

Task Force on Planning and Preparedness

Colombo, Sri Lanka, 11-12 February 2020

Co-chairs' Statement

1. The fifth meeting of the Task Force on Planning and Preparedness (TFPP) of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process) was held in Colombo, Sri Lanka, on 11-12 February 2020. The meeting was co-chaired by Indonesia and Australia.

2. The meeting brought together officials representing –

- country participants from Australia, Bangladesh, Canada, France, Indonesia, Malaysia, Myanmar, New Zealand, Sri Lanka, Thailand, Turkey and Vietnam
- other participants from the International Organization for Migration (IOM), the Office of the High Commissioner for Refugees (UNHCR), the United Nations Office on Drugs and Crime (UNODC), and the Bali Process Regional Support Office (RSO).

Purpose and theme

3. The TFPP brings together representatives from agencies with policy and operational responsibilities in relevant areas – including border security, immigration, law enforcement, coast guard and navy, home affairs and interior, and foreign affairs.

4. Previous TFPP meetings have agreed operating modalities, undertaken scenario-based table-top exercises, reviewed national action plans, and focused on information-sharing. The theme of the fifth meeting of the TFPP was on 'cooperative frameworks to address irregular maritime movement – challenges, policy and operational responses'.

5. Country participants were invited to present on how practical cooperative frameworks can address challenges to do with irregular maritime migration. Within the affected region, an approach is needed that uses effective policy and operational responses to build upon the common understanding and functioning elements of the current situation.

Proceedings

6. In their presentations, country participants focused on irregular maritime migration challenges, and policy and operational responses.

- Issues covered included – trends, risks and assessments; policy objectives and national plans of action; relevant agencies and coordination mechanisms; prevention, disruption, and search and rescue; disembarkation and downstream reception and protection aspects; return and reintegration; and criminal investigations.

- On cooperative frameworks, there was consideration of – experiences, case studies and lessons learnt, and priority areas for building capacity between regional countries.

7. IOM, UNHCR and UNODC noted good practices in managing irregular maritime movement – including reception, screening and referral mechanisms; differentiated procedures with regarding to asylum, trafficking victims and child protection; direct humanitarian assistance; post-arrival assistance; return of non-refugees; and protection and durable solutions.

8. The RSO canvassed legal elements, including on a comprehensive approach, issues and obligations with interception, search and rescue, and disembarkation. This was reinforced by UNHCR, IOM and UNODC, which noted sovereignty and security interests, international refugee and human rights law, and obligations to combat smuggling and trafficking.

9. Global context was provided by Turkey, France and Canada. Turkey outlined its significant maritime border security challenges, policy framework and operations, and cooperation with partners. France focused on its interests in the Indian Ocean region. Canada spoke about its domestic policy context and response.

Outcomes

10. On addressing irregular maritime migration, participants:

- Emphasised the primacy of saving lives at sea and not endangering the life and safety of persons in responding to irregular maritime migration.
- Supported the principle of non-refoulement (i.e. not forcing refugees and asylum seekers to return to a country in which they could be subject to persecution).
- Accepted other relevant legal elements, including on a comprehensive approach, and obligations on interception, search and rescue, and disembarkation.
 - There was consideration of sovereignty and security interests, refugee and human rights law, returns of non-refugees, and protection and durable solutions.
- Canvassed good practices in managing irregular maritime arrivals.
 - This focused on screening and referral mechanisms and differentiated procedures (i.e. asylum, victims of trafficking, child protection), as well as humanitarian assistance, post-arrival assistance, return of non-refugees, and protection and durable solutions.
- Acknowledged constructive elements in cooperative frameworks and operations.
 - Having political will to address people smuggling and trafficking in persons, and zero tolerance toward those crimes, provided a solid foundation.
 - National action plans should be comprehensive and implemented through well trained and resourced policy and operational agencies.
 - There needed to be effective cooperation, between agencies at a national level, as well as bilaterally and regionally.

- Policy, operations and cooperation needed to be reviewed on a regular basis to respond to evolving challenges, and adjusted as required.
- Welcomed positive developments in policy, operational responses and cooperation by members to better respond to irregular maritime migration challenges.
- Noted that political commitment could be increased in relation to disembarkation and post-disembarkation elements of response, and that this could translate to improved policy, operational and cooperation outcomes.
- Recognised that information-sharing between members remained limited, and supported efforts to improve information-sharing bilaterally and regionally.
- Called for the voluntary, safe and durable return and reintegration of displaced persons in the affected region, and for expediting arrangements to facilitate this.

11. On other key aspects of discussions, participants:

- Acknowledged that Bali Process member government accession to the *Protocol Against the Smuggling of Migrants by Land, Sea and Air* could be increased, and suggested that there be advocacy on this within the Bali Process.
- Reviewed irregular maritime migration developments in the affected region and in the maritime domains of Turkey, France (Indian Ocean) and Canada.
 - Displaced persons in the region faced significant ‘push’ and ‘pull’ factors.
 - Long distances in the region resulted in a relatively high fatality rate.
 - Abuse was more prevalent in migration outside legal frameworks.
- Registered interest in improving Bali Process cooperation to respond to irregular maritime migration, including in developing early warning capabilities, and in coordinating and harmonising operational procedures and responses.
- Recognised value in further Bali Process engagement on irregular maritime migration.
 - The TFPP was seen as a useful platform for sharing information on developments, operations and good practices. This included the opportunity to network and to learn more about the current situation and outlook in neighbouring countries.
- Expressed interest in continuing Bali Process support for building capacity to address various elements of irregular maritime migration.

12. The meeting supported disseminating outcomes, including highlights to be considered at the next Bali Process Ad Hoc Group Senior Officials’ Meeting. It was envisaged that the TFPP would meet again within about 12 months. Appreciation was expressed to the Government of Sri Lanka for its hospitality in hosting the meeting.