

**Bali Process Consultation Workshop on
Policy Guides on Criminalizing Migrant Smuggling and Trafficking in Persons
Co-Chairs' Statement**

We the co-chairs, Ms Suphanvasa Chotikajan Tang and Ms Prapenpim Prachonpachanuk, Minister-Counsellors of the Ministry of Foreign Affairs of Thailand, the Royal Thai Government, and Ms Catherine Hawkins, Acting First Assistant Secretary of the Australian Government Attorney-General's Department, had the honour of convening a consultation workshop on the Bali Process policy guides on criminalizing migrant smuggling and trafficking in persons from 12-13 March 2014 in Bangkok. At the 5th Regional Conference in April 2013 Bali Process Ministers directed the Bali Process Regional Support Office (RSO) to develop policy guides, in consultation with interested members. This workshop finalised the consultation process on the guides.

The workshop was opened by H.E. Mr. Vudhibhongse Vibulyawongse, Deputy Attorney-General of Thailand, and H.E. Mr James Wise, Australian Ambassador to Thailand. The draft guides were circulated to Bali Process countries and organisations for written comment in advance of the workshop. Delegates from 38 Bali Process member and observer countries and organisations (see attached list) participated in the workshop to provide further feedback on the draft policy guides and share their case studies. Delegates agreed that the policy guides were very useful resources for policy makers and practitioners to assist in effectively criminalising migrant smuggling and trafficking in persons in domestic laws.

The policy guides have been developed by a Drafting Committee co-chaired by the Australian Attorney-General's Department and the Thai Office of Attorney-General, with support from the RSO. The drafting committee comprises experts from Australia, Thailand, Indonesia, Sri Lanka, New Zealand, and the United Nations Office of Drugs and Crime (UNODC).

In line with the direction from Bali Process Ministers, the drafting committee has developed short, practical, introductory guides for policy makers and practitioners focussed on how to strengthen legislative frameworks to effectively criminalise trafficking in persons and migrant smuggling. An electronic version of the guides will include an annex of case studies developed by members and observers and a user-friendly annotated table of further resources relevant to the policy guides.

Members requested guidance on assistance to and protection of trafficked persons. In line with the April 2013 direction from Bali Process Ministers noted above, this will be a topic of future guides.

Delegates also identified ways to promote use of the guides at the national level. This included: sharing the guides with domestic agencies; utilizing the guides as awareness-raising and training tools in domestic initiatives including training for law enforcement and immigration agencies. The RSO will promote use of the guides, including in awareness raising and training initiatives. Delegates also noted that the guides could be used in capacity building programs.

Members shared their domestic-level experiences on developing and implementing legislation to combat migrant smuggling and trafficking in persons and noted the value of the Bali Process in enabling frank discussion of these issues.

The policy guides Drafting Committee incorporated key changes into revised versions of the draft guides and undertook to finalise the guides for submission to the Ad Hoc Group (through the Steering Group). Once endorsed by the Ad Hoc Group, the guides would be submitted to the full Bali Process Senior Officials Meeting and then to the next Bali Process Regional Ministerial Conference.