

**BALI PROCESS AD HOC GROUP SENIOR OFFICIALS MEETING
CANBERRA, AUSTRALIA, 6 AUGUST 2014
CO-CHAIRS' STATEMENT**

1. The Co-Chairs of the Bali Process on People Smuggling, Trafficking in Persons and related Transnational Crime (Bali Process) hosted an Ad Hoc Group (AHG) Senior Officials Meeting in Canberra on 6 August, 2014.
2. The purpose of the meeting was to review progress and activities since the 5th Ministerial Conference, held in Bali on 2 April 2013, and to agree on a strategy, including new activities, to further advance regional cooperation through the Bali Process.
3. The meeting acknowledged the work being progressed under the auspices of the Special Conference on Irregular Movement of Persons, hosted by Indonesia in August 2013. Members agreed to pursue, through Bali Process activities, further collaboration under the four pillars of the Jakarta Declaration- prevention, early detection, protection and prosecution- to address irregular movement of persons.

I. Decisions and Recommendations on Future Activities

4. The Meeting agreed that the AHG should remain focused on achieving substantive outcomes before the next Bali Process Ministerial Conference, scheduled for 2015. Members acknowledged the importance of having a forward strategy for advancing Bali Process objectives. To this end, the meeting endorsed a Bali Process Strategy and its forward program, focussed on practical cooperation to strengthen immigration management, refugee protection, border integrity and related legal capacity building and law enforcement measures (attached). Members noted the strategy's value as a 'living document' for promoting coordinated approaches to reducing irregular migration in the region and welcomed new areas of work. Participants recommended that ongoing Bali Process Strategy development and implementation be reviewed at least annually by the Steering Group and the AHG. Members also acknowledged the value of drawing on the resources of the Regional Support Office (RSO) in implementing activities and developing initiatives outlined in the strategy.
5. The Meeting endorsed the policy guides on criminalising people smuggling and trafficking in persons, which were developed as per the direction of Bali Process Ministers. Members commended the consultative process through which the policy guides were developed with all interested members, and agreed for these policy guides to be submitted to Ministers for their endorsement. The guides are short, practical, introductory tools to assist policy makers and practitioners strengthen legislative frameworks to criminalise migrant smuggling and trafficking in persons. An electronic version of the guides will be made available on the public Bali Process website. The Meeting encouraged all participants to share the guides with relevant domestic agencies and utilise them as training and awareness-raising tools for policy, law enforcement and immigration officials. The Meeting recommended that the RSO explore the development of training

materials related to the policy guides and arrange translation of the policy guides into regional languages.

6. The Meeting welcomed advice that work was progressing to establish a partnership between the RSO and the Jakarta Centre for Law Enforcement Cooperation (JCLEC). In line with ministerial directives, once the partnership is finalised, the RSO will work with JCLEC to develop a program of cooperation and training which will bring together law enforcement and immigration management experts to strengthen the capabilities of member states. As its first activity, members welcomed the proposal for RSO-JCLEC to develop a capacity building program for frontline border officers. The RSO and JCLEC will co-host a roundtable to establish the training curriculum for this program.
7. The Meeting endorsed draft terms of reference for the Working Group on Trafficking in Persons, as agreed by Ministers. The Working Group will bring together a network of experts from Bali Process member countries and organisations, and will draw on the expertise of community, industry and private sector groups and other relevant regional consultative processes, as appropriate. The Working Group will enable Bali Process members to share information on key initiatives and trends related to trafficking in persons, identify avenues for cooperation and address capacity building needs. The Working Group will be led by the AHG but activities will be open to any interested Bali Process member country or organisation. The Meeting welcomed the readiness of Australia and Indonesia to co-chair the Working Group for the first term. The first meeting of the Working Group will be held in, and supported by, Thailand, back-to-back with a regional symposium on trafficking for the purposes of labour exploitation, which Thailand volunteered to host and co-chair with Australia in the first half of 2015.
8. The Meeting noted that criminal networks, which also involved money laundering, arms smuggling and other transnational crimes, often orchestrated people smuggling and human trafficking activities. In this context, the Meeting welcomed a proposal from New Zealand and Sri Lanka to establish a Working Group on Disruption of Criminal Networks Engaged in Trafficking in Persons and People Smuggling. This Working Group, which was also identified in the Bali Process Strategy, will be a forum for exchanging information on routes and modus operandi of transnational organised criminal networks; best practice examples of successful investigation and prosecution of smuggling and trafficking operations; and proposed relevant initiatives for consideration in the RSO's forward work plan. The Meeting endorsed a terms of reference for the Working Group, which will be co-chaired by Sri Lanka and New Zealand. Members welcomed the roundtable to be held on 24 September in Bangkok, and instructed the co-chairs to ensure the activities of the Working Group did not duplicate those of the Trafficking in Persons Working Group when developing the Working Group's forward work plan.
9. Members reaffirmed the need for further action to address the complex challenges posed by mixed maritime movements and welcomed a number of RSO initiatives to strengthen the capabilities of member states in this regard. Participants welcomed an update from the RSO on a project mapping current

