



OUTCOME REPORT: ROUNDTABLE ON COMBATTING MARITIME PEOPLE SMUGGLING IN THE ANDAMAN SEA REGION

19-20 FEBRUARY 2024



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BACKGROUND

Maritime people smuggling via the Andaman Sea represents a significant and ongoing challenge for Bali Process Member States. The Andaman Sea and Bay of Bengal are critical transit routes for irregular migration, particularly involving displaced individuals from Myanmar and Bangladesh. Many of these individuals undertake hazardous journeys across these waters in search of safety, economic opportunities, or asylum. Unfortunately, they often fall prey to unscrupulous smugglers who exploit and abuse them, sometimes resulting in tragic outcomes.

There was a reported increase of irregular migration movements in the Andaman Sea region in the last quarter of 2023, according to the UNHCR Regional Bureau for Asia and Pacific (RBAP).^[1] These movements are facilitated by smuggling syndicates, often influenced by community and family networks. Despite best efforts by individual countries to address maritime people smuggling, the complex nature of the problem necessitates practical and coordinated efforts to prevent and combat these crimes effectively. Collaboration among the most affected member states in the region is crucial to disrupt smuggling networks, enhance border security, protect vulnerable individuals, and uphold international obligations.

During the Eighth Bali Process Ministerial Conference in February 2023, Ministers endorsed a series of priorities as outlined in the *Bali Process Adelaide Strategy for Cooperation*.^[2] These included pursuing information-sharing, coordinated action, and fostering closer collaboration among Bali Process Member States to disrupt and dismantle people smuggling and trafficking in persons networks.





In response to the rise in boat movements and in alignment with the priorities set out in the *Bali Process Adelaide Strategy for Cooperation*, the Regional Support Office of the Bali Process (RSO) convened a roundtable on 19-20 February 2024 in Bangkok, Thailand. The objective of the roundtable was to provide an opportunity for senior officials and key practitioners from Bali Process Member States to exchange information on trends of maritime movements in the Andaman Sea region, including case studies, and to receive updates on the evolving tactics of people smugglers. The roundtable focused on concrete actions to enhance collaboration between law enforcement agencies across Member States and strengthen information-sharing mechanisms more effectively to disrupt people smuggling activities.

The roundtable also provided an opportunity for regional cooperation and information sharing, highlighting the growing urgency for a coordinated response to counter maritime people smuggling in the region. Discussions emphasised the importance of strengthening existing frameworks and identifying practical next steps to enhance collaboration between Member States, particularly in addressing the challenges posed by increasing boat movements. At the roundtable, the RSO introduced the concept of a *Regional Cooperation Approach to Countering People Smuggling in the Andaman Sea Region*, via a preliminary Zero Draft discussion paper. This approach was designed to catalyse discussion, promote collaboration and information exchange among Member States, particularly those directly affected by maritime people smuggling activities in the region.

PARTICIPANTS

The roundtable was attended by 39 participants, encompassing representatives from 10 Bali Process Member States, three Member Organisations, and two civil society organisations. The diversity of experience among participants, which included both operational and policy experts, was integral to the success of the roundtable. Their varied backgrounds contributed significantly to a comprehensive and nuanced discussion of maritime people smuggling issues affecting the region. This broad representation underscored the need to convene such a roundtable to advance collaborative dialogue and promote mutual understanding.



THE ROUNDTABLE

The first day of the roundtable began with opening remarks from Co-Chairs of Bali Process Task Force on Planning and Preparedness. Mr. Caka Alverdi Awal, Director for International Security and Disarmament at the Ministry of Foreign Affairs of the Republic of Indonesia, who highlighted the roundtable as a crucial response to addressing the urgent regional challenge of irregular maritime movements, particularly of Rohingya refugees. He also highlighted the need for strengthened information exchange and collaboration among Bali Process Member States. Ms. Anita Lewan, Director of Human Trafficking & Modern Slavery at the Department of Foreign Affairs and Trade, Australia, acknowledged the ongoing efforts of the Bali Process and underscored the significance of coordinated regional engagement to tackle the escalating challenges in the Andaman Sea.

