



The Bali Process

on People Smuggling, Trafficking in Persons
and Related Transnational Crime

20 years



Australian Government

**Department of Foreign
Affairs and Trade**



MINISTRY OF FOREIGN AFFAIRS
REPUBLIC OF INDONESIA

Department of Foreign Affairs and Trade
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**The Bali Process on People
Smuggling, Trafficking in Persons
and Related Transnational Crime**

20 years of the Bali Process

2002 – 2022

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No country is immune from these crimes. No country can tackle them on ***their own***.

Bali Process Co-Chairs at Eighth Bali Process Ministerial Conference and Third Government and Business Forum in Adelaide, 10 February 2023

Joint Foreword



Senator the Hon Penny Wong,
Australian Minister for Foreign Affairs

People smuggling and trafficking in persons are reprehensible criminal activities that feed on the desperation and aspirations of people in vulnerable situations. Such activities directly threaten the safety and prosperity of our region.

No country is immune from these crimes.
No country can tackle them on their own.

The need for a collective regional response was recognised with the establishment of the Bali Process, in February 2002.

That initial meeting was attended by 38 countries. Since then, the Bali Process has grown to include 45 member governments, four member international organisations and 25 observers.

As a forum for policy dialogue, information sharing and capacity building – one which involves governments, international organisations, civil society and the private sector – it has strengthened our collective capacity to address the challenges within its mandate.

Those challenges are growing in scale and complexity. The COVID-19 pandemic, as well as natural and humanitarian disasters, have exacerbated smuggling and trafficking dangers. Perpetrators are exploiting changing circumstances and are becoming more sophisticated in their use of technology to manipulate victims, particularly via online scams. Of particular concern is that women, children and people with disabilities continue to be disproportionately affected.

To respond effectively in this evolving landscape, we need to be agile enough to confront unexpected challenges and be able to anticipate emerging risks. We need to work creatively together to counter those risks.



H.E. Retno L.P. Marsudi,
Indonesian Minister for Foreign Affairs

In February, we were pleased to co-chair the Eighth Bali Process Ministerial Conference and Third Government and Business Forum in Adelaide, Australia. The collective energy at the Conference, commitment to utilising the Bali Process and determination to achieve outcomes was clear. We thank those that attended and for taking part in frank exchanges on these critical issues.

We are pleased to present this publication to mark the 20th anniversary of the Bali Process. In doing so, we acknowledge the important work that has already been done and offer our profound thanks to all those who have participated in it.

We look forward to the Bali Process continuing to make a vital contribution to international cooperation in the years ahead.

Introduction

Bali Process Senior Official Co-Chairs

As the Senior Official Co-Chairs of the Bali Process, we work with members to strengthen cooperation in addressing People Smuggling, Trafficking in Persons and Related Transnational Crime in the region.

These crimes strike at the heart of human dignity and affect some of the most vulnerable sections of society. We are committed to doing what we can to ensure that the Bali Process makes an effective contribution to tackling those crimes.

As this publication shows, the Bali Process has evolved considerably since it was founded in 2002.

The level of cooperation has deepened and the range of issues addressed has expanded, in recognition of the multidimensional nature of the problem being confronted. A range of technical working groups have been established, and meet regularly, to allow officials and other experts to share information, ideas and “best-practice” policy guidance. Since 2012, ongoing assistance for this work has been provided by the Regional Support Office, based in Bangkok.



Ms Lynn Bell,
Ambassador to Counter Modern Slavery,
People Smuggling and Human Trafficking

A further aspect of this evolution has been the growing cooperation with international organisations, business, civil society and others. Four organisations – the ILO, IOM, UNHCR and UNODC – are now members of the Bali Process, and a further seven are observers. And since 2017, the Government and Business Forum (GABF) has provided a vital avenue for governments and business to work together. Beyond this, the Bali Process has developed productive relationships with a range of other forums, including ASEAN and APEC. This wide range of perspectives has brought additional strength to our work.