disembarkation and post-disembarkation procedures and practices for boat arrivals in Bangladesh, Indonesia, Malaysia, Sri Lanka and Thailand. The meeting also welcomed RSO proposals to develop a set of regional guidelines to improve disembarkation coordination and awareness of applicable legal standards, as well as a set of thematic briefs on best practice models for reception, profiling and registration of refugees and asylum seekers.

10. The Meeting also welcomed RSO proposals to develop public awareness campaign design guidelines for use by member states in deterring potential irregular immigrants from engaging people smugglers, and to produce a second set of policy guides on assistance and protection to victims of trafficking.
11. The Meeting welcomed participants' commitment to further progress AHG objectives in undertaking to deliver the following activities agreed by Ministers at the 5th Ministerial Conference:
 - A workshop on immigration aspects of airport security exploring developments in airline security and identifying opportunities to improve the detection of lost and stolen travel documents across the region;
 - The 6th Technical Experts Working Group on Irregular Movements, which will consider identity management issues; and
 - A workshop on biometric data-sharing which will aim to increase networking and information sharing on biometrics across the membership.

II. Proceedings

12. The Meeting reviewed the activities undertaken since the seventh meeting of AHG Senior Officials in April 2013 and welcomed reports by countries and international organisations on their support for, and actions taken, to further develop and implement the AHG's objectives. Members acknowledged the productive outcomes of the AHG Workshop on Immigration Border Operations Analysis, held in Bangkok from 26-28 May 2014, which recommended the development of guidelines for immigration analysis reporting and a quick reference guide to assist frontline officers profile travellers and travel documentation. The Meeting also invited the RSO to take this work forward.
13. The Meeting reaffirmed the benefits of the Regional Immigration Liaison Officer Network (RILON), as a forum for information sharing and networking. Sri Lanka, Thailand and Malaysia reported on the outcomes of the RILON initiative noting the value of improved coordination among relevant domestic agencies. Members agreed that the RSO will undertake a review of RILON activities to identify opportunities for improving the effectiveness of the RILON model. The RSO offered support to facilitate the establishment of RILON in other countries interested in implementing the concept.

14. The Meeting supported the request by the United Nations Office on Drugs and Crime (UNODC) to be granted full membership of the Bali Process Ad Hoc Group, in recognition of their shared objectives and increasing areas of cooperation.
15. The Meeting noted that the next AHG SOM and the 6th Ministerial Conference, and its preceding SOM, to be held in Bali, tentatively in the first quarter of 2015.
16. The Co-Chairs acknowledged the support of the IOM in assisting all invited members to participate in the eighth meeting of AHG Senior Officials.
17. The Meeting expressed its appreciation to the Government of Australia for its generosity and hospitality in hosting the eighth meeting of AHG Senior Officials, and the preceding 28th Steering Group Meeting.

III. Participants

The Meeting was attended by representatives of Afghanistan, Australia, Bangladesh, Indonesia, Malaysia, Maldives, Myanmar, New Zealand, , Philippines, Sri Lanka, Thailand, , United States and Vietnam as well as representatives from the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM). Canada and the United Nations Office on Drugs and Crime (UNODC) attended the meeting as observers. The RSO co-managers also participated in the meeting.

BALI PROCESS STRATEGY FOR COOPERATION: 2014 AND BEYOND

Strategy

This paper draws together key outcomes from the 5th Bali Process Regional Ministerial Conference and the Jakarta Special Conference on the Irregular Movement of Persons to outline a strategy for strengthening the core work of the Bali Process on deterring irregular migration and combating people smuggling and human trafficking, and implementing the Regional Cooperation Framework (RCF), including through participation in the Regional Support Office (RSO) to develop and implement practical cooperative approaches.

The 5th Ministerial Conference on 2 April 2013 (ATTACHMENT A) agreed to strengthen efforts on deterrence measures including on border management and related law enforcement by partnering the Bali Process Regional Support Office (RSO) with the Jakarta Centre for Law Enforcement Cooperation (JCLEC). Ministers also agreed to establish a working group to focus on trafficking in persons issues and to develop policy guides to assist members to criminalise people smuggling and human trafficking.

