



The Bali Process

on People Smuggling, Trafficking in Persons and Related Transnational Crime

Bali Process Working Group on Trafficking in Persons

Forward Work Plan: 2021-2023

The Forward Work Plan 2021-23 articulates key priorities and activities for the Working Group over the next two years. It is intended to be a ‘living’ document that can be amended to reflect new and emerging Working Group priorities.

Delivering the Forward Work Plan will progress key objectives under the Working Group’s Terms of Reference including:

- **enhancing information sharing** on trends, issues, and initiatives related to trafficking in persons and related forms of exploitation
- **building the capacity** of Bali Process members to develop and implement strong legal and policy frameworks to combat trafficking in persons and related forms of exploitation, in line with international standards
- **promoting and fostering practical cooperation** between Bali Process members to combat trafficking in persons and related forms of exploitation across international borders
- **strengthening collaboration with other multilateral and regional organisations** and forums working to address trafficking in persons and related forms of exploitation, and
- **strengthening engagement with the private sector and civil society organisations**, including by supporting the Bali Process Government and Business Forum.

Co-chairs of the TIPWG will work closely with Government and Business Forum co-chairs and other working group co-chairs to align planning and avoid duplication of Bali Process member efforts.

Priority issues

The 2021-2023 Forward Work Plan identifies the below priorities to guide the Working Group’s efforts over the next two years.

1. Trafficking in persons and serious forms of labour exploitation¹ in the supply chains of goods and services.
2. Ending impunity – strengthening efforts to detect, investigate and prosecute trafficking in persons.
3. Supporting and protecting victims, from identification to reintegration.
4. Considering new and emerging priorities, including:
 - a. The role of technology in trafficking in persons
 - b. Trafficking in persons for the purpose of forced marriage
 - c. Addressing new and heightened risks emerging from the COVID-19 Pandemic.
5. Collaborating with regional and multilateral organisations, civil society and the private sector.

¹ Serious forms of labour exploitation include slavery, servitude, forced labour, deceptive recruitment, debt bondage, and child labour.

Action Items

Action Item	Members' interest ²	Status ³
1. In close coordination with the Government and Business Forum Co-chairs, develop government guidance on addressing trafficking in persons and related forms of exploitation including all forms of forced labour, particularly involving vulnerable groups such as migrants, women and children, in the supply chains of specific priority industries as identified by Bali Process members and including the fishing industry (linked priority 1)	IOM	
2. In close coordination with the Government and Business Forum Co-chairs and building on the Compendium of Good Practice Examples to Combat Exploitation in Supply Chains, conduct information sharing and/or awareness-raising activities on improving supply chain transparency, and addressing exploitation in supply chains (linked priority 1)	IOM	
3. Collaborate with the Regional Support Office to continue to enhance and deliver training on criminalising trafficking in persons, and on investigating and prosecuting trafficking in persons crimes. This includes continuing training on the Bali Process Policy Guides and related materials (linked priority 2)	Malaysia	
4. Continue to advance Bali Process members' understanding of, and capacity to combat, enabling crimes including corruption and money laundering. This include continuing to work with the UNODC on their corruption research, and continuing training on the <i>Policy Guide on Following the Money in Trafficking in Persons Cases</i> (linked priority 2)	UNODC	
5. Collaborate with the Regional Support Office to continue to enhance and deliver training on identifying and protecting victims of trafficking in persons, including in mixed migration setting. This includes training on the Bali Process Policy Guides, the forthcoming Trafficking in Persons Practitioner Guides, and related materials (linked priority 3)	Indonesia	
6. Identify challenges in returning and reintegrating victims of trafficking in persons and share good practice examples of	Indonesia	

² To be updated as Working Group members indicate interest in leading or contributing to Action Items