The chapters which follow also outline some of the crises in the region that the Bali Process has responded to. One example was the Andaman Sea crisis in 2015, which saw an escalation of irregular, and highly dangerous, maritime migration being attempted in the region. It led to the Bali Process establishing a Consultative Mechanism authorising the Co-Chairs to convene talks among affected countries in response to emergency irregular migration.



H.E. Tri Tharyat,
Director General for Multilateral Cooperation

A further example was the COVID-19 pandemic. Throughout the pandemic, the work of the working groups, RSO and GABF continued via virtual platforms.

To remain relevant, the Bali Process will need to continue to evolve in the years ahead. The final chapter of this publication draws attention to the future areas of priority as agreed by Ministers at the eighth Ministerial Conference in February 2023. Among a range of important priorities, it highlights the need to address the alarming growth in online scams being perpetrated by smugglers and traffickers and the ongoing risk to safety of life at sea.

We thank Bali Process members, observers, civil society and business for their active engagement over the last two decades. We look forward to continuing our cooperation in the years ahead.

Bali Process Senior Official Co-Chairs Manton and Tharyat at 17th Steering Group Senior Officials Meeting, Bali, Indonesia, 5-6 December 2022

The Bali Process will need to continue to **evolve** in the years ahead.

Bali, Indonesia

CO-CHAIR
AUSTRALIA

CO-CHAIR
INDONESIA

Members of the Bali Process

Membership of the Bali Process traverses the Middle East, South Asia, Southeast Asia, East Asia, the Pacific and North America, and International Organisations.



