

**THIRD MEETING OF AD HOC GROUP SENIOR OFFICIALS
BALI, INDONESIA, 10-11 JUNE 2010**

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 third Meeting of Ad Hoc Group senior officials in Bali, Indonesia on 10-11 June 2010. The meeting was attended by representatives of Afghanistan, Australia, Bangladesh, India, 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, the International Organization for Migration and the United Nations Office on Drugs and Crime. The United Arab Emirates attended as an observer.

2. The Third Bali Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime (BRMC III), held in Bali from 14-15 April 2009, agreed to reactivate the Ad Hoc Group mechanism of the Bali Process with the terms of reference: (a) to develop practical outcomes at the operational level to assist countries to mitigate increased irregular population movements; (b) to enhance information sharing arrangements between most-affected countries; and (c) to report to Co-Chairs through the Steering Group with concrete recommendations to inform future regional cooperation on people smuggling and trafficking in persons.

3. The Ad Hoc Group held its inaugural Senior Officials' Meeting in Bali on 27 to 29 July 2009. As a significant first step for the reactivated Ad Hoc Group, the Meeting agreed to focus the Ad Hoc Group's efforts on coordinating regional responses to specific caseloads of irregular migrants, and agreed to a forward-looking work program. Senior officials of the Ad Hoc Group also met in Perth, Australia on 14-15 December 2009 to discuss specific caseloads.

Proceedings

4. The Meeting was opened by the Co-Chairs and the agenda and program of work were adopted. The Co-Chairs recalled the Co-Chairs' Statement of BRMC III, which agreed to

reactivate the Ad Hoc Group mechanism of the Bali Process to address comprehensively particular situations on a case-by-case basis, and acknowledged the significant progress the Ad Hoc Group had made to date.

5. The meeting reviewed the activities undertaken since the inaugural meeting of the Ad Hoc Group in July 2009 and welcomed reports by countries on their support for and actions taken domestically to implement the outcomes. The Meeting acknowledged the significant work undertaken by countries in addressing the challenges of irregular migration. The Co-Chairs welcomed the substantive progress made in enhancing regional responses to the movement of specific caseloads of concern and noted the importance of ensuring that momentum on the issue was sustained. The Meeting welcomed a number of presentations and interventions by countries and international organizations on specific experiences and approaches in dealing with particular caseloads of concern.

Key Themes

6. The Meeting acknowledged the importance of the Ad Hoc Group in identifying and discussing specific caseloads. In continuing this work, the Meeting considered immigration and border management responses, management of irregular migrant populations and legal and law enforcement responses as means to address caseload issues and pipeline management.
7. The Meeting identified a number of objectives, common to all participants, which focused on the need to deter and sanction people smugglers and traffickers. The Meeting agreed it was critical for all countries, be they source, transit or destination, to take effective action to criminalize people smuggling and trafficking in persons; to enforce all relevant laws; and to develop and implement appropriate penalties for people smugglers and traffickers. Participants recognized the importance of these laws being implemented in an effective and consistent manner. Participants agreed that these actions would help to deter people smugglers and traffickers from operating within the region, and help minimize incentives for secondary movements.
8. Participants recognized that addressing irregular migration is a shared responsibility. In that context, be they source, transit or destination countries, each could make a

substantive contribution to minimizing the irregular movement of people through our region. Destination countries could play a part through appropriate border and visa controls, allowing protection space, providing options for resettlement for those irregular migrants in the region who warranted international protection and returning those who did not warrant protection to their country of origin. Transit countries could contribute through effective border management and visa controls, interceptions, allowing protection space and facilitating, with the support of international organizations, the return of those people who did not warrant international protection. Source countries could play an important role in accepting and facilitating returns of their nationals who do not warrant international protection. The Meeting recognized the critical role that consistent approaches, including in processing timeframes, accommodation and treatment of irregular migrants, would play in ensuring the individual efforts of source, transit and destination countries contributed to stemming irregular movements through pipelines in the region.