On 20 August 2013 Indonesia hosted a Special Ministerial Conference of 13 origin, transit and destination countries for irregular migration which committed to a raft of joint actions (Jakarta Declaration) to strengthen efforts on prevention, early detection, protection and prosecution (ATTACHMENT B). Ministers agreed that action should take place through respective national authorities as well as within the framework of the Bali Process.

Both conferences also recognised the importance of regional cooperation in addressing irregular movements of people in the region, and the need for harmonised arrangements and common responses. They noted that irregular movement of people also include refugees and asylum-seekers, and as such, consistent assessment processes for them are needed. Of particular note was the need for practical approaches to strengthen cooperation among affected States to manage irregular maritime movements, including through a protection-sensitive regional approach.

This strategy identifies capacity building and cooperation activities, primarily focussed on immigration management, border integrity and related legal capacity building, law enforcement measures, and regional protection-sensitive approaches of Bali Process members (ATTACHMENT C). It focuses on the use of existing delivery mechanisms developed by the Ad Hoc Group (AHG) of key countries affected by irregular migration, including the RSO, the Technical Experts Working Group (TEWG) and Regional Immigration Liaison Officers Network (RILON), and implementation of new mechanisms.

Timeframes will be determined by future funding to be identified.

Objective

Strengthen the work of the Bali Process to reduce irregular migration, including by:

- Implementing the actions and directives on deterrence, prevention, detection, disruption, protection and prosecution as agreed by Ministers at the 5th Bali Process Ministerial Conference and in the Jakarta Declaration;
- developing further practical work programs focussed on legal cooperation, law enforcement and border management cooperation, consistent assessment processes for mixed movements of people, and related capacity building;
- linking with bilateral and other multilateral fora to share relevant resources, expertise and lessons learned;
- assisting members to strengthen domestic responses to people smuggling and trafficking in persons, including through the utilisation of Bali Process tools and mechanisms such as the RSO, RILON and the Members' Portal; and
- encouraging innovative solutions to address the root causes of irregular migration, including the enhancement of development potential and stabilisation of key areas of origin.

Implementation

Law enforcement cooperation and border management including related transnational crime

RSO-JCLEC partnership: agreed by Bali Process Ministers in 2013, will develop a targeted capacity building program to strengthen border management and related legal and law enforcement cooperation.

Action:

- develop a training program to enhance border management capabilities to detect and prevent irregular entry and to strengthen legal and law enforcement cooperation on deterrence and disruption of people smuggling and human trafficking operations and networks, and to account for victim protection in mixed movements.

Who:

The RSO, in consultation with JCLEC and interested Bali Process Members. Capacity-building program to be agreed by interested Members and endorsed by Bali Process Co-Chairs, Steering Group and AHG. Open to all members.

Roundtable on Migration and Transnational Crime (new work): At the first Bali Process Ministerial Meeting in 2002, it was noted that many smuggling and trafficking activities were orchestrated by criminal networks also involved in the trafficking of narcotics, document fraud, money laundering, arms smuggling and other transnational crimes.¹

Action:

- roundtable to discuss possible terms of reference for the establishment of a Working Group;
- Working Group to meet and agree a work plan for implementation once the terms of reference have been agreed by the AHG.

Who:

AHG with technical support from the RSO on capacity building activities. New Zealand to co-chair with another Member.

¹ See Bali Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime Co-Chairs' Statement 26–28 February 2002.

Effective information and intelligence sharing

Expansion of RILON: an AHG forum for host countries and foreign missions to exchange information on travel fraud and border security. Currently operates in five States. The use of RILON for exchanging information on smugglers and traffickers including on visa refusal or cancellation is also a Jakarta Declaration outcome.

Action:

- strengthen RILON networks as an effective means of exchanging immigration information and intelligence by developing the linkages between established RILONs and encouraging Bali Process Member States to establish RILONs.

Who:

RSO to act as a coordination point for RILON and assist Bali Process Member States to establish RILONs.

Systems for data collection and sharing: UNODC Voluntary Reporting System on Migrant Smuggling and Related Conduct (VRS-MSRC) has been established for members to share data.

Action:

- encourage through the senior officials meeting (SOM) process and related activities Bali Process members to utilise the VRS-MSRC system.

Who:

The UNODC.

Cooperation on border and visa systems to detect and prevent illegal movements

Immigration Liaison Officers (ILO) (new work): Build on the outcomes of Bali Process workshops on visa integrity, document examination, and victim protection and the upcoming Airport Security Workshop by piloting training, including the possibility of an exchange between Bali Process Members. The pilot outcomes should inform a training programme for front line Immigration Officers based at International Airports.

Action:

- conduct ILO training for immigration officers from interested Member states using existing training resources;
- work with foreign and local staff at international airports to apply skills;
- review training and develop recommendation to refine the programme.

