

**BALI PROCESS AD HOC GROUP 27-29 JULY 2009
NEW ZEALAND OPENING STATEMENT**

Nicholas Kiddle, Head of Delegation

Let me open by expressing our appreciation to you, the co-hosts, for convening this meeting. We have been a strong supporter of the Bali Process since its inception, and we wish to continue to engage in its work at all levels.

As distinguished colleagues will be aware, NZ benefits from its geographical isolation near the very end of the preferred routes for illegal and irregular migration through the region. Nonetheless over the course of the last few months, developments have underlined that New Zealand is not so far away to be completely off the radar. Despite the extra-territoriality of NZ law applying to people smuggling, my country remains an attractive destination.

That reality combines with other factors to drive us to continue deepening our response to the challenge of people smuggling. The most significant of those other factors are our obligations under the United Nations Convention against Transnational Organised Crime; our pledges to the Bali Process itself; and our concern for the challenges posed to neighbouring states and to our wider region by illegal and irregular migration.

Accordingly, and in keeping with pledges we have made in the Bali Process, the first significant development that I would like to report to this group is that in June Cabinet approved New Zealand's first national Plan of Action to Prevent People Trafficking.

The Plan of Action squares with international best practice. It comprises three main focus areas: prevention, prosecution and protection. In broad terms,

Preventative measures focus on training for officers stationed both within New Zealand and offshore; enhanced risk profiling and intelligence-gathering; and continuing international engagement. The *Prosecution* elements build on the already robust legal framework to prohibit and punish offenders of people trafficking. People trafficking crimes carry one of the harshest penalties under New Zealand law with maximum sentences up to 20 years imprisonment and/or a \$500,000 fine. *Protection* elements respond to victims' needs: meeting the humanitarian needs of those who have suffered; assisting repatriation of victims wishing to return to their home country; and processing victims in line with relevant United Nations conventions such as the Refugee Convention; the Convention against Torture; and the Convention for political asylum claimants.

The government considers the Plan a balanced approach which asserts the high priority we place on the prosecution of people traffickers while recognising the unique humanitarian needs of their victims.

I have brought copies of the Plan to this meeting, and will make them available at the back of this room.

A second significant development that we would like to report is the deepening of New Zealand's engagement with Australia over illegal arrivals by sea. This remains a work in progress and so we will not go into the details now. However we do wish to flag that trans-Tasman cooperation looks set to take on new dimensions in an effort to further dissuade people smugglers from plying their trade "down under".

The third and final element of this brief update, distinguished Co-Chairs and colleagues, is the ongoing work we are doing in source countries to help address the root causes of illegal migration.

- In Afghanistan we continue to maintain a Provisional Reconstruction Team in Bamyan province and we have support personnel including medical specialists and command and leadership training in various operations there. Foreign Minister McCully has responded favourably to a request for election observers and is being consulted over financial contributions to support the next elections.

- In Sri Lanka we have been providing humanitarian assistance through the World Food Programme and through the International Committee of the Red Cross.

- In Myanmar we remain an active contributor to the operations of the World Food Programme and to the UNDP.

Let me conclude Co-Chairs by saying that this bilateral assistance is complimented by financial support to multilateral agencies active in region - shoring up livelihoods, striving for social development and political stability. Most importantly this includes the UN Inter-Agency Project on Human Trafficking in the Greater Mekong Sub-region; UNHCR (NZ\$6 million); UNDP (NZ\$8 million); UNICEF (NZ\$6 million); UNFPA (NZ\$6 million); OHCHR (NZ\$3.5 million), including targeted support to the Special Rapporteur on trafficking in persons; UNIFEM (NZ\$2 million) and to the human trafficking programmes of the Asia Pacific Forum of National Human Rights Institutions (NZ\$320,000).

Co-Chairs, distinguished colleagues, we look forward to working with you to achieve outcomes that strengthen the region's response, to our mutual benefit, and to the benefit of victims of trafficking.