



Speech by

**The Minister for Foreign Affairs
The Hon Alexander Downer MP**

**To the Bali Process
Senior Officials' Meeting**

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(check against delivery)**

Introduction

Ladies and gentlemen

It gives me great pleasure to be with you this morning.

This Senior Officials' Meeting is an opportunity for nations to take stock of what the Bali process has achieved...

...and to chart its future direction.

My Indonesian counterpart, Dr Hassan Wirajuda, and I co-chaired the first Bali process Ministerial Conference in February 2002...

...to help the countries of the region work together to fight people smuggling, trafficking in persons and related transnational crime.

Now, just over two years down the track, we can claim many successes from our endeavours.

People smugglers and traffickers are finding it harder to do business in the region because we are cooperating effectively and taking action.

I would like to express my sincere thanks to governments represented here today for their commitment to making the Bali process a model of success for regional cooperation.

But our success must breed further success, not complacency.

Through the Bali process we have in place a sound agenda for future cooperation.

Our task now is to take forward this agenda – finding resourceful, efficient and practical ways bilaterally, regionally and multilaterally to continue our good work.

Regional Trends

The Bali process has confirmed that regional cooperation is essential to stem the lucrative global trade in people smuggling and trafficking.

And while we have made progress in our own region, we cannot yet claim victory against these crimes.

Current estimates of the numbers of persons trafficked or smuggled across international borders remain shockingly high.

It is estimated that four million people are trafficked or smuggled across international borders each year.

The value of this criminal trade has been estimated at around \$US10 billion annually.

This is big money by anyone's measure.

Such riches would be strong motivation for smugglers and traffickers to find ways around our efforts to stop them...

...so they can keep selling their false hope and abusing human rights.

The sheer scale of these crimes continues to demand a serious response.

And a serious response is what the Bali process is all about.

It is a response we can see across the region - as governments work to strengthen domestic, regional and international systems to combat trafficking and people smuggling.

What we see is a greater willingness to broaden existing links - and to develop new ones.

As one of those countries targeted by people smugglers, Australia has had to put in place a policy that deters this criminal activity.

We have done so in full realisation that only a firm and comprehensive approach will really deter the activities of tough and hardened criminals.

Our approach has necessitated a range of practical steps – some focused on domestic law and processes, and others in conjunction with the region and immediate neighbours.

Steps include:

- Better management of would-be unauthorized arrivals and their processing;
- introducing migration zone excisions and offshore facilities;
- bolstering Coastwatch, Customs and Navy capabilities to deal with vessels carrying unauthorised arrivals;

- creation of a joint people smuggling strike team by the Federal Police and Department of Immigration;
- and ensuring people smugglers face the full force of the law
 - o through successful extraditions of smugglers
 - o through prosecutions
 - o and through seizure, sale or destruction of their dangerous vessels.

Indeed, in the last five years, there have been around 456 convictions for the full range of people smuggling offences in Australia.

All of this has had a clear deterrent effect on people smugglers.

Australia has also been active in building links with neighbours.

Cooperation with Indonesia has been a crucial part of our success in deterring people smugglers in particular.

And we have also developed practical bilateral cooperation at the operational level with many other regional countries.

Australia's efforts to combat trafficking in persons have been equally as comprehensive and firm.

A \$20 million package of new measures was announced in October 2003, to help target, arrest and prosecute people traffickers, and provide support to their victims.

These measures include a dedicated new Australian Federal Police strike force and prosecutions under Australia's tough legislation.

I am also pleased to announce today an additional AUD\$665,000 contribution to the IOM project for the return and reintegration of trafficked and other vulnerable women and children in the region...

... and AUD\$580,000 on a new three-year project to combat child sex tourism in ASEAN countries.

Last month Australia ratified two major international instruments in its fight against transnational organised crime.

The *United Nations Convention Against Transnational Organised Crime* and its supplementary *Protocol Against the Smuggling of Migrants by Land, Sea and Air* will enter into force for Australia later this month.

Australia also intends to ratify the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children*, subject to the passage of implementing legislation.

I would urge all regional countries which have not yet ratified these instruments to do so.

Achievements of the Bali Process

Yesterday this meeting discussed the specific achievements of the Bali process to date.

These achievements are numerous and significant.

To my mind, one of the greatest achievements has been the significant strengthening of an enabling environment for practical cooperation...

...and the development of a more integrated approach to cooperation in a range of other regional and sub-regional forums and in regional bilateral relationships.