Who:

The RSO with the participation of interested Members.

Increased public awareness of the dangers of people smuggling

Public awareness campaigns: used by a number of countries to deter potential irregular immigrants from engaging people smugglers.

Action:

- develop public awareness campaign design guidelines for members to adapt to their own specific needs;
- undertake related workshops, to include lessons learned from members conducting awareness campaigns, including on engaging the media.

Who:

RSO, co-sponsored by Indonesia and New Zealand.

Returns and removals to deter irregular movement

Assisted Voluntary Return and Reintegration (AVRR) project: run by the IOM through the RSO and funded by Australia since 2012-13. Has seen the return and reintegration of more than 400 irregular migrants and failed asylum seekers from the region to their home countries. Return of those not owed protection is also a Jakarta Declaration commitment.

Action:

- consider expanding the AVRR project;
- support and encourage countries of origin to undertake voluntary repatriation and/or the return of those found not to be in need of international protection.

Who:

IOM to manage through the RSO with funding to be identified.

Identity verification of irregular migrants and trafficking victims

Workshop on Biometrics: endorsed by the 5th Ministerial Conference, for AHG members in the first half of 2014 to be co-hosted by Indonesia and Australia. The workshop will aim to harmonise biometric standards and modalities among members.

Action:

- Indonesia and Australia to confirm dates and finalise workshop arrangements.

Who:

Bali Process members to be invited by workshop co-hosts.

Biometrics (new work): data collection assists in establishing the identity of individuals, the validity of protection claims and to identify watch list matches.

Action:

- explore opportunities to expand the outcomes of existing bilateral and multilateral biometric data-sharing arrangements through the RSO and TEWG.

Who:

RSO and interested AHG members through the TEWG.

Strengthen legal response to people smuggling and trafficking in persons including criminalising people smuggling and trafficking in persons

Policy guides on criminalising migrant smuggling and trafficking in persons: outcome of 5th Ministerial Conference being drafted for AHG endorsement. The guides will assist policy makers and practitioners develop effective domestic legislation or strengthen existing legislation.

Action:

- AHG to consider policy guides prior to publication;
- workshops to assist member countries in applying the guides (for example, training through JCLEC or other centre of excellence);
- continue to urge countries to ratify or accede to and implement the UN Convention Against Transnational Organized Crime and its Migrant Smuggling and Trafficking protocols (Bali Process and Jakarta Declaration) by developing and implementing a regional capacity building program (eg

through the RSO) to assist countries to implement the UNTOC and related Protocols.

Who:

Policy guides drafting committee (Indonesia, Australia, Thailand, Sri Lanka, New Zealand and UNODC). RSO and interested Bali Process members.

Establish working group to focus specifically on trafficking in persons issues

Working Group on Trafficking in Persons (WGTIP): to be operational in 2014 led by the AHG and open to all members. It will provide advice on issues and capacity building opportunities and needs, and implement practical initiatives to address trafficking issues in the region.

Action:

- WGTIP to meet and agree a work plan for implementation once the terms of reference have been agreed by the AHG.

Who:

AHG and other interested Bali Process members with support from the RSO on capacity building activities.

Protection for victims of trafficking

Policy guides on protection and assistance to victims of trafficking (new work): proposed next ‘phase’ of the Bali Process policy guides initiative. The guides will assist to promote a consistent understanding of international legal obligations and assist in developing effective domestic legislation relating to protection of and assistance to trafficked persons, including in criminal justice processes.

Action:

- establish drafting committee of interested members to develop policy guides;
- drafting committee to develop drafts of guides for review by members at a consultation workshop in late 2014/early 2015;
- AHG to consider policy guides prior to publication in 2015.

Who:

RSO and interested Bali Process members.

Regional workshop/symposium on labour trafficking: agreed at the 7th AHG SOM, will share experiences and expertise on legal and policy issues on addressing trafficking for the purposes of labour exploitation, forced labour and migration issues.

Action:

- submit proposal to the AHG SOM for consideration

Who:

WGTIP, interested members and possible non-government experts.

Adoption of best practice in asylum management

Best Practice Guides: Develop thematic Briefs on Effective Practices on International Migration and Refugee Protection to provide practical guides to developing a comprehensive response to irregular migration; and user-friendly toolkits for policy makers.

Action:

- guides to be developed jointly by interested Members and academic experts;

- workshops to assist member countries in applying the guides.

Who:

The RSO in consultation with interested Members, UNHCR, IOM and academic experts.

