

BALI PROCESS AD HOC GROUP

Workshop on Protection Resettlement and Repatriation

Bali 7 – 8 June 2010

Workshop Co-Chairs' Summary

Introduction

The Bali Process Ad Hoc Group Workshop on Protection, Resettlement and Repatriation was held in Bali on 7 and 8 June 2010. The Workshop was hosted by Indonesia and co-chaired by Australia and Indonesia. The Workshop was an outcome of the Bali Process Ad Hoc Group Cluster Group meeting in Perth, Australia on 14 and 15 December 2009.

The Workshop was attended by 62 delegates, representing the governments of Afghanistan, Australia, Bangladesh, India, Indonesia, Malaysia, Maldives, Myanmar, New Zealand, Pakistan, Sri Lanka and Thailand. The United Arab Emirates and the PIDC attended the Workshop as observers and representatives from the UNHCR, IOM and UNODC also participated.

The Workshop was opened by the Co-Chairs, Mr Febrian A. Ruddyard, Director for International Security and Disarmament, Ministry of Foreign Affairs, Indonesia and Mr Robert Hoitink, Assistant Secretary, Regional Cooperation, the Department of Immigration and Citizenship, Australia. The Co-Chairs welcomed delegates and provided a brief overview of the Workshop programme. Mr Ruddyard noted the ongoing relevancy of the Bali Process as a forum for knowledge sharing and cooperation as a shared responsibility between countries of origin, transit and destination. Mr Hoitink noted the need to achieve balance between border security and protection, and suggested the Workshop would provide a useful opportunity to discuss cooperative approaches to protection, resettlement and repatriation issues.

Presentations

UNHCR presented refugee protection and asylum trends and IOM presented on irregular migration trends throughout the region. UNODC presented on strategies for combating people smuggling and trafficking in persons. Further presentations were delivered by several countries and UNHCR, which gave rise to discussions of the challenges countries face in respect of irregular migration and the responses adopted to meet them.

Key findings

The key findings of the Workshop are as follows:

1. The Workshop agreed on the desirability in developing and applying consistent standards for protection, resettlement and repatriation, at the regional and at the national level. Disparity between countries' approaches contributes to irregular movement, and uniformity throughout the region would be a strong and effective disincentive to potential irregular migrants. The Workshop also recognized the importance of consistency in the areas of timeframes, accommodation and treatment of irregular migrants.
2. In seeking to adopt consistent approaches to protection, resettlement and repatriation, the Workshop acknowledged the importance of a balance between security concerns and protection and humanitarian considerations, having regard to international instruments and practices, as applicable. The Workshop also acknowledged the different level of development and capacities of countries in the region, including different magnitudes of irregular migration flows.
3. The Workshop reaffirmed the need to strengthen the collection and sharing of information and intelligence at the regional and national level to better understand irregular migration trends throughout the region and to successfully combat people smuggling and trafficking networks.
4. The Workshop noted the value of implementing the Regional Immigration Liaison Officer Network (RILON) to better facilitate the rapid sharing of immigration intelligence. The Workshop also noted the value of initiatives such as the UNODC data collection and analysis mechanism. Participants agreed to encourage active participation in the RILON process and the proposed Workshop to be held later in the year.
5. The Workshop identified secondary movement as a key challenge for the region and acknowledged the need to promote dialogue between countries in the region and with international organizations.
6. The Workshop supported continued work between regional partners and international organisations to develop and deliver effective information campaigns which aim to educate potential irregular migrants and those who are or may become associated with people smuggling ventures of the risks of and alternatives to irregular migration. The Workshop advocated information campaigns as an effective strategy for discouraging irregular migration and people smuggling ventures. Strategies must be research-based and culturally sensitive to ensure appropriate messages reach the target audience.
7. The Workshop noted that strong legal frameworks are an important element in countries' responses to irregular migration. Legal frameworks must criminalise people smuggling and trafficking in

persons, but must also make provision for protection of asylum seekers, refugee, smuggled migrants and victims of trafficking in line with relevant international human rights instruments, and the People Smuggling and Trafficking Protocols to the UN Convention on Transnational Organized Crime.

8. The Workshop acknowledged the value in gaining broader international support for the resettlement of refugees from the region. The Workshop further agreed to work together to pursue opportunities for refugee resettlement beyond the region, including speeding up resettlement processes.
9. The Workshop reaffirmed that a comprehensive strategy to combat people smuggling and trafficking in persons required measures to address the root causes of irregular migration. Such strategies include humanitarian and development assistance as well as sustainable programs to support repatriation to source countries.

Future Work

1. UNHCR is committed to the development of a coordinated and comprehensive regional approach that addresses issues related to refugees and irregular movements, including secondary movement. In this context, the Workshop welcomed UNHCR's offer to co-host an expert workshop before the next Bali Regional Ministerial Conference. The objective of this proposal is two-fold: to elaborate on critical issues of common concern to the region and, at the same time, to develop practical responses with all stakeholders concerned.
2. Australia offered to fund a research project to establish an information base relating to regional approaches to protection, resettlement and repatriation to inform participants on factual matters relating to consistency.
3. The Workshop welcomed a proposal by IOM to convene a technical workshop to examine operational and logistical steps that can be taken across the region to move towards a more consistent approach with regard to repatriation and reintegration assistance, before the next Bali Regional Ministerial Conference.
4. The Workshop saw value in establishing a reference group consisting of operational staff in participant countries and international organizations to drive a range of work and activities in a number of areas prior to the next Bali Regional Ministerial Conference. The reference group will act as a focal point for engagement on future Bali Process activities.