Mr. Marvin A. Arpan, Acting RSO Co-Manager (Indonesia), emphasised the opportunity this roundtable presents to further proactive discussions to explore a regional cooperation approach to counter maritime people smuggling. He reaffirmed the RSO's commitment to supporting Bali Process Member States through information exchange and enhanced initiatives against organised crime groups involved in maritime people smuggling. These remarks set the stage for productive discussions aimed at strengthening collaboration among Bali Process Member States.



Opening remarks were followed by presentations on the current maritime people smuggling situation in the Andaman Sea region, the push and pull factors that drive people to use smuggling services, and the challenges of search and rescue operations. The Australian Federal Police delivered a presentation outlining the objectives of Australia's Operation Sovereign Borders and highlighted the bilateral Disruption and Deterrence Task Group established between Australia and Sri Lanka. Delegates from Indonesia, Bangladesh, Thailand, Malaysia, and Sri Lanka then provided insightful presentations on national policies and responses to maritime people smuggling that prompted questions and discussion from participants.

Thailand's presentation noted its unique position as a source, transit, and destination country for people movements over recent decades. Myanmar, Cambodia, and Laos remain the top three countries of origin for irregular migrants in Thailand. The delegate from Thailand highlighted Thailand's approach to illegal entry, where individuals from neighbouring countries who do not hold a visa are arrested and deported without court punishment. Thailand provided insights into the various people smuggling routes being used—including land, air, and sea—and presented a recent case study involving Rohingya refugees.





The Indonesian presentation provided an overview of Indonesia's legal framework for people smuggling and highlighted the connection between people smuggling syndicates based in Bangladesh and Indonesia that are facilitating the movement of Rohingya from Cox's Bazar, Bangladesh. The need for comprehensive investigations to identify criminal syndicates and trace related illicit financial transactions was also emphasised.

The Bangladesh presentation emphasised the government's zero tolerance approach to people smuggling. Key agencies involved in countering people smuggling in Bangladesh include the Bangladesh Public Security Division, the Ministry of Home Affairs, Bangladesh National Police, Bangladesh Navy, Bangladesh Coast Guard, and Bangladesh Border Guard. The delegate highlighted several opportunities to enhance disruption of people smuggling, including sub-regional and global coordination among actors working to counter people smuggling, and addressing the root causes that currently prohibit Rohingya from being able to repatriate voluntarily and with dignity in the short or medium term.

The Malaysian delegate provided an overview of the country's laws, policies, and systems relating to countering people smuggling. The delegate highlighted Malaysia's Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants (MAPO) Committee, which was established in 2007 to tackle these issues, and while it is not a signatory to the *Protocol Against the Smuggling of Migrants by Land, Sea, and Air*, it has signed the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*. Malaysia's geography—with extensive sea borders and dense forest along land borders—creates vast entry and exit points for smuggling. Finally, the delegate presented four case studies that demonstrated the complex modus operandi of people smuggling operations.



Finally, Sri Lanka presented on its coordinated approach to countering people smuggling that involves various agencies, including the Ministry of Defence, the National Anti-Human Trafficking Task Force, Sri Lankan Navy, and Sri Lankan Police. To counter transnational crime, Sri Lanka has established the *Sri Lanka-Australia Joint Working Group on People Smuggling and Transnational Crime*. This group facilitates information sharing, intelligence exchange, and the signing of memorandums of understanding (MOUs) between Sri Lanka and Australia. The delegate also presented on push and pull factors contributing to people seeking out smuggling services.

In the afternoon, a panel discussion and subsequent breakout discussions were held focusing on the enablers that people smuggling networks use or exploit to coordinate maritime ventures. This session underscored the logistical complexity and range of facilitators that play important roles in enabling people smuggling operations to be successful.



The second day of the roundtable focused on garnering feedback and inputs towards the proposed regional cooperation approach, with an initial emphasis on law enforcement cooperation. As noted above, the RSO Zero Draft discussion paper—which was shared with delegates prior to the roundtable was designed to encourage discussion, reflections and input at the roundtable and outlined a possible framework for future cooperation. To encourage active participation, the agenda also included interactive sessions on a range of issues, including cross-border law enforcement cooperation and information sharing, Member State capacity building needs, and proactive initiatives that could be taken forward ahead of the next sailing season. The groups also brainstormed actionable recommendations that could be included in a regional cooperation approach to counter maritime people smuggling, with each group providing feedback to the Zero Draft document.