Managing irregular movements at sea

Disembarkation mapping: Building on the Maritime Roundtable in Jakarta in March 2013, the meeting on ‘Mapping Disembarkation Options: Towards Strengthening Cooperation in Managing Irregular Movements by Sea’ in Bangkok in March 2013, and the “International Workshop on the Protection of Irregular Movements of Persons at Sea” in Jakarta in April 2014, the RSO, UNHCR and selected member States will map disembarkation practices and options and develop regional guidelines.

Action:

- selected countries will undertake a ‘virtual secondment’ to the RSO to map disembarkation and post-disembarkation practices;
- develop Regional Guidelines and protocols of cooperation;
- develop discussion platforms on different aspects of disembarkation.

Who:

RSO with UNHCR in consultation with Bangladesh, Indonesia, Malaysia, Thailand and Sri Lanka, as well as other interested states.

Engagement opportunities – bilateral, regional and other multilateral fora

Bilateral programs: many Bali Process member States work bilaterally on immigration management and law enforcement cooperation on people smuggling and trafficking including on disruption of ventures and Safety of Life at Sea issues.

Action:

- share where appropriate relevant training materials, guidelines, lessons learned and template MOUs from bilateral activities.

Who:

Members through the Members’ Web Portal and at related Bali Process workshops.

Regional initiatives: collaborate in effective implementation of joint actions under the four main pillars in the Jakarta Declaration on Addressing Irregular Movement of Persons: prevention; early detection; protection; and prosecution.

Action:

- Take lead in the effective implementation of the Jakarta Declaration’s joint actions.

Who:

Members of the Bali Process.

Multilateral fora: outreach with other Regional Consultative Processes (RCPs) and multilateral fora on irregular migration issues including people smuggling and trafficking in persons provides opportunities for sharing expertise and lessons learned.

Action:

- workshops on irregular migration trends and issues to include relevant RCPs, other regional fora and NGOs where possible to share expertise and lessons learned;
- WGTIP to engage RCPs, other regional fora NGOs and private sector, including on sourcing of experts for capacity building activities.

Who:

Workshop co-hosts and WGTIP co-chairs.

Strategy implementation, review and funding

The Strategy will be considered by the Bali Process Co-Chairs and discussed with the Steering Group in consultation with the RSO Co-Managers. It will be put to the 8th meeting of AHG senior officials in 2014 for endorsement and implementation. The Strategy will provide a reference for Ministers in reviewing Bali Process progress and future direction and mandate setting at their biennial conference (next due in 2015). Strategy implementation will be reviewed at least annually by the Steering Group and AHG. Substantive amendments will require AHG SOM agreement. Timeframes for strategy implementation will depend on available funding for associated activities. The RSO will assist with identifying funding sources.

**FIFTH MINISTERIAL CONFERENCE OF THE BALI PROCESS ON
PEOPLE SMUGGLING, TRAFFICKING IN PERSONS AND
RELATED TRANSNATIONAL CRIME
BALI, INDONESIA, 2 APRIL 2013**

CO-CHAIRS' STATEMENT

We, the Foreign Ministers of Indonesia and Australia, had the honour to Co-Chair the Fifth Ministerial Conference of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime in Bali, Indonesia on 2 April 2013.

I. Decisions and Recommendations on Future Activities

1. Ministers welcomed the progress of the Bali Process since the Fourth Ministerial Conference in addressing people smuggling, trafficking in persons and related transnational crime and agreed to a strong agenda for taking the Bali Process forward.

2. Ministers underscored that strengthening efforts to reduce irregular movement in the region was paramount and urged members to further strengthen implementation of the Regional Cooperation Framework (RCF) including through participation in the Regional Support Office (RSO) to develop and implement practical cooperative approaches. Ministers noted the continuing work under the RCF towards consistent assessment processes for asylum seekers including, where appropriate and possible, through harmonised arrangements or the establishment of regional assessment arrangements. Ministers encouraged States to second officials to work in the RSO on a project basis and welcomed the participation of Afghanistan as the first country to do so. Ministers also welcomed Thailand's financial contribution towards RSO activities.

3. Ministers recognised that law enforcement cooperation and the integrity of border management systems were critical to addressing irregular movement and combating the activities of people smugglers and traffickers. Ministers highlighted the value of linking the Bali Process with the law enforcement training expertise of existing regional centres of excellence. To this end, Ministers agreed the Bali Process would establish cooperation with the Jakarta Centre for Law Enforcement Cooperation (JCLEC). Ministers directed the RSO to work with JCLEC to develop a program of cooperation and training which would bring together law enforcement and immigration management experts to build capacity and strengthen the capabilities of member States.

