

BALI PROCESS SENIOR OFFICIALS MEETING**BALI, INDONESIA, 1 APRIL 2013****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 Senior Officials Meeting in Bali on 1 April 2013. The meeting was attended by representatives of Afghanistan, Australia, Bangladesh, Brunei Darussalam, Cambodia, China, Hong Kong SAR, Fiji, India, Indonesia, Iraq, Japan, Lao PDR, Malaysia, Maldives, Mongolia, Myanmar, Nauru, Nepal, New Caledonia (France), New Zealand, Pakistan, Papua New Guinea, Philippines, Republic of Korea, Samoa, Singapore, Solomon Islands, Sri Lanka, Thailand, Timor-Leste, United Arab Emirates, United States of America, Viet Nam, International Organisation for Migration (IOM), the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Office on Drugs and Crime (UNODC). Canada, Russia, Spain, Switzerland, the United Kingdom, International Federation of Red Cross and Red Crescent Societies (IFRC), International Committee of the Red Cross (ICRC) and International Labour Organization attended the meeting as observers.
2. The purpose of the meeting was to assess the activities and achievements of the Bali Process, including those of the Ad Hoc Group (AHG), since the Fourth Bali Regional Ministerial Conference held in Bali on 29-30 March 2011 and to make recommendations for the consideration of the Fifth Bali Regional Ministerial Conference on 2 April 2013.

Proceedings

3. The meeting welcomed advice from the Co-Chairs that, as directed by Ministers at the Fourth Ministerial Conference in March 2011, the AHG had been expanded, on the recommendation of the Bali Process Steering Group, to include existing Bali Process members Vietnam and the Philippines and new members (past observers) the United States and United Arab Emirates. Co-Chairs also sought the endorsement of the meeting for a Steering Group decision to support the UNODC's application to become a member of the Bali Process. Participants welcomed the membership of the United States of America, the United Arab Emirates and UNODC to the Bali Process and looked forward to their strengthened engagement.
4. The Co-Chairs recalled the outcomes from the Senior Officials Meeting in Bali on 10 March 2011 and the Co-Chairs' Statement from the Fourth Ministerial Conference. The Fourth Ministerial Conference had agreed to focus on ways to harmonise processes for dealing with the irregular movement of people in the region under a Regional Cooperation Framework (RCF) and had tasked the AHG to operationalize the RCF. Ministers had also tasked the AHG to enhance cooperation on trafficking in persons issues.

Review of work since the Fourth Ministerial Conference

5. The meeting reviewed the activities undertaken to implement Bali Process objectives since the last meeting of Bali Process Senior Officials in March 2011. The meeting welcomed a Co-Chairs' progress report outlining the activities of the AHG since the Fourth Ministerial Conference (attached). Members who had hosted workshops and activities reported to the meeting on outcomes and progress across a range of issues including immigration aspects of airport security; combating trafficking in persons and victim protection; immigration document examination; and ratification and implementation of the United Nations Convention against Transnational Crime (UNTOC) and its migrant smuggling and trafficking in persons protocols.
6. The meeting acknowledged that while the Bali Process had achieved significant progress towards strengthening regional cooperation in addressing irregular migration challenges, it was important to keep moving forward. Participants noted irregular migration and the risk it poses to the loss of life at sea continued to be a concern for many members. In particular, 2012 had seen unprecedented irregular migration flows by sea in the Asia Pacific as reported by the UNHCR. It was critical for Bali Process work to continue to focus on strengthening law enforcement cooperation and immigration management capacity, while at the same time ensuring the humanitarian and protection needs of vulnerable people are respected. Members were encouraged to continue to strengthen their domestic legal frameworks, including by criminalising people smuggling and trafficking in persons.
7. Combating trafficking in persons also remained a concern for members. The meeting welcomed the enhanced cooperation on trafficking in persons issues showcased through workshops held during 2012 which addressed issues around prevention, early detection, investigation and prosecution, and victim protection. Members noted that concerns had been raised in recent Bali Process meetings on issues of labour trafficking and the extent to which this was an issue for the region. Participants recommended that this could be further explored in future Bali Process work. The meeting acknowledged members would benefit from taking a more sustained and coordinated approach to Bali Process work on trafficking in persons. Consideration could also be given to engaging with anti-trafficking community and industry groups and the private sector.
8. The meeting welcomed the operationalization of the RCF through the establishment of the Regional Support Office (RSO) in Bangkok. The Indonesian and Australian RSO co-managers provided the meeting with an overview of operations and an outline of projects underway. The meeting welcomed the RSO as a significant achievement for enhancing regional cooperation and capacity building in addressing irregular migration, including people smuggling and trafficking in persons. The Co-Chairs encouraged members to maximise the potential benefits of the RSO through their participation.
9. The International Organization for Migration (IOM) provided the meeting with an overview of the new Bali Process secure web portal and encouraged members to nominate national focal points to facilitate improved sharing of country and immigration-related information and analysis to help inform policy development. The

portal would also provide a tool to assist member countries to build their capacity through e-Learning courses and training materials.