Feedback from delegates included:

The Zero Draft was noted as a positive initiative and could be a crucial step towards building further goodwill and as a basis for enhancing information sharing.

Careful consideration should be given to language and terminology in any framework. For example, instead of using phrases that exclusively focus upon Rohingya, alternative phrases such as 'displaced persons' or 'mixed movements' may be more appropriate.

Specifying the type of information that could be shared between Member States should be included.

Secondments to the RSO in support of maritime regional cooperation would require policy-level approval before progressing, to ensure effective outcomes.

Certain actions within objectives in the document require further elaboration, particularly those relating to official platforms for sharing information, standard protocols, and the need for MOUs when considering joint operations or resource sharing.

The inclusion of an objective in the Zero Draft related to law enforcement, emphasising information gathering and victim-centred approaches, as they are crucial for how individuals are received and treated.

A future iteration or incarnation of the Zero Draft could be simplified and resemble a summary of the roundtable discussions. Recommendations could serve as a basis for bilateral or trilateral agreements for joint investigations.

There is a need to clarify the roles of members and international organisations in certain objectives and actions.

The document should also capture smuggling by land as it is intrinsically linked to maritime people smuggling operations in the Andaman Sea region.

A recommendation to include a monitoring and evaluation objective.



The roundtable concluded with a moderator-led discussion about the proposed recommendations and a summary of the key takeaways from the roundtable. There was consensus amongst delegates that the RSO should progress with further developing the regional cooperation approach and initiate a review of the Zero Draft document based on roundtable inputs.

A REGIONAL COOPERATION APPROACH: OPPORTUNITIES AND CHALLENGES

The focus of the roundtable was on identifying opportunities to enhance law enforcement responses and cooperation across impacted Member States to detect, disrupt and dismantle people smuggling organised criminal groups. Discussions also sought to support dialogue on how persons who embark on irregular maritime journeys are treated through a protection-sensitive lens. Discussions emphasised the significant challenges Member States face in enhancing regional cooperation to counter maritime people smuggling in the Andaman Sea region.

The country presentations highlighted the varied perspectives, challenges, and priorities of Member States that are highly impacted by maritime people smuggling activities in this region. These differences exposed a myriad of barriers to more effective and collaborative law enforcement responses to disrupting people smuggling networks.



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"What are the solutions that can be developed to strengthen protection and rule of law in a country, while being careful not to undermine the state of vulnerable people? We need to think about how non-profits, government sectors, and practitioners can all work better together to find alternative pathways for vulnerable people and coordinated solutions to issues of irregular migration"

- Lillian Fan, Geutanyoe Foundation Malaysia and Steering Committee member of Southeast Asia Women Peace Mediators



Based on the input from delegates, some of the key challenges identified include:

A lack of opportunities and challenges accessing basic needs for Rohingya in Cox's Bazar and Myanmar will continue to push people to use smuggling services as they have limited options available to them.

There has been a shift from migrants using people smuggling networks to families—often based in Malaysia—establishing their own smuggling operations. Facilitators organise family members' travel at a reduced cost, with migrants paying less compared to what they would pay for a seat on a vessel organised by a people smuggling network.

There are limited communication channels between affected Member States to coordinate operational responses and share information in a timely manner as it relates to maritime people smuggling ventures.

There is an absence of clear policy and governance relating to the types of information that can be shared across impacted Member States to aid in countering people smuggling activities.

While some delegates noted that they have reasonable connections with regional counterparts, this does not translate across all law enforcement or maritime agencies with a role to play in countering people smuggling in the Andaman Sea region.





Opportunities to enhance Member States' ability to counter maritime people smuggling in the Andaman Sea region include:

Some delegates—particularly those in operational roles—noted the need for endorsement from senior officials for a formalised regional cooperation approach to be progressed. This was highlighted as being an integral part of any planning going forward.