4. Ministers welcomed Bali Process activities focussed on addressing trafficking in persons in recent years and urged members to consider opportunities to achieve more effective and coordinated responses to prevention, investigation and prosecution, and victim protection. Ministers agreed that the Bali Process would establish a working group to specifically focus on addressing trafficking in persons issues. The working group would be led by the Bali Process Ad Hoc Group (AHG),

but would be open to all interested Bali Process members. Ministers noted concerns had been raised in recent Bali Process meetings, which had identified labour trafficking as an increasing problem for the region. Ministers directed that the new working group explore the extent to which the issue of labour trafficking affected Bali Process States and identify avenues for cooperation to address the issue. Ministers noted the value of work being done by other Regional Consultative Processes (RCPs) on migration. A range of community, industry and private sector groups also work to address trafficking in persons, including for the purposes of labour exploitation. Ministers urged the working group to tap into the expertise and experiences of such groups and the relevant RCPs in implementing future activities.

5. Ministers welcomed advice from States on progress to strengthen their legal frameworks to criminalise people smuggling and trafficking in persons. Ministers encouraged all States to bolster their legal responses to these crimes and agreed that policy guides be developed to assist policy makers and practitioners to criminalise people smuggling and trafficking in persons. Ministers directed that the RSO, in consultation with interested members, develop guides which could be used by States across a range of domestic agencies to promote a consistent understanding of international legal obligations and assist in developing effective domestic legislation.

6. Ministers acknowledged the unprecedented number of irregular movements by sea through the Asia Pacific region in 2012 and the considerable impact such movements had on the migration systems of affected States and the loss of life at sea. Ministers recommended that members give priority to building on the regional roundtable on irregular movements by sea, hosted by Indonesia and the office of the United Nations High Commissioner for Refugees (UNHCR), and further explore practical ways in which affected States could strengthen cooperation in managing irregular maritime movements including through the development of a protection-sensitive regional approach.

7. Ministers recommended States proactively share migration-related information and e-Learning opportunities to maximise the potential of the new secure portal developed by the International Organization for Migration (IOM) and linked with the Bali Process website. Ministers also encouraged members to participate in the Voluntary Reporting System on Migrant Smuggling and Related Conduct developed by the United Nations Office on Drugs and Crime (UNODC) to strengthen its value as an information database to enhance and better inform policy development in response to migrant smuggling.

8. Ministers welcomed the achievements of the AHG in progressing activities aimed at reducing irregular movement in the region and agreed that it be retained as an effective mechanism for taking forward the Bali Process program of work under the direction of the Bali Process Steering Group.

II. Review of Progress since the Fourth Bali Process Ministerial Conference

9. Ministers commended the efforts of Bali Process officials in implementing Ministerial objectives set out at the Fourth Ministerial Conference in March 2011 and achievements as outlined in the Progress Report of the Co-Chairing Ministers on activities of the Bali Process, including of the AHG. Ministers endorsed the Co-

Chairs' Statements from the AHG Senior Officials' Meeting (SOM) in Sydney on 5 March 2013 and the Bali Process SOM in Bali on 1 April 2013 and welcomed the recommendations for the forward Bali Process work program.

10. Ministers particularly welcomed the establishment of the RSO by the AHG, under the management of Indonesia and Australia, and noted the practical initiatives being implemented under the RCF towards strengthening regional cooperation to better manage the irregular movement of people. Ministers noted projects already underway, led by IOM and UNHCR, were achieving results. In particular, Ministers welcomed outcomes from the IOM-managed RSO project on assisted voluntary returns which had seen the voluntary return of 66 irregular migrants from the region to their country of origin. A further 72 had been assessed and were awaiting return. Ministers noted that these efforts were making an important contribution to enhancing regional cooperation and confidence building.

11. Ministers acknowledged the practical activities undertaken by members in building law enforcement capacity and border management integrity and encouraged this work to continue. Ministers welcomed activities for the future work program including on strengthening airport security to better manage irregular migration, the use of biometrics in immigration systems, and the ongoing work of the Technical Experts Working Group on Irregular Movements which will explore the feasibility of establishing a framework to facilitate the sharing of immigration-related information and intelligence. Ministers reaffirmed the utility of the Regional Immigration Liaison Officer Network and commended the efforts of Sri Lanka, Malaysia, Thailand and India in hosting RILON activities during the period since the Fourth Ministerial Conference.

12. Ministers recalled the decision of the Fourth Ministerial Conference to expand the Bali Process and AHG as appropriate and welcomed the United States and the United Arab Emirates to the Bali Process and AHG, and the UNODC to the Bali Process. Ministers commended the United States of America, United Arab Emirates and UNODC on their constructive contribution as observers and looked forward to their enhanced engagement as members.