10. The meeting highlighted the importance of improving the Bali Process' understanding of the contemporary picture of the irregular movement of people and migrant smuggling challenges and trends. Members welcomed the development of the Voluntary Reporting System on Migrant Smuggling and Related Conduct (VRS-MSRC) by the United Nations Office on Drugs and Crime (UNODC) and the completion of the pilot phase. The UNODC provided the meeting with an overview of the system which would be launched in mid-2013. The meeting welcomed feedback from participants of the pilot phase who attested to the potential benefits of the VRS-MSRC in facilitating information collection, sharing and analysis to build strategic knowledge to assist policy development. The Co-Chairs encouraged members to participate in the system to enhance its value as an information database on migrant smuggling and irregular movement of people trends in the region.

Action items

The way forward

11. The meeting considered the AHG Co-Chairs' Statement from the 7th AHG Senior Officials Meeting held on 5 March 2013 in Sydney, Australia, and agreed that the recommended future program of work included substantial initiatives for moving the Bali Process forward. Members endorsed the work of the AHG and recommended it be retained as an effective mechanism for advancing cooperation to better address the irregular movement of people, including people smuggling and trafficking in persons.
12. The meeting welcomed the establishment of the RSO to implement practical initiatives under the RCF. Members recommended that the continued implementation of the RCF be taken forward as a matter of priority and that members be encouraged to participate in the activities of the RSO and/or contribute resources and funding to strengthen its role in advancing regional cooperation and developing regional responses to irregular migration issues.
13. The meeting endorsed the AHG recommendation to establish cooperation between the Bali Process RSO and the Jakarta Centre for Law Enforcement Cooperation (JCLEC). Participants welcomed the potential benefits of a partnership with JCLEC, outlined in a concept paper developed by Indonesia and Australia in consultation with JCLEC and the RSO. The meeting acknowledged that in linking the work of the RSO with the expertise of JCLEC the Bali Process could strengthen regional law enforcement responses; build members' capacity through targeted, needs-based training to better address trafficking in persons and people smuggling; enhance consistency in approaches to the management of the irregular movement of people; establish professional networks and a regional pool of subject matter expertise; and minimise duplication of training activities in the region. The meeting noted that establishing cooperation with other centres of excellence in the region could be considered in the future.
14. The meeting endorsed the AHG recommendation to establish a working group on trafficking in persons. Participants welcomed an overview by Indonesia which

outlined the potential benefits of a working group including as a coordination mechanism to better focus Bali Process activities to address members' capacity needs and to assist inform Bali Process responses to trafficking in persons issues. Members agreed that the working group would be established under the purview of the AHG but would be open to all interested Bali Process members, and would engage with civil society, non government organizations and the business community in undertaking its work.

15. The meeting endorsed the AHG recommendation to develop regional policy guides on criminalising people smuggling and trafficking in persons targeted at policy makers and practitioners. In particular, participants welcomed a concept paper developed by Thailand and Australia outlining the potential benefits of the policy guides which could be used by countries across a range of domestic agencies to promote a consistent understanding of legal obligations under the UNTOC and its Protocols on Smuggling of Migrants and Trafficking in Persons, and to assist countries in developing effective legislation. Members agreed that the RSO provided the best mechanism for taking forward the development of the guides. Members also welcomed the potential for practical guides to be developed on other topics identified through future workshops and meetings.
16. The meeting welcomed a report from UNHCR and Indonesia on outcomes and proposals emanating from the Regional Roundtable on Irregular Movements by Sea held in Jakarta under the purview of the RSO from 18-20 March 2013. Members recommended the outcomes be presented to Ministers for consideration and that affected States further explore ways in which cooperation in managing irregular maritime movements could be strengthened in practical ways, including through the development of a protection-sensitive regional approach.
17. The meeting welcomed the commitment of participants to continue the ongoing program of activities including a workshop on airport security for Bali Process members to exchange ideas and consider how collaboration, technology and risk management practices could achieve better client service, improved airport security and manage irregular migration.
18. The meeting commended the recommendations, outlined in paragraphs 11 to 16, to Bali Process Ministers for consideration.
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.