Establishing MOUs that support more efficient information sharing across jurisdictions, accompanied by clear policy and governance arrangements, would be a positive step forward in being able to counter people smuggling operations.

Technological advancements—including Artificial Intelligence language models—are making it easier to automatically translate and share information. Investment in Information and Communications Technology (ICT) infrastructure that simplifies and enables cross-border information sharing between related agencies would aid Member States to respond to people smuggling activities.

A cross-border coordination group or joint operations taskforce would further enhance information sharing and enable joint investigations into people smuggling networks to be established and progressed with purpose. It is likely that this approach would improve understanding of the complex and intertwined maritime and land smuggling routes, providing new opportunities to coordinate law enforcement responses, maritime, and border agency responses.

CONCLUSION AND NEXT STEPS

The Roundtable on Combatting Maritime People Smuggling in the Andaman Sea Region was well attended, with delegates from diverse backgrounds actively engaging in discussions over the two-day event. There was broad consensus that the proposed Regional Cooperation Approach to Counter People Smuggling concept provided a solid foundation for developing a more comprehensive mechanism to strengthen regional law enforcement collaboration in countering maritime people smuggling in the region.

With valuable feedback from Member States during and after the Roundtable, the concept has subsequently been refined and incorporated into the RSO Work Plan 2024-2026, which emphasises practical initiatives and collaborative efforts among affected states. This strategic shift reflects a commitment to a forward-looking, cooperative approach aimed at enhancing regional coordination among key Bali Process Member States. The objective is to support law enforcement and border officials in strengthening cross-border detection, deterrence, and disruption efforts against people smuggling networks.

For further details, please refer to Annex A, which outlines the RSO's strategic approach towards facilitating regional cooperation to counter people smuggling. The below is also captured in the RSO 2024-2026 Work Plan, available on the RSO website.



GLOSSARY

AFP	Australian Federal Police
DFAT	Department of Foreign Affairs and Trade, Australian Government
ICT	Information and Communications Technology
MAPO	Malaysia's Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants
MOUs	Memorandums of Understanding
OCGs	Organised Crime Groups
OSB	Australia's Operation Sovereign Borders
RBAP	Regional Bureau for Asia and Pacific of UNHCR
RSO	Regional Support Office of the Bali Process
UNHCR	United Nations Refugee Agency