Afghanistan



Australia



Bangladesh



Bhutan



India



Indonesia



Iran



Iraq



Mongolia



Myanmar



Nauru



Nepal



Singapore



Solomon Islands



Sri Lanka



Syria



Viet Nam



IOM



ILO



Brunei Darussalam



Cambodia



China



DPR Korea



Fiji



France



Hong Kong SAR



Japan



Jordan



Kiribati



Lao People's
Democratic Republic



Macau SAR



Malaysia



Maldives



New Zealand



Pakistan



Palau



Papua New Guinea



Philippines



Rep. of Korea



Samoa



Thailand



Timor-Leste



Tonga



Türkiye



UAE



USA



Vanuatu



UNHCR



UNODC

Observer States of the Bali Process



Austria



Belgium



Canada



Denmark

European
Commission

Finland



Germany



Italy



Netherlands



Norway



Poland



Romania

Russian
Federation

South Africa



Spain



Sweden



Switzerland



United Kingdom

Observer Organisations of the Bali Process



Asian Development Bank



APC Migration



International Centre for
Migration Policy Development



ICRC

International Committee
of the Red Cross



Intergovernmental
Consultations on Migration,
Asylum and Refugees



The International Federation
of Red Cross and Red
Crescent Societies



INTERPOL

INTERPOL

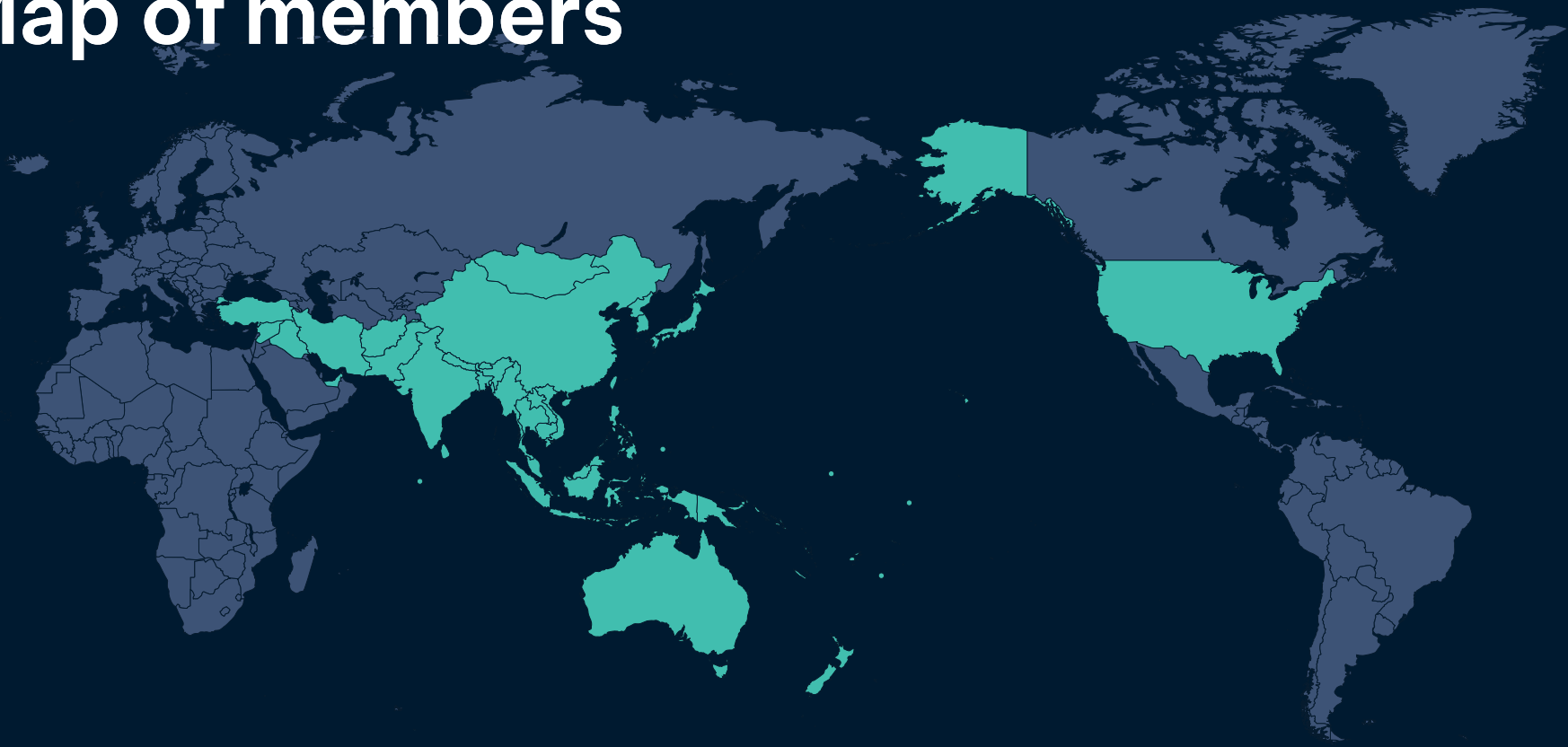


United Nations Development
Programme



The World Bank

Map of members



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

What the Bali Process *Does*

The Bali Process is a forum for policy dialogue, information sharing and capacity building – to help member governments combat people smuggling, trafficking in persons and related transnational crime. As the permanent Co-Chairs, Australia and Indonesia are committed to working together, and with all Bali Process members, to strengthen regional approaches to these issues.

Strategic guidance for this work is provided by Ministers from member countries, who typically meet every 2–3 years. These Ministerial Conferences also perform the important role of drawing public attention to the crimes of smuggling and trafficking.

Beyond these Ministerial exchanges, the Bali Process brings together officials from its 49 members, as well as outside experts, to share their experiences of what works and what doesn't. It provides a forum for sharing information and good practice. Through the Regional Support Office (RSO), the Bali Process provides training, especially in technical areas. It produces “best practice” guides, which officials can draw on as needed in the field. These guides cover topics such as how to criminalise smuggling and trafficking, how to use information campaigns to combat these crimes, how to identify trafficking victims, how to interview child victims, how to follow the money in trafficking cases and how to tackle exploitation in supply chains.