³ For updating at Working Group Annual Meetings, including with timeframes for delivery

successful return and re-integration initiatives (linked priority 3)		
7. Continue to identify and share trends on the impacts of COVID-19 on victims of trafficking in persons and good practice examples of supporting victims, including through the Working Group's Annual Meeting and other existing Bali Process forums (linked priority 3,4)		
8. Working Group members to share experiences of forced marriage as it relates to trafficking in persons and identify areas for future research to increase members' understanding of this practice. This could include through a discussion at the Working Group's Annual Meeting (linked priority 4)		
9. Promote understanding of the role of technology in facilitating and combating trafficking in persons crimes, including through encouraging participation in the Regional Support Office's activities on this issue (linked priority 4)		
10. Include civil society organisations, the private sector and other non-government organisations in Working Group activities and priorities as appropriate (linked priority 5)		
11. Identify opportunities for collaboration with the Association of South East Asian Nations (ASEAN), including the Senior Officials Meeting on Transnational Organised Crime (SOMTC) Trafficking in Persons Working Group(linked priority 5)		

Appendix A: Working Group on Trafficking in Persons, Background and Purpose

The Bali Process Working Group on Trafficking in Persons (the Working Group) aims to promote more effective and coordinated law and justice responses to combat trafficking in persons in the Asia-Pacific region.

The Working Group is co-chaired by Indonesia and Australia, and reports annually to the Bali Process Ad Hoc Group. It brings together a network of experts on combating trafficking in persons from the sixteen member states and three international organisations that form the Ad Hoc Group membership.

The Working Group provides a mechanism for Bali Process members to share information, good practice and emerging trends, and identify opportunities for international cooperation and capacity building in responding to trafficking in persons.

The role of the Working Group, as set out in its Terms of Reference, is to:

- promote effective and coordinated approaches amongst members to prevent, investigate and prosecute trafficking in persons crimes and protect and assist trafficked people
- identify specific capacity building needs of Bali Process members and ways to address those needs
- explore the extent to which issues of increasing importance, such as trafficking for the purposes of labour exploitation, affect Bali Process members, and identify avenues for cooperation to address emerging issues
- share information on trends, issues, and initiatives related to trafficking in persons
- identify ways in which the Bali Process can complement, draw from and coordinate with the efforts of other fora/organisations or programs working to address trafficking in persons, including other Regional Consultative Processes on migration (RCPs); and community, industry and private sector groups
- propose relevant initiatives on trafficking in persons and related issues for inclusion in the forward work plan for the Regional Support Office to the Bali Process (RSO), including coordinating with existing work conducted by the RSO, and
- consider other issues determined by the Working Group as relevant to fulfilling its role.

Appendix B: Priority issues identified in the Forward Work Plan 2021-23

Trafficking in persons and criminal forms of exploitation in the supply chains of goods and services

The United Nations estimates that there are more than 40 million victims⁴ of trafficking in persons and related forms of exploitation globally. More than half of these victims are estimated to be exploited in global supply chains across different industries, such as the fishing industry, as well as in private households. For every 10 victims detected globally, five are adult women and two are girls.⁵ Furthermore, migrants are particularly at risk of being trafficked, accounting for a significant share of the detected victims in most global regions.⁶

International border restrictions and closures caused by the COVID-19 pandemic create further vulnerabilities for migrant workers who cannot return home, particularly those with uncertainty of residency, visa status and working rights. Such factors significantly increase their risk of exploitation, including in global supply chains. The McKinsey Global Institute estimates that women's jobs are 1.8 times more vulnerable to COVID-19 than men's jobs.⁷ UN Women predicts that the "poverty surge" resulting from COVID-19 will also widen the gender poverty gap – meaning, more women will be pushed into extreme poverty than men.⁸

The International Labour Organisation also anticipates that COVID-19 will see more children pushed to child labour, potentially resulting in a rise in child labour for the first time in 20 years⁹. The impacts of COVID-19 and corresponding public health measures increase the isolation of vulnerable individuals and communities and make it more challenging for authorities to identify and respond to victims.

The Working Group can play an important role developing guidance for Bali Process members on combating criminal forms of exploitation in supply chains. Actions under this priority support and contribute to the Bali Process Government and Business Forum (GABF) 'Acknowledge, Act, Advance' recommendations.