ANNEXES

Annex A: RSO Regional Cooperation to Counter People Smuggling

Annex B: Agenda

Annex C: Participant List



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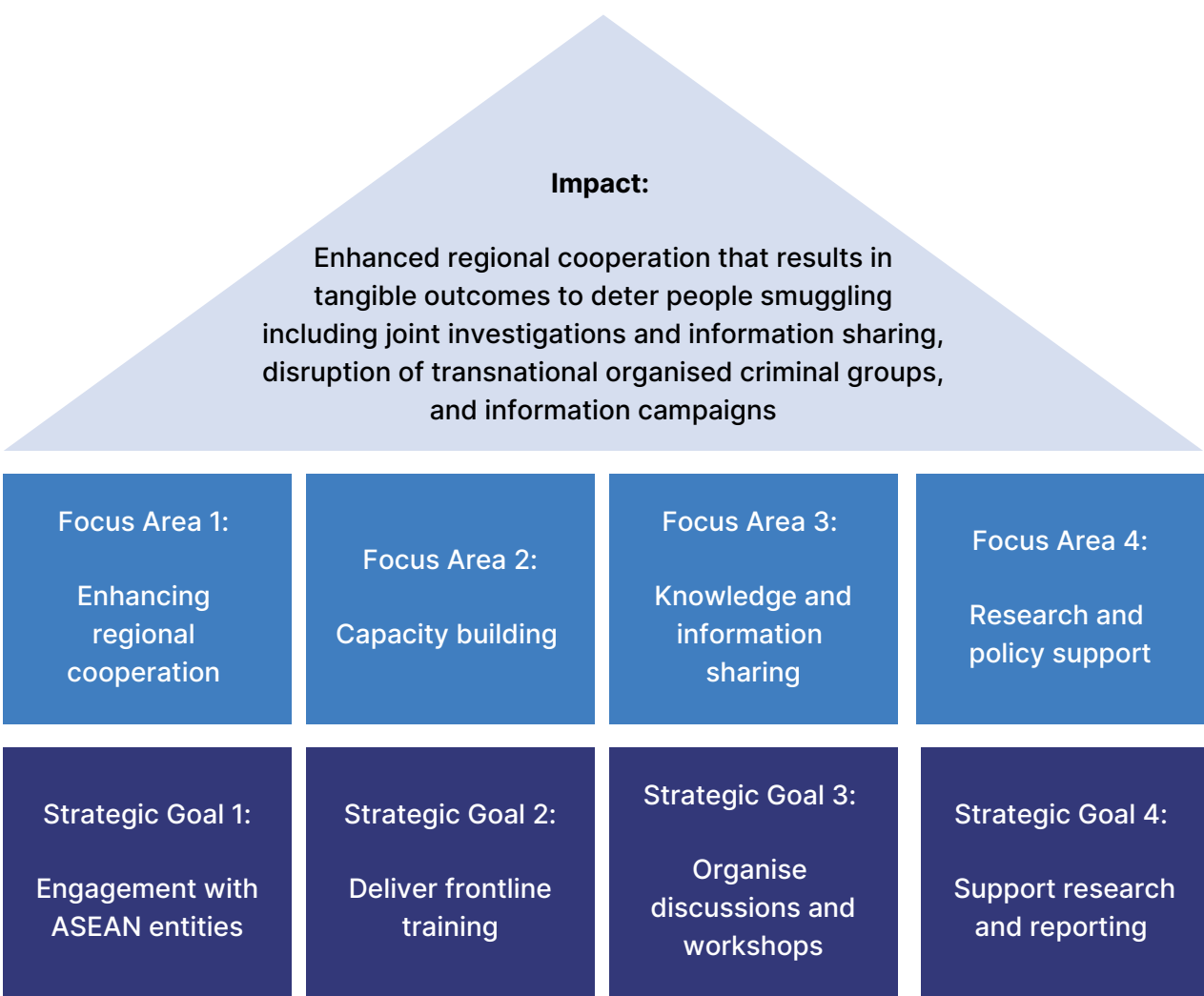


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ANNEX A

RSO Regional Cooperation to Counter People Smuggling

This strategy is extracted from the RSO Workplan 2024-2026.
The below is a visual representation of the activities presented in the Workplan.



Strategic Goal	Rational/Aim	RSO Initiatives	Desired End State
Engagement with ASEAN entities	<ul style="list-style-type: none"> Impacted Member States: Southeast Asia countries + 2 (Bangladesh, India) To strengthen regional alignment and coordination on countering people smuggling through close collaboration with ASEAN and support for shared strategic goals 	<ul style="list-style-type: none"> Engagement with the ASEAN Secretariat (ASEC) Engagement with the ASEAN Voluntary Lead Shepherd for People Smuggling Convene a regional technical meeting on countering people smuggling 	Enhanced regional collaboration
Deliver frontline training	To enhance member states' abilities to counter people smuggling through targeted training initiatives	<ul style="list-style-type: none"> Deliver the International People Smuggling Investigations Program (IPSIP) Deliver regional RSO open-source intelligence (OSINT) training Deliver Introduction to People Smuggling Course Deliver training on Investigating People Smuggling and Trafficking in Persons Cases 	Improved capacity and skills of law enforcement personnel
Organise discussions and workshop	To foster trust and networking among Bali Process members, provide an open forum for dialogue, strengthening skills and information sharing to effectively counter people smuggling activities	<ul style="list-style-type: none"> Deliver regional workshop and tabletop exercise Consider opportunities to engage with the Task Force on Planning and Preparedness (TFPP) and support related activities 	Enhanced networking, collaboration, & information sharing
Support research and reporting	To generate evidence-based insights that inform policy, enhance understanding of people smuggling trends, and support effective, targeted interventions.	<ul style="list-style-type: none"> Research on irregular maritime venture planning and people smuggling mis- and-dis information methodologies Timely reports and briefings to key Bali Process Member States on current and emerging maritime people smuggling trends, routes and methodologies 	Improved evidence-based intervention