The Bali Process performs these roles chiefly through meetings of its senior officials and through its four working groups:

- 1 The Working Group on the Disruption of People Smuggling and Trafficking in Persons shares information on concrete actions that can disrupt criminal networks involved in these crimes. It brings together officials responsible for national security, law enforcement and border control.
- 2 The Working Group on Trafficking in Persons aims to achieve more effective and coordinated legal responses to trafficking. It brings together a wide network of experts, in recognition of the multiple dimensions of the problem.
- 3 The Technical Experts Group on Returns and Reintegration focuses on how best to return to their country of origin people found not to be owed protection in another country, and how to reintegrate these people once they return.
- 4 The Task Force on Planning and Preparedness develops the capacity of officials to detect the early warning signs of a large flow of irregular migrants and their capacity to plan and co-ordinate a response. It brings together officials responsible for detection, search and rescue; disembarkation and provision of support; identification and registration systems; and emergency assistance. Its meetings often include scenario-based exercises to make the exchanges and training as realistic as possible.

To help with this work, members receive technical support from the RSO in Bangkok. The RSO is the only mechanism of its kind in the region. It brings together policy knowledge, technical expertise and operational experience to help develop practical initiatives that support the aims of the Bali Process.

History of the Bali Process

2002

The First meeting of the Bali Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime was held in Bali in February 2002.

2003

The Second Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime, now known as the “Bali Process”, was held in April 2003. Ministers received reports from the two Ad Hoc expert working groups created by the 2002 meeting and agreed that the Bali Process should continue.

2004

Bali Process Senior Officials, meeting in June 2004 in Brisbane, agreed that the work initiated by Ministers in 2002 through the Ad Hoc expert working groups was largely complete and that the Bali Process should continue in a more stream-lined manner.

2009

The Third Bali Process Regional Ministerial Conference was held in February in Bali. Ministers established a standing Ad Hoc Group of Senior Officials to take forward the work of the Bali process with a new, more flexible and ongoing mandate.

The new Ad Hoc Group of Senior Officials met twice in 2009.

The Bali Process Regional Immigration Liaison Officer Network (RILON) was established in 2009.

2010

The third meeting of the Ad Hoc Group Senior Officials was held in Bali in June 2010.

The first meeting of the Technical Experts Working Group on Irregular Movement by Air was held in Colombo in March 2010.

2011

The Fourth Bali Process Regional Ministerial Conference was held in Bali in March. Ministers agreed that a Regional Cooperative Framework should be developed.

The Ad Hoc Group of Senior Officials met in March and October and agreed to establish the RSO to operationalise the Regional Cooperative Framework.

2012

The Sixth meeting of the Ad Hoc Group of Senior Officials was held in Bali in June.

The Bangkok-based RSO was established in 2012.

2013

The Fifth Bali Process Regional Ministerial Conference was held in Bali in April and the Seventh meeting of the Ad Hoc Group of Senior Officials was held in Sydney in March.

2014

The Eighth meeting of the Ad Hoc Group of Senior Officials was held Canberra in August. Officials developed the Bali Process Strategy for Cooperation: 2014 and beyond.

2015

The Ninth meeting of the Ad Hoc Group of Senior Officials was held in Wellington in May.

The First meeting of the Working Group on the Disruption of People Smuggling and Trafficking in Persons and the First meeting of the Working Group on Trafficking in Persons were both held in May 2015.

Event – The Andaman Sea crisis occurred in May 2015.

Timeline 2002-2023

2016

The Sixth Bali Process Regional Ministerial Conference was held in Bali in March. The Ad Hoc Group of Senior Officials held its Tenth meeting in Bangkok in February and its Eleventh meeting in Colombo in November.

2017

The Twelfth meeting of the Ad Hoc Group of Senior Officials was held in Kuala Lumpur in October. Officials established the Task Force on Planning and Preparedness and updated and refined the Bali Process Strategy for Cooperation, acknowledging that the Strategy should be considered a “living document”.

The inaugural meeting of the Bali Process Government and Business Forum was held in Perth in August, chaired jointly by Andrew Forrest, founder and chairman of Fortescue Metals Group and founder of the Walk Free Foundation, and Eddy Sariaatmadja, founder of media group Emtek.

The First meeting of the Bali Process Taskforce on Planning and Preparedness was held in Bangkok in January.

2018

The Seventh Bali Process Regional Ministerial Conference was held in Bali in August. The Ad Hoc Group of Senior Officials held its Thirteenth meeting in Sydney in June.

The Second Bali Process Government and Business Forum was held in Bali in August.

