



Bali Process Working Group on Trafficking in Persons (TIP) Updated Forward Work Plan: 2015-17

Background and Purpose

The Bali Process Working Group on Trafficking in Persons (Working Group) is a network of experts on trafficking from Bali Process member countries and organisations, led by the Bali Process Ad Hoc Group. The role of the Working Group is to promote effective and coordinated approaches amongst members to prevent, investigate and prosecute TIP and protect and assist trafficked people. The group is a forum through which Bali Process members can share information on key initiatives, trends and issues related to TIP, and identify opportunities for cooperation and capacity building needs.

Establishment of the Working Group was an outcome of the Fifth Bali Process Ministerial Conference Meeting held on 2 April 2013. The Working Group's Terms of Reference were endorsed at the Bali Process Ad Hoc Group Senior Officials Meeting (AHG SOM) on 6 August 2014.

Activities

The Working Group met for the first time on 25 March 2015, and agreed to a Forward Work Plan 2015-17. This was updated following the second meeting of the Working Group on 18 May 2016.

Action items and their status are set out in the table below.

Action	Status
1. Regularly share information and engage in a dialogue on developments, issues and their experiences in implementing policy and legal responses to TIP.	Ongoing. Annual meetings of the group held in 2015 and 2016, and regular updates on developments and trends will be shared through newsletters circulated to Working Group members via email. This is an Item in the Bali Process Strategy
2. Expand the promotion and use of the Bali Process Policy Guides by law and justice officials in Bali Process member countries, through related capacity building training for law and justice officials, and other opportunities.	Ongoing. The guides have been translated into 15 regional languages, and launched and circulated in several member countries. Working Group member countries and the RSO have delivered a range of capacity-building training and presentations linked to the guides in 2015/16. This will continue in 2016/17. This is an Item in the Bali Process Strategy
3. Recommend the Bali Process Policy Guides on Identification and Protection of Victims of Trafficking for adoption at the May 2015 Bali Process AHG SOM.	Complete. The guides were endorsed at the May 2015 Bali Process AHG SOM.
4. Hold a regional symposium on labour trafficking , to explore the extent to which labour trafficking affects Bali Process States and identify avenues for cooperation to enhance criminal justice responses to the issue.	Complete. The Working Group held the <i>Bali Process Regional Symposium on Labour Trafficking</i> in March 2015. 117 participants attended, including from 35 member countries.



Action	Status
5. Identify a list of priority TIP issues relevant for the region to assist in focusing capacity building efforts, as well as engage in a dialogue on thematic TIP issues	Continuing. List at Attachment A.
6. Hold a regional ' Following the Money Forum ' to strengthen members' capacity to implement effective anti-money laundering and asset recovery law and policy frameworks, to help disrupt the financial incentive for TIP.	Complete The Working Group held the <i>Bali Process - Following the Money Forum</i> from 16-17 May 2016. 88 participants attended, including from 30 Bali Process member countries.
7. Follow-up of the outcomes of the "Following the Money Forum", including analysis of the business models and methods; development of Bali Process member countries' profiles; regional guidance material; regional training module; and promotion of formal and informal networks for information sharing	For action – 2016/17 (recommendations for future actions listed in the "Bali Process: Following the Money Forum" Co-chairs' Statement – Attachment B)
8. Develop guidance tools , including on indicators of trafficking for law and justice officials. This will complement the Bali Process Policy Guides on Identification and Protection of Victims of Trafficking, with concrete tools for use by relevant officials (including law enforcement, immigration and labour officials).	For action – 2016/17 Implementation of the Updated Bali Process Strategy for Cooperation
9. Promote effective engagement with the private sector and NGOs to prevent TIP and protect and assist victims, including support for the proposed Bali Process Business Dialogue	Continuing – 2016/17 Implementation of the Updated Bali Process Strategy for Cooperation Dialogue with the private sector and NGOs was initiated in the 2 nd WG-TIPS meeting on 18 May 2016.
10. Oversight the RSO in developing a ' Regional Strategic Roadmap ' that sets out how states can implement international standards on TIP and best practice policy approaches.	For action – 2016/17 Implementation of the Updated Bali Process Strategy for Cooperation



Attachment A

Working Group on Trafficking in Persons – Regional Priorities

At the first meeting of the Working Group on 25 March 2015, members identified the following priority issues for the region to assist in focusing capacity building efforts to combat trafficking in persons:

- I. **Prevention of trafficking**, including safe migration pathways and awareness-raising to build resilience amongst vulnerable groups and prevent re-victimisation, including the involvement of civil society and recruitment agencies, where appropriate
- II. **criminalization of trafficking in persons** consistent with international standards, including that it is separate from migrant smuggling, has extraterritorial application and applies to transnational and domestic contexts
- III. **improved identification of trafficking** including through the promotion and use of established indicators
- IV. **greater assistance for and protection of victims** of trafficking, including access to appropriate and effective remedies (such as compensation) and the special role of victims as witnesses in criminal justice proceedings
- V. **effective international crime cooperation mechanisms to support prosecution** of trafficking, such as ensuring extradition and mutual assistance apply to trafficking offences
- VI. targeting the financial incentives for trafficking through **strong anti-money laundering and proceeds of crime legislation and confiscation and seizure of proceeds of crime, as applicable**
- VII. focusing on **specific forms of trafficking** which are of particular concern for the region, including, but not limited to: labour trafficking, trafficking for the purposes of organ removal, forced marriages resulting in labour or sexual exploitation, and trafficking for sexual exploitation
- VIII. **strengthened national and regional data collection, sharing of information and evaluation** related to trafficking in persons, and
- IX. **Promoting the ratification and full implementation of relevant international instruments**, such as the UN Convention against Transnational Organised Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons.



Attachment B



Australian Government
Attorney-General's Department

Bali Process: Following the Money Forum Bangkok, Thailand, 16-17 May 2016 Co-Chairs' Statement

The Office of the Attorney-General of Thailand and the Australian Attorney-General's Department co-hosted the *Bali Process Following the Money Forum* in Bangkok, Thailand from 16-17 May 2016. The Forum was a *Bali Process Working Group on Trafficking in Persons* event, focused on highlighting the value of leveraging anti-money laundering and asset recovery tools and techniques to disrupt the illicit profits of trafficking in persons (TIP) criminal networks.

The Forum was opened by Ms Intranee Sumawong, Deputy Director General, Anti-Human Trafficking Department, Office of the Attorney-General of Thailand, and His Excellency Mr Paul Robilliard, Australia's Ambassador to Thailand. The event was co-chaired by Mr Wanchai Roujanavong, Senior Consultant Public Prosecutor to the Office of the Attorney-General of Thailand and Mr Chris Collett, Assistant Secretary, Transnational Crime Branch, Australian Attorney-General's Department. 88 participants attended, including law and justice officials from 30 Bali Process member countries and 5 international organisations. Presentations included case studies from the Thai Anti-Money Laundering Office, the Sri Lankan Police, the Indonesian Attorney-General's Office, the Australian Federal Police, and the Japanese Ministry of Foreign Affairs.

Recommendations for Future Action

1. Co-chairs acknowledged the importance of disrupting the financial incentive for TIP and related transnational crime, including people smuggling. Co-chairs highlighted the importance of Bali Process members having strong anti-money laundering and asset recovery policy and legislative frameworks, and welcomed the Forum as an opportunity to expand participants' toolkits to investigate and prosecute TIP and related transnational crime.
2. To establish a baseline understanding of the financial activity associated with TIP in Bali Process member countries and members' capacity to prevent and combat TIP, participants recommended the Working Group of Trafficking in Persons:
 - a. **analyse the business models and methods used to launder the proceeds of TIP in Bali Process member countries** and



- b. compile data on Bali Process member countries' **capability to combat TIP and disrupt the associated illicit profits**, including: legislative and policy frameworks, the operational capacity of investigators and prosecutors, and use of formal and informal international crime cooperation mechanisms.
3. Participants also acknowledged the value of **practical regional guidance on anti-money laundering and proceeds of crime mechanisms**, and recommended the Working Group on Trafficking in Persons develop guidance materials on effectively criminalising money laundering and proceeds of crime, the nexus between money laundering and TIP, and key anti-money laundering tools that law and justice officials can use in TIP cases. Co-Chairs noted that this was consistent with a direction from Ministers at the 6th Bali Process Ministerial Conference in March 2016.
4. Participants further acknowledged the value of **training** on anti-money laundering and proceeds of crime mechanisms for law and justice officials involved in combating TIP, and agreed that the Working Group on Trafficking in Persons should develop a **regional training module on disrupting the financial incentives for TIP**, to be delivered to interested Bali Process member countries, and adapted to their domestic settings.
5. Participants acknowledged the importance of **formal and informal international crime cooperation** to disrupt money laundering across borders, and to trace and recover the proceeds of crime. To strengthen international cooperation in the region to deprive criminals of their illicit profits, co-chairs encouraged Bali Process member countries' participation in:
 - the **Asset Recovery Inter-Agency Network – Asia Pacific (ARIN-AP)**
 - the **Regional Asset Forfeiture Conference**, and
 - relevant training courses delivered by the **Asia Region Law Enforcement Management Program (ARLEMP)**.
6. Participants commended the efforts of the **Bali Process Working Group on Disruption of Criminal Networks involved in People Smuggling and Trafficking in Persons**. Participants encouraged the Working Group to increase its focus in the next *Joint Period of Action* on the use of follow the money techniques to trace the illicit flow of profits and disrupt criminal networks involved in TIP and related transnational crime.