III. General Principles

13. Ministers noted that 2012 had marked the 10th anniversary of the Bali Process which was commemorated in Bali in November 2012. In looking to the next decade, Ministers reaffirmed their commitment to increasing efforts to combat people smuggling and trafficking in persons including by: enhancing and implementing national legislation to criminalise these activities; strengthening interagency cooperation to prevent and address these crimes; building greater consistency in legal regimes and processing of irregular migrants; and strengthening law enforcement mechanisms and cooperation and immigration systems in the prosecution of these activities. Ministers underscored the importance of addressing humanitarian and protection needs in managing irregular movement.

14. Ministers recognised that the root causes of irregular movements in the region were complex and multi-dimensional and encouraged members to continue to work with countries of origin, including through development cooperation, to address

where possible underlying factors which made people vulnerable to irregular movement.

IV. Participants

The Fifth Ministerial Conference was attended by Afghanistan, Australia, Bangladesh, Brunei Darussalam, Cambodia, China, Fiji, Hong Kong SAR (China), India, Indonesia, Iraq, Japan, Lao PDR, Malaysia, Maldives, Mongolia, Myanmar, Nauru, Nepal, New Caledonia (France), New Zealand, Pakistan, Papua New Guinea, the Philippines, Republic of Korea, Samoa, Singapore, Solomon Islands, Sri Lanka, Thailand, Timor-Leste, United Arab Emirates, United States of America, Viet Nam, International Organisation for Migration (IOM), the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Office on Drugs and Crime (UNODC). Canada, Russia, Spain, Switzerland, the United Kingdom, International Federation of Red Cross and the Red Crescent Societies (IFRC), International Committee of the Red Cross (ICRC) and International Labour Organization (ILO) attended the meeting as observers.

**JAKARTA DECLARATION
ON
ADDRESSING IRREGULAR MOVEMENT OF PERSONS
Jakarta, 20 August 2013**

1. We, the Ministers and high-level representatives from some of the most affected countries in the region, namely Afghanistan, Australia, Bangladesh, Cambodia, Indonesia, Malaysia, Myanmar, New Zealand, Pakistan, Papua New Guinea, The Philippines, Sri Lanka, and Thailand, met in Jakarta, Indonesia on 20 August 2013 for the Special Conference on Irregular Movement of Persons. Representatives of the United Nations High Commissioner for Refugees and the International Organization for Migration were also present.
2. We are cognizant of the common and increasing challenges posed by irregular movement of persons, comprising both people smuggling and trafficking in persons.
3. We recognized that the root causes of irregular movements in the region were complex and multi-dimensional and acknowledged the importance of development cooperation to address where possible underlying factors which made people vulnerable to irregular movement.
4. We reaffirmed that such challenges are our shared responsibility and require coordination and cooperation as has been reflected in our region's endeavour to deal with them through the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, including through the regional cooperation framework.
5. We recognized the need for common responses involving countries of origin, transit as well as destination in more focused and action-oriented efforts in addressing the issue of people smuggling, trafficking in persons and related transnational crime.
6. We recognized that the issue of irregular movement of persons also covers asylum seekers and refugees and their possible secondary movements.
7. We underlined the importance of identifying practical ways to strengthen cooperation among affected States in managing irregular maritime movement, including through the development of a protection-sensitive regional approach.
8. We recognized the importance of burden sharing and collective responsibility as well as enhanced coordination in continuing our work towards consistent assessment processes including through a set of harmonized arrangements or through the possible establishment of bilateral or regional assessment arrangements, which might include a centre or centres.
9. We recognized that addressing irregular movement of persons with its multidimensional implications could contribute positively to strengthen the region's stability and creating condition conducive for the region's resilience as an engine of global growth.
10. We, as countries of origin, transit and destination, are committed to pursue coordinated joint actions in the fields of prevention, early detection, protection as well as prosecution to address irregular movement of persons, through:

A. Prevention

- a. fostering political, social and economic conditions to mitigate the underlying factors which make individuals more vulnerable to irregular migration;
- b. encouraging opportunities for legal channels of migration that would help in addressing irregular migrations and the activities of people smugglers and human traffickers;
- c. considering support and assistance to promote better livelihood and economic sustainability;
- d. conducting public awareness campaigns in cooperation with stakeholders, including civil society, private sector and mass media;
- e. enhancing border control systems and improving the integrity of identity papers and travel documents;
- f. reviewing visa policies and visa integrity policy on a periodical basis or should evidence arise of abuse;
- g. enhancing coordination and exchanging information among relevant authorities to deny entry and/or cancel the visa of smugglers and traffickers;
- h. building capacity and conducting table-top exercises to promote timely search and rescue operations with the goal of maximizing efforts to reduce the loss of life at sea;