The First meeting of Bali Process Technical Experts Group on Returns and Reintegration was held in April in Manila.

2019

The Ad Hoc Group of Senior Officials held its Fourteenth meeting in Vietnam in July.

2020

The Ad Hoc Group of Senior Officials met virtually in October – the first virtual meeting for the Bali Process.

Event – COVID-19 declared a pandemic in March 2020.

2022

A Foreign Ministers’ Meeting of the Steering Group was held in February 2022.

The Ad Hoc Group of Senior Officials held its Sixteenth meeting in Indonesia in December.

2023

The Eighth Bali Process Ministerial Conference and Third Government and Business Forum were held in Adelaide, Australia in February.

Establishing the Bali Process

In February 2002, the Governments of Australia and Indonesia co-chaired a regional Ministerial Conference in Bali, Indonesia to discuss the rising scale and complexity of irregular migration in the region.

This **First Ministerial Conference** was to become known as the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime.

38 states attended the meeting, including Afghanistan, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, China, Democratic People's Republic of Korea, Fiji, France (New Caledonia), India, Iran, Japan, Kiribati, Laos, Malaysia, Mongolia, Myanmar, Nauru, Nepal, New Zealand, Pakistan, Palau, Papua New Guinea, Philippines, Republic of Korea, Samoa, Singapore, Solomon Islands, Sri Lanka, Syria, Thailand, Türkiye, Timor-Leste, Vanuatu and Viet Nam; as well as two international organisations: the International Organization for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR).



The first ministerial meeting of the Bali Process on 26–28 February 2002 in Bali, Indonesia



Ministers acknowledged that irregular migration was creating significant political, economic, social and security challenges in the region. They agreed that it was of concern that many of the smuggling and trafficking activities were being orchestrated by criminal networks engaged in other transnational crimes.

The Bali Process established itself as a non-binding and voluntary forum with two principal objectives:

- 1 To raise awareness of, and**
- 2 To develop greater cooperation among regional countries to combat people smuggling and trafficking in persons.**

With that in mind, Ministers established two Ad Hoc Experts Groups to be coordinated by the Governments of New Zealand and Thailand respectively. The groups had separate mandates, with Group 1 established to promote regional and international cooperation and Group 2 to strengthen policy making, legislative practices and law enforcement.

Members' shared commitment to regional cooperation to combat people smuggling and trafficking in persons continues to drive the work of the Bali Process today.

Developments from 2003–2012

In 2003 the **Second Ministerial Conference** reaffirmed the importance of raising awareness of irregular migration. Ministers also reaffirmed that poverty, economic disparity, labour market conditions and conflict were major contributing factors to irregular migration in the region. These elements could not be resolved in isolation; they needed to be addressed by cooperation within the region.

Ministers also noted reports by the two Ad Hoc Experts Groups:

- Group 1 advised that members had compared the domestic structures they used to combat smuggling and trafficking and were developing measures to improve information exchange. Members had also shared ideas on how to increase public awareness of these crimes, how to discourage potential illegal movement and how to facilitate the humane return of unlawful migrants.
- Group 2 reported that model legislation had been drafted to assist governments prepare domestic laws criminalising smuggling and trafficking, in addition to any existing legislation. Members had also strengthened cooperation between their law enforcement agencies and had established measures to improve identity verification.
- Both Groups provided details of their forward work plans, which focused on information sharing and capacity building.



The third meeting of the Technical Experts Working Group on Irregular Movements by Air: 14th–16th November 2011 in Negombo, Sri Lanka.



RSO Co-Managers David Scott (Australia) and Sukmo Yuwono (Indonesia)

At the Third Ministerial Conference in 2009, members agreed that the Bali Process had matured and should move into a new phase of its development. With that in mind, the two Ad Hoc Experts Groups became a unified Ad Hoc Group that would inform future regional cooperation on people smuggling and trafficking in persons.