In addition, our cooperation on migration issues has complemented and enhanced regional cooperation on related challenges...

...including in the fight against terrorism.

As a result of this environment of comprehensive cooperation, real progress has been made in deterring people smuggling and trafficking region-wide.

The establishment of legislation to criminalise people smuggling and trafficking in persons has been another major success.

Model legislation developed by Australia and China has assisted participant countries draft their own domestic laws criminalising people smuggling and trafficking in persons.

18 regional countries have made use of the model legislation and 19 now have legislation in place...

...with many more countries considering legislative changes.

This is an important development.

With legislation in place, countries can conclude the bilateral agreements and arrangements on mutual assistance in criminal matters necessary to bolster extradition and prosecution efforts.

Greater cooperation among regional law enforcement agencies to deter and combat people smuggling and trafficking networks has been - and remains - at the core of the Bali process...

...as have efforts to develop more effective and increased information and intelligence sharing.

Steps are being taken to identify key people smugglers and traffickers in the region.

This will become a crucial reference and resource – and will help ensure countries better coordinate their law enforcement efforts.

We have also worked hard to enhance cooperation on border and visa systems to detect and prevent illegal movements...

...and cooperation to verify the identity and nationality of illegal migrants.

Another important aspect of the Bali process has been the creation of disincentives and the raising of public awareness about the risks of becoming involved in these activities.

A vital disincentive is the enhanced willingness and capacity of many countries to facilitate the return of those smuggled persons found not to be refugees.

A number of bilateral return arrangements are now in place - and a repository of return documentation on the Bali process website will further enhance bilateral cooperation in this area.

The process has also assisted countries to adopt best practices in asylum management, in accordance with the Refugees Convention.

The Bali process has also made a significant contribution to the fight against trafficking in persons.

The process has highlighted the importance of public campaigns in making potential victims aware of the dangers of trafficking...

...and also of the provision of appropriate protection and assistance to the victims of trafficking - particularly women and children.

And, as with the fight against people smuggling, efforts to combat trafficking have also emphasised the value of effective legislation and law enforcement cooperation...

...to help ensure people traffickers are tracked down, across borders if necessary, and prosecuted.

Future directions

Ladies and gentlemen

These are the impressive achievements of the Bali process to date.

This meeting offers a timely opportunity for us to take stock of progress and chart future directions.

Clearly as long as smuggling and trafficking persist, regional cooperation will be needed to fight these crimes.

A number of regional countries have stressed that we need to avoid duplication between Bali process activities and work being undertaken elsewhere.

Both co-chairs share this view.

We should also ensure our cooperation to combat people smuggling and trafficking continues to complement regional counter-terrorism efforts.

Yesterday, you identified:

- which of the Bali process objectives have been achieved and therefore need no further work;
- which of the objectives could be merged with work underway in existing regional forums - such as APEC and the Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants;
- and what further work might be done on existing activities and any new activities, consistent with the mandate already agreed by Bali process Ministers.

Two years into the Bali process – and given our progress - we are in a good position to consider greater focus and streamlining.

Much of what we all do to combat people smuggling and trafficking – including the cooperation between us all – is now well established as the core business of our operational agencies and authorities.

I would like to take this opportunity to thank senior officials for their valuable contributions in achieving this outcome.

I would also like to thank those countries which have made financial contributions to the Bali process...

...including those which have made valuable in-kind contributions, for example by hosting workshops.

Australia remains strongly committed to the Bali process...

...we will contribute financially to a more streamlined and targeted process, through contributions to help support the Bali process website and the IOM's valuable ongoing administrative role ...

... and we will also fund some further workshops or other activities which take forward Bali process objectives.

Hassan Wirajuda and I both believe that the Bali process has achieved notable successes and made substantive progress.

We agree that the possibility of holding a further Ministerial Conference in the next year or two depends entirely on whether there is a clear need to do so.

We will keep this matter under close review, in consultation with our regional ministerial colleagues.

Conclusion

The Bali process has been successful in creating a regional environment in which countries are increasingly cooperating at political and operational levels to combat people smuggling and trafficking.

Our commitment to working together to address complex problems is an important feature of the region today.

We see it in the context of regional counter-terrorism cooperation, as well as our work on people smuggling and trafficking.

It proves in a most practical and fundamental fashion that if we cooperate then there is much we can achieve.

I am fully confident that today we can build on our successful cooperation and decide the future management of the Bali process.

Thank you
