways in which the Bali Process can complement, draw from and coordinate with the efforts of other fora/organisations or programs working to address trafficking in persons, including other Regional Consultative Processes on migration (RCPs); and community, industry and private sector groups
- propose relevant initiatives on trafficking in persons and related issues for inclusion in the forward work plan for the Regional Support Office to the Bali Process (RSO), including coordinating with existing work conducted by the RSO, and
- consider other issues determined by the Working Group as relevant to fulfilling its role.

Ongoing Activities

1. Members to regularly share information and engage in a dialogue on developments, issues and their experiences in implementing policy and legal responses to TiP (through annual in-person meetings, regular emails, putting information on the Bali Process members' portal, etc).
2. Promote the use of the Bali Process Policy Guides on *Criminalising Migrant Smuggling* and *Trafficking in Persons* in the region, and once finalised, on *Identification and Protection of Victims of Trafficking*. Where possible, this should include participating in/ conducting regional

launches of the guides, and provision of training, with support from the Bali Process Regional Support Office(RSO) and other organisations, such as the UNODC.

Action Items 2015-17

1. Recommend the Bali Process Policy Guides on *Identification and Protection of Victims of Trafficking* for consideration and adoption at the May 2015 Bali Process Ad Hoc Group Senior Officials' Meeting, including any revisions agreed to be implemented following the consultation workshop to finalise the guides.
2. Hold a **regional symposium on labour trafficking**, to explore the extent to which labour trafficking affects Bali Process States and identify avenues for cooperation to enhance criminal justice responses to the issue and provide victims with protection and access to appropriate and effective remedies, such as compensation.
3. Coordinate, promote and enhance evidence-based **best practice guidance or training materials** on issues related to labour trafficking.
4. Provide training to **build capacity of relevant officials** to respond to trafficking in persons, including the delivery of regional training on the *Bali Process Policy Guides on Criminalising Migrant Smuggling and Trafficking in Persons*, and *Identification and Protection of Victims of Trafficking*.
5. Identify a **list of the priority trafficking in persons issues relevant for the region** to assist in focusing capacity building efforts, these should include:
 - I. **prevention of trafficking**, including safe migration pathways and awareness-raising to build resilience amongst vulnerable groups and prevent re-victimisation, including the involvement of civil society and recruitment agencies, where appropriate
 - II. **criminalization of trafficking in persons** consistent with international standards, including that it is separate from migrant smuggling, has extraterritorial application and applies to transnational and domestic contexts
 - III. **improved identification of trafficking** including through the promotion and use of established indicators
 - IV. **greater assistance for and protection of victims** of trafficking, including access to appropriate and effective remedies (such as compensation) and the special role of victims as witnesses in criminal justice proceedings
 - V. **effective international crime cooperation mechanisms to support prosecution** of trafficking, such as ensuring extradition and mutual assistance apply to trafficking offences
 - VI. targeting the financial incentives for trafficking through **strong anti-money laundering and proceeds of crime legislation and confiscation and seizure of proceeds of crime, as applicable**
 - VII. focusing on **specific forms of trafficking** which are of particular concern for the region, including, but not limited to: labour trafficking, trafficking for the purposes of organ removal, forced marriages resulting in labour or sexual exploitation, and trafficking for sexual exploitation

- VIII. **strengthened national and regional data collection, sharing of information and evaluation** related to trafficking in persons, and
- IX. **promoting the ratification and full implementation of relevant international instruments**, such as the UN Convention against Transnational Organised Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons.
6. Share information and engage in a dialogue on experiences in implementing policy and legal responses to the priority trafficking issues identified under item 5 at **annual meetings** (or through another mechanism).
 7. Promote awareness and strengthen our collective efforts to combat trafficking in persons, by developing a voluntary **regional roadmap/strategic plan** which allows states to monitor their own progress across a continuum based on the priority list developed under Action Item 5, for inclusion in the RSO's forward work plan. The road map will inform members of options to strengthen approaches to trafficking.
 8. Strengthen regional coordination and collaboration, by overseeing the RSO in conducting a **mapping exercise** to identify the activities being undertaken by different actors working to combat TiP in the region (regional consultative processes, industry, civil society, governments etc).
 9. Consider ways for member countries to more effectively engage with NGO's in identifying, protecting and assisting victims of trafficking in persons.