The Ad Hoc Group's mandate is to develop practical measures to assist countries in mitigating irregular migration, and to enhance information-sharing arrangements among the most affected countries. It remains an important grouping within the Bali Process. It brings together key source, transit and destination countries as well as relevant international organisations. Its membership includes Afghanistan, Australia, Bangladesh, India, Indonesia, Malaysia, Maldives, Myanmar, New Zealand, Pakistan, Philippines, Sri Lanka, Thailand, UAE, USA, Viet Nam, IOM, UNHCR, and the UNODC.

The Bali Process Senior Official Co-Chairs oversee the work of the Ad Hoc Group, in conjunction with the Bali Process Steering Group consisting of Australia, Indonesia, New Zealand, Thailand, IOM and UNHCR.

At the **Fourth Ministerial Conference**, held in 2011, Ministers endorsed an inclusive and non-binding **Regional Cooperation Framework**. They agreed that this framework would provide a more effective way for states to cooperate in addressing irregular migration. They also agreed to incorporate IOM and UNHCR into the Bali Process, thus strengthening the framework.

Under the framework, Member States were encouraged to enter arrangements that:

- 1 Promote human life and dignity
- 2 Seek to build capacity to process mixed migration flows
- 3 Reflect principles of burden sharing and collective responsibility while respecting sovereignty and the national security of concerned States
- 4 Seek to address causes of irregular movement and promote population stabilisation wherever possible
- 5 Promote orderly, legal migration and provide appropriate opportunities for regular migration
- 6 Avoid creating pull factors within the region
- 7 Undermine the people smuggling business model and create disincentives for irregular movement
- 8 Support and promote increased information exchange while respecting confidentiality and upholding the privacy of affected persons.



Repatriated trafficked children on their way home, Cambodia, 2015
@ UN Migration Agency (IOM)



Help translate ambition into ***action***

In 2012, the **RSO** was established to facilitate the implementation of the framework and to support practical cooperation among Bali Process members. It has demonstrated its worth to Members and remains in operation ten years later as the only mechanism of its kind in the Asia Pacific area. Its core objective is to help translate ambition into action. It does this by bringing together policy knowledge, technical expertise and operational experience from Bali Process members and other stakeholders to develop practical initiatives to address people smuggling and trafficking in persons. It also acts as a resource hub and provides logistical, operational and coordination support for Bali Process activities.

Developments from 2013–2019

At the **Fifth Ministerial Conference** in 2013, Ministers welcomed stronger efforts to reduce irregular migration. They urged members to further strengthen the implementation of the Regional Cooperation Framework, including through participation in the RSO.

Ministers also highlighted the value of linking the Bali Process with **other regional and global groupings**. They agreed that the Bali Process would partner with the Jakarta Centre for Law Enforcement Cooperation (JCLEC), in recognition of the fact that law enforcement cooperation and the integrity of border management systems are critical in combating people smugglers and traffickers. Nine years later, this collaboration continues to bring together experts in law enforcement and immigration management to strengthen capabilities.

The Bali Process also developed strong links with other like-minded processes, including ASEAN, Alliance 8.7 and the Budapest Process. This cooperation allows the Bali Process to contribute to a global dialogue, ensuring the sharing of best practice.

Ministers gave particular emphasis to the growing issue of trafficking in persons, including for the purpose of labour exploitation. They agreed on the need for priority attention to this problem, with a focus on prosecuting traffickers and protecting victims. To this end, they established the **Working Group on Trafficking in Persons**. Since 2014, the working group has brought together a network of experts, providing a mechanism for members to share information and examples of best practice, and to draw attention to emerging trends. It has also identified opportunities for international cooperation and capacity building in responding to people trafficking.



Officials workshoping training methods for developing effective information campaigns, Bangkok, Thailand, November 2017

Recognising the critical importance of prevention and prosecution, a further group was established in 2014: the **Working Group on the Disruption of People Smuggling and Trafficking in Persons Networks**. This group remains a forum in which to exchange information about trafficking routes and the methods of transnational organised criminal networks. The group also shares examples of best practice in the successful investigation and prosecution of smugglers and traffickers.

In 2015 the Andaman Sea saw the devastating reality of irregular migration at sea.