B. Early Detection

- a. nominating national focal points to enhance sharing of information through the Bali Process secure portal to facilitate prompt and effective action to combat people smuggling, trafficking in persons and related transnational crime;
- b. contributing to the data collection and analysis mechanism of the Bali Process Regional Support Office and the UNODC Voluntary Reporting System on Migrant Smuggling and Related Conduct;
- c. developing an early warning system and exchange of information and intelligence among diplomatic, immigration, border and law enforcement officers;
- d. enhancing cooperation between immigration officers and airline operators in ensuring visa integrity policy and travel document security including through the Regional Immigration Liaison Officer Network (RILON);
- e. promoting collaboration among law enforcement and financial intelligence units to identify the linkages between people smuggling, trafficking in persons, and money laundering;

C. Protection

- a. establishing mechanisms at multilateral, regional, and bilateral levels for victims of trafficking from victim identification,

protection, rehabilitation, repatriation and reintegration of victims upon return to their respective countries of origin as well as prevention of revictimization;

- b. mobilizing necessary resources towards efficient management of irregular migration and victim protection;
- c. ensuring that smuggled and trafficked people shall not be held liable for people smuggling and trafficking in persons offences;
- d. providing protection for witnesses and whistleblowers;
- e. enhancing communication and coordination to support search and rescue at sea, disembarkation, reception, processing, and outcomes;
- f. encouraging voluntary repatriation and/or the return of those found not to be in need of international protection and ensuring proper identifications and/or provision of travel documents;
- g. setting-up dialogue mechanism among relevant authorities on consular matters and when appropriate, entering into bilateral agreements on mandatory consular notification;

D. Prosecution

- a. urging countries to ratify or accede to and effectively implement the United Nations Convention against Transnational Organized Crime and its protocols related to smuggling of migrants and trafficking in persons;
- b. adopting, amending, or strengthening national legislative measures to criminalize people smuggling and trafficking in persons;
- c. adopting people smuggling and trafficking in persons as extraditable offences and endeavor to expedite extradition procedures and to simplify evidentiary requirements relating to extradition request;
- d. providing mutual legal assistance in investigations, prosecutions and judicial proceedings;
- e. enhancing the capacity of law enforcement officials and other agencies that are responsible for investigation and prosecution of the traffickers and smugglers;
- f. developing pro-active investigation methods, and where appropriate, supporting prosecutions in cases where the testimony of the victims is not possible and/or that are sensitive to the impact of testifying on victims;
- g. developing standard for evidence and information gathering and sharing.

11. We affirmed the commitments and readiness as the countries of origin, transit and destination to undertake the above joint actions and look forward to collaborate in effective implementation of such actions through our respective national authorities as well as within the framework of the Bali Process.

12. We appreciated the initiative of the Government of the Republic of Indonesia to convene the Conference and congratulated them for the excellent arrangements of the Conference.

Bali Process members and participants**Bali Process Steering Group members**

Australia	Thailand
Indonesia	IOM
New Zealand	UNHCR

Bali Process Ad Hoc Group members

Afghanistan	Sri Lanka
Australia	Pakistan
Bangladesh	Philippines
India	Thailand
Indonesia	United Arab Emirates
Malaysia	United States
Maldives	Vietnam
Myanmar	IOM
New Zealand	UNHCR
UNODC* (as endorsed at 8 th AHG SOM)	

Bali Process Members

Afghanistan	Nauru
Australia	Nepal
Bangladesh	New Zealand
Bhutan	Pakistan
Brunei Darussalam	Palau
Cambodia	Papua New Guinea
China	Philippines
Democratic People's Republic of Korea	Republic of Korea
Fiji	Samoa
France (New Caledonia)	Singapore
Hong Kong SAR	Solomon Islands
India	Sri Lanka
Indonesia	Syria
Iran	Thailand
Iraq	Timor-Leste
Japan	Tonga
Jordan	Turkey
Kiribati	United Arab Emirates
Laos PDR	United States
Macau SAR	Vanuatu
Malaysia	Viet Nam
Maldives	IOM
Mongolia	UNHCR
Myanmar	UNODC

Other Participating Countries

Austria	Norway
Belgium	Poland
Canada	Romania
Denmark	Russian Federation
European Commission	South Africa
Finland	Spain
Germany	Sweden
Italy	Switzerland
The Netherlands	United Kingdom

Other Bali Process Organisations

Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants (APC)	United Nations Development Program (UNDP)
International Centre for Migration Policy Development (ICMPD)	International Labour Organization (ILO)
Intergovernmental Consultations on Migration, Asylum and Refugees (IGC)	Asia Development Bank (ADB)
International Federation of the Red Cross (IFRC)	World Bank
International Committee of the Red Cross (ICRC)	ASEAN Secretariat
Interpol	