Ending impunity – strengthening efforts to detect, investigate and prosecute trafficking in persons

Bali Process member countries have made great strides in strengthening their criminal justice framework and their ability to investigate and prosecute trafficking in persons crimes. Over the past five years, prosecutions across Asia and the Pacific have increased by 155%¹⁰. Despite this progress, a high degree of impunity still exists, and much work is needed to promote the detection of victims and the conviction of perpetrators.

Mixed migration challenges efforts to detect, investigate and prosecute trafficking in persons. The transnational nature of trafficking crimes also challenges investigations and is a key barrier to achieving convictions. The Working Group is an important forum for member countries to develop

⁴ United Nations General Assembly, Third Committee, Seventy-third session, 35th and 36th meetings.

⁵ 2020 UNODC Global Report on Trafficking in Persons

⁶ 2020 UNODC Global Report on Trafficking in Persons

⁷ McKinsey Global Institute, COVID-19 and gender equality: Countering the regressive effects

⁸ UN Women, COVID-19 and its economic toll on women: The story behind the numbers

⁹ COVID-19 and child labour: A time of crisis, a time to act, 2020.

¹⁰ Trafficking in Persons Report 20th Edition, United States Department of State. Data represents prosecutions in East Asia and Pacific; and South and Central Asia.

legal and policy frameworks that support victim detection, investigation and prosecution, and build regional networks.

Supporting and protecting victims

Supporting and protecting victims is an integral element of an effective response to trafficking in persons crimes. There are a number of challenges to providing support to victims, including providing support that is victim-centred and trauma-informed. Support and protection for victims also relies on victim identification, which poses significant challenges for all governments. This includes where trafficking in persons cases occur in mixed-migration contexts.

Under international law, States are obliged to offer support and protection to victims. These obligations include providing adequate physical and psychological care to victims, legal assistance, safe return to their home country, and assisting victims in the criminal justice process. It is also important that victims are provided initial protection that includes an appropriate recovery and reflection period that allows victims to begin to recover from their experience and make decisions about their future, including whether or not to participate in a criminal justice process.

Furthermore, stigma related to ‘failed migration’ or in cases of trafficking for the purposes of sexual exploitation, may inhibit the reintegration of victims into their families and communities. This issue requires special attention by all stakeholders to mitigate the risk that victims are re-victimised or re-trafficked.

Supporting and protecting victims can also help strengthen investigations and prosecutions, which often rely on victim testimony. Appropriate care and rehabilitation can empower victims to assist in the criminal justice process and hold perpetrators into account.

Considering new and emerging priorities

The Working Group will continue to consider responses to new and emerging priorities in regional efforts to combat trafficking in persons and related forms of exploitation. This includes through commencing discussion in the Working Group on members’ experience and understanding of forced marriage.

Forced marriage is a serious form of exploitation that describes situations where a person has been forced to marry without their free and full consent. Forced marriage can intersect with trafficking in persons crimes and other forms of exploitation including servitude and sexual exploitation. Victims of forced marriage may also be subject to serious physical and psychological harm.

Forced marriage can occur in many different contexts and can take many different forms. The International Labour Organization (ILO) estimates there are more than 15 million victims of forced marriage globally, with more than half of these victims in the Asia Pacific region¹¹. This figure is considered conservative, with the UNODC’s recent report on *Interlinkages between Trafficking in Persons and Marriages* highlighting that very few forced marriage cases are identified by authorities¹².

Collaborating with regional and multilateral organisations, civil society and the private sector

¹¹ 2017 Global Estimates of Modern Slavery and Child Labour, Regional brief for Asia and the Pacific. International Labour Organization (Alliance 8.7).

¹² Issue Paper: Interlinkages Between Trafficking in Persons and Marriage, 2020. United Nations Office of Drugs and Crime.

Addressing trafficking in persons crimes and criminal forms of exploitation requires strong collaborative partnerships with regional and multilateral organisations, civil society and the private sector. The Working Group will continue to prioritise collaboration to drive action and develop coordinated responses to trafficking in persons in the region.