The crisis began with the discovery of mass graves on the border of Thailand and Malaysia, containing the remains of smuggled migrants. In response, people smugglers reduced overland travel through Thailand and started using the more dangerous maritime route. Approximately 8,000 people were stranded at sea and some 370 people were believed to have died.

The crisis was a catalysing moment for the region. Governments initiated a series of meetings to discuss their collective responses to the crisis and manage its aftermath. It was against this backdrop that, in 2016, the **Sixth Ministerial Conference** took place.

To *bring together* experts in law enforcement and immigration management to strengthen capabilities.



Rapidly established camp in Aceh province, Indonesia, 2015 @UN Migration Agency (IOM)

Significant **progress** made through working groups, engagement mechanisms and the RSO.

The Conference resulted in the 2016 Bali Declaration on People Smuggling, Trafficking in Persons and Related Transnational Crime. The Declaration acknowledged the growing scale and complexity of irregular migration, both within and outside the Asia Pacific. It promoted measures to improve regional cooperation on mixed migration issues, strengthen protection for victims and counter criminal networks, as well as reducing migrant exploitation through safer, legal and affordable migration pathways.

Ministers also agreed to establish a **Consultation Mechanism** authorising the Bali Process Co-Chairs to convene talks among affected countries in response to emergency irregular migration situations. The purpose of the Consultation Mechanism was to enable a timely exchange among members about developing emergency situations involving people smuggling and trafficking in persons.

The **Task Force on Planning and Preparedness** was created to support the Consultation Mechanism and to provide a vehicle for Bali Process members to respond better to emerging challenges. The Task Force provides a forum in which to develop capacity for cooperation at an operational level through the sharing of good practice, drawing on national, bilateral and regional experience in dealing with mass displacements. The level and background of officials participating varies depending on the issue and can include officials with expertise in, for example: detection, search and rescue; disembarkation and provision of shelter and support; identification, screening and registration; and post-disembarkation emergency assistance.

At their Sixth Ministerial Conference, Ministers also acknowledged the importance of the safe return of persons found not to be entitled to international protection. Consequently, Ministers established the **Technical Experts Group on Returns and Reintegration**. This group would facilitate the sharing of experience among source, transit and destination countries and share best practice relating to the return and reintegration of migrants.

The Sixth Conference also recognised the key role of collaboration with the **private sector** in combatting the crimes addressed by the Bali Process. The **Seventh Ministerial Conference** in 2018 made this a focus of its discussions, with the Government and Business Forum (GABF) being confirmed as a separate but integral track of the Bali Process.

The Seventh Ministerial Conference also reaffirmed the commitments made in the Bali Declaration of 2016 and welcomed the significant progress made through working groups, engagement mechanisms and the RSO in advancing the initiatives outlined in the Declaration.



Officials discussing comprehensive approaches for addressing irregular movement by sea, Bangkok, Thailand, September 2017

Developments from 2020-2022

In addition to its health, economic and social impacts, the COVID-19 pandemic affected the drivers of irregular migration across the Indo-Pacific region. Smugglers, traffickers and other transnational criminal groups were adept at using this changed environment to explore new opportunities.

By using virtual platforms, the Bali Process was able to maintain strong cooperation during the pandemic, for example:

- Core expert groups were able to conduct virtual meetings as needed. This included the Task Force on Planning and Preparedness, where Members compared COVID-19 responses, how best to manage the health of migrants and the relationship between health and immigration authorities. The Technical Experts Group on Returns and Reintegration was also able to meet virtually, as were Bali Process senior officials in various formats.
- The RSO, including in partnership with the Jakarta Centre for Law Enforcement Cooperation, held a series of virtual workshops. These built skills and capacity in a range of areas critical to tackle smuggling and trafficking, as well as more specialised issues such as identifying victims of trafficking, digital forensics in trafficking investigations, enhancing female law enforcement in smuggling and trafficking and addressing corruption at land borders.
- Cooperation continued virtually with non-member forums such as ASEAN, the University of the South Pacific, the Budapest Process and the Office of the High Commissioner for Human Rights.