9. The Meeting acknowledged that the actions of source, transit and destination countries could be effectively supported by strengthening the collection and sharing of information and intelligence at the regional and national level. In the context of discussions on the 2009 Bangkok Bali Process Workshop on Best Practice Information Campaigns to Combat People Smuggling, participants acknowledged the critical value of tailored and targeted information campaigns, including campaigns targeting source, transit and diaspora communities in countries of origin, transit and destination. The Meeting also reaffirmed the value of dialogue between countries in the region and with international organisations, including efforts to address secondary movements.
10. The Meeting noted that the reasons for irregular movements in the region were complex, involving economic, social and political aspects, and acknowledged that root causes in source countries significantly contributed to the continuing prevalence of people smuggling and human trafficking in the region. The Meeting agreed that sustained and continued capacity development, particularly in source countries, was pertinent in providing greater opportunities to address some of the underlying factors which made individuals vulnerable to irregular migration.

Action Items

11. The Meeting endorsed the outcomes of the Workshop on Protection, Resettlement and Repatriation held on 7-8 June 2010, noting it was the first time the issue of protection had been specifically addressed under the Bali Process. The Meeting welcomed the Workshop's robust discussion and noted the participants had identified key areas for future work, including the need to develop and apply consistent standards and approaches to protection, resettlement and repatriation; the need to balance national security concerns and protection and humanitarian considerations; the desire to strengthen collection and sharing of information; and the need to gain broader international support for the resettlement of refugees from the region. The Meeting also endorsed the outcomes of the Workshop, and agreed to immediately commence work to take forward the following:

- A UNHCR co-hosted workshop to develop a coordinated and comprehensive regional approach to refugees and irregular movements, including secondary movement;
- A research project to establish an information base relating to regional approaches to protection, resettlement and repatriation;
- An IOM co-hosted technical workshop to examine operational and logistical steps towards a more consistent approach to repatriation and reintegration assistance; and
- To consider the establishment of a reference group of operational staff in participant countries and international organizations.

12. The Meeting reaffirmed the relevance and utility of the RILON concept and requested that countries continue to progress the establishment of the RILON concept through their internal mechanisms. It was agreed the RILON concept should be further developed and the meeting welcomed the proposal by Sri Lanka that a further meeting of the Technical Experts on Irregular Movement by Air should be convened later this year to discuss progress in the establishment of the RILON concept.

13. The Meeting recognized the challenges posed by visa and document fraud and the need to further enhance the region's understanding of the tools that can be used to prevent and detect irregular movements at the border. Participants acknowledged the need for all countries to have strong immigration processes, and welcomed Australia's proposal to host a workshop to discuss ways to strengthen visa integrity.
14. Acknowledging the hazardous nature of maritime people smuggling ventures, the Meeting acknowledged the need for regional governments to address safety at sea issues to protect the lives of vulnerable people. Australia offered to host a technical meeting to explore the possibility of developing a standard regional approach to the management of irregular maritime ventures in international and territorial waters in accordance with relevant international instruments, particularly the Protocol Against Smuggling of Migrants Supplementing the United Nations Convention against Transnational Organized Crime of 2000 and the United Nations Convention on the Law of the Sea of 1982.
15. The Meeting welcomed Thailand's continued offer to host an Expert Meeting on legal enforcement and mutual legal assistance.

The Way Forward

16. Noting the possibility that the fourth Bali Process Ministerial Conference may be held later in the year, and recalling that the Ad Hoc Group would be required to present a progress report to Ministers, the Co-Chairs agreed that the above action items should be implemented in a timely manner.
17. Acknowledging their shared responsibility to progress the lessons and outcomes of the Bali Process at a regional and national level, participants agreed they should take appropriate action to minimise irregular movement of people consistent with their specific roles and responsibilities as source, transit and/or destination countries. The Meeting agreed that participants should remain proactive in developing strategies to address irregular migration.
18. The Co-Chairs acknowledged the support of the IOM in assisting all invited members to participate in the third meeting of Ad Hoc Group Senior Officials.

19. The Meeting expressed its appreciation to the Government of Indonesia for its generosity and hospitality in hosting the third Ad Hoc Group meeting.