

FIFTH MEETING OF BALI PROCESS AD HOC GROUP SENIOR OFFICIALS

SYDNEY, AUSTRALIA, 12 OCTOBER 2011 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 fifth Meeting of Ad Hoc Group (AHG) Senior Officials in Sydney, Australia, on 12 October 2011. The meeting was attended by representatives of Afghanistan, Australia, Bangladesh, Indonesia, Malaysia, Maldives, Myanmar, New Zealand, Pakistan, Sri Lanka, Thailand, as well as representatives from the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM). Following AHG endorsement of the Steering Group decision to invite them, the Philippines, Vietnam and the United States of America participated as new members. Canada and the United Nations Office on Drugs and Crime (UNODC) attended the meeting as observers.
2. The purpose of the meeting was to progress outcomes from the Fourth Bali Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime, held in Bali on 30 March 2011, in particular to take forward operationalisation of the Regional Cooperation Framework (RCF).

Proceedings

3. The Meeting was opened by the Co-Chairs and the agenda and program of work were adopted. The Co-Chairs recalled the directives provided to the AHG by Ministers at the Fourth Bali Process Ministerial Conference, including taking forward operationalisation of the RCF. The meeting reviewed the activities undertaken since the fourth meeting of AHG Senior Officials in March 2011 in support of Ministers' objectives.

Key Themes

4. Participants welcomed reports from Sri Lanka and Australia on progress in the Technical Experts Group on Irregular Movements by Air and agreed to expand the group's mandate to address irregular movements by land and sea.
5. Participants reinforced the value of the Regional Immigration Liaison Officer Network (RILON) as a forum for sharing information on irregular movements by air in major hub locations in the region and welcomed a progress report from Thailand on its RILON meeting. Participants also welcomed Thailand's reports on Bali Process workshops on Mutual Legal Assistance and Law Enforcement Cooperation and Immigration Aspects of Airport Security.
6. Participants acknowledged that building an information base in the region on people smuggling activity and irregular migration was important to assist States better target programs and activities and welcomed a UNODC progress

report on the Evidence Base Project. Participants noted the project identified gaps in qualitative data on migrant smuggling in the region and the need for further research into the human, social and economic consequences of migrant smuggling. Participants undertook to review respective chapters and looked forward to the UNODC providing its recommendations in due course for addressing knowledge gaps. Participants also agreed that States may share with relevant stakeholders the information identified through the project. UNODC briefed participants on the progress made in establishing a voluntary reporting system on migrant smuggling and related conduct in support of the Bali Process.

7. Participants reiterated the importance of sharing information on technology and data exchange between immigration agencies with border security responsibilities and welcomed advice from IOM that a secure website portal was close to completion. Participants also welcomed Australia's proposal to host a workshop in 2012-13 on immigration use of biometric technology. The workshop would provide an opportunity to discuss current practices capabilities and future options to improve immigration use of biometric technology in the region. Australia would seek expressions of interest from members in co-hosting, in due course.
8. Participants reinforced the need to reinvigorate cooperation on trafficking in persons and acknowledged work already being undertaken on practical measures and activities aimed at increasing the capacity of States, particularly on victim protection and support. This included the proposed technical experts meeting to be co-hosted by Indonesia and Australia, and a workshop on combating trafficking in persons, with a focus on protection issues, to be co-hosted by Malaysia and IOM.
9. The meeting welcomed the contribution of participants in sharing experiences and lessons learned from programs in the region. In particular, participants welcomed a presentation by the United States on its Trafficking in Persons report process and agreed there were areas where the US and Bali Process could work together in partnership, coordination and cooperation.
10. Participants also welcomed presentations by IOM, highlighting the importance of ensuring protection for victims of trafficking in the counter-trafficking response, and Thailand and Australia showcasing an example of successful bilateral cooperation at the operational level.
11. Participants recognised that investigating trafficking in persons crimes across international borders, associated communication challenges, and differences in legal and political systems and national institutions posed difficulties for prosecuting trafficking in persons offences. Participants acknowledged that trafficking in persons also generally involved other crimes including immigration fraud, identity and document fraud and money laundering and required a strong multilateral and regional collaborative approach. Participants agreed to consider any future initiatives members might propose to counter trafficking in the region through the Bali Process and explore areas for harmonisation.

12. Participants confirmed their support for better managing broad migration issues with the region. Participants also reaffirmed their commitment to achieving consistency in regional approaches to protection, resettlement and repatriation to better address the needs of asylum seekers and refugees. In this regard, participants noted a presentation from STATT Consulting and some preliminary findings of a research report. Participants agreed a draft final report would be circulated to individual countries for verification and further consideration of draft findings.

Action Items

13. Participants agreed to further progress the current work program of the AHG in undertaking:
 - to further progress the establishment of RILON through States' internal mechanisms;
 - a workshop on maritime safety in the context of irregular maritime migration;
 - a workshop on measures to combat trafficking in persons with a focus on protection issues, open to the full Bali Process membership;
 - a technical experts meeting on practical measures to protect and assist victims of trafficking, prosecute perpetrators and prevent trafficking in persons;
 - a workshop on immigration intelligence analysis best practice; and
 - a workshop on integrity of visa processes for foreign mission staff.
14. Subject to confirmation by the Co-chair Ministers, participants agreed to progress operationalisation of the RCF at the sub-regional level by establishing a Regional Support Office (RSO) to take forward the development of practical measures to implement the RCF in line with the *Bali Process Steering Group Note on Operationalisation of the Regional Cooperation Framework in the Asia Pacific Region* attached to this statement.
15. Participants agreed the AHG would establish a Working Group of interested members which, taking account of the views of Co-chair Ministers, will make recommendations on governance and operational aspects of the RSO including office setup and resourcing issues and development of an initial work plan. Participants welcomed an offer by Thailand to host the first Working Group meeting by mid-November 2011.
16. Participants welcomed recommendations three and four on irregular migration by sea in the note and two proposals from Australia, as foundation projects for the RSO: a regional data harmonisation initiative to promote further harmonisation of information management between States and international organisations with a view to enhancing data collection, supporting further analysis and reporting, and facilitating information sharing and dialogue; and a

voluntary repatriation capacity building and support project which would raise awareness of voluntary repatriation opportunities for irregular migrants and enhance the capacity of governments to facilitate voluntary returns.

17. The Co-Chairs acknowledged the support of the IOM in assisting all invited members to participate in the fifth meeting of AHG Senior Officials.
18. The Meeting expressed its appreciation to the Government of Australia for its generosity and hospitality in hosting the fifth meeting of AHG Senior Officials.