The Government and Business Forum (GABF) showed particular agility in using virtual platforms to continue to operate during the pandemic. Over the period September 2020 to August 2022 it held five Consultation and Innovation sessions, designed to support the combined efforts of business and governments to combat smuggling and trafficking. The sessions each focused on a different industry, covering the finance, fishing, electronics, garment and shipping sectors. Each attracted over 80 participants across business, government and civil society. Focusing on a single sector at a time allowed participants to more thoroughly examine the issues and how best to address them.

From mid-2022, there was a gradual resumption of in-person consultations. The RSO, for example, marked its tenth anniversary with a forum in Bangkok in October 2022 on the optimal use of technology in border management. And officials from Bali Process member countries met in various formats in the second half of 2022 to prepare the way for the February 2023 Ministerial Conference.

The Bali Process was able to maintain **strong** cooperation during the COVID-19 pandemic.



Meeting of the Technical Experts Working Group, February 2020, Sri Lanka



15th Ad Hoc Group Senior Officials Meeting of the Bali Process convened virtually on 20-21 October 2020.



GABF Business Co-Chairs Dr Andrew Forrest AO (Australia) and Mr Garibaldi Thohir (Indonesia) with Ministers Marsudi and Wong, Third Government and Business Forum, Adelaide, Australia, 9-10 February 2023

Government and Business Forum (*GABF*)

The Sixth Ministerial Conference in 2016 recognised the key role of the private sector in combating human trafficking, forced labour and related exploitation – crimes affecting every country and economic sector.

Ministers recognised the need to engage with private enterprise in a productive partnership. Such a partnership would expand opportunities for legitimate labour migration, while at the same time combatting human trafficking and related exploitation.

In 2017 the Government and Business Forum (GABF) was established to promote collaboration between government and business on these issues. At the Seventh Ministerial Conference in 2018, Ministers confirmed the Forum as an additional element of the Bali Process. It was noted that the Forum was the first of its kind in the Bali Process region.

The Forum is co-chaired by the Foreign Ministers of Australia and Indonesia and the Business Co-Chairs. At present, the Business Co-Chairs are Andrew Forrest (Australia) and Garibaldi Thohir (Indonesia).

Establishing the Forum recognised the importance of cooperation between government and business to combat modern slavery – specifically forced labour, human trafficking and the worst forms of child labour. At the 2018 meeting of the Forum, Ministers and business leaders agreed on a comprehensive set of recommendations on a collaborative framework for business and government. The *Acknowledge, Act and Advance Recommendations* (AAA Recommendations) was the first major policy document agreed between the private and public sector to tackle issues of human trafficking, forced labour and modern slavery in the region.

The GABF pursues innovative approaches to its work. As noted in the previous section it often focuses on specific business sectors, to allow for a more in-depth discussion of issues, and uses a variety of online platforms to allow participation by as wide an audience as possible. This allowed it to continue to function very effectively during the COVID-19 pandemic.

To **tackle** issues of human trafficking, forced labour and modern slavery in the region.

“We must contribute to global efforts towards combatting human trafficking, forced labor, and modern slavery practices. We must support the government’s efforts to create legitimate job opportunities, and raise awareness about labors’ rights. As a business leader, we have initiated efforts to improve the labor standard, and will continuously develop initiative to combat labor exploitation. Together, we can and we will.”

Indonesia’s GABF Business Co-Chair,
Mr Garibaldi Thohir

“There are 50 million people in modern slavery today, with more than half in the Asia Pacific region. No business or government can eradicate modern slavery acting alone. We need innovation and collaboration to end this serious human rights abuse. That is why the Bali Process Government and Business Forum was established, to bring together government and business leaders to strengthen laws, promote ethical and transparent supply chains and ultimately protect workers from this horrific crime. As Business Co-Chair, I am honoured to be joined by so many influential government and business leaders who are committed to ending forced labour across the region.”

Australia’s GABF Business Co-Chair,
Dr Andrew Forrest



First Bali Process Government and Business Forum, Perth, Australia, 24-25 August 2017



The Bali Process *and* the IOM

Of all the international organisations the Bali Process works with, the International Organization for Migration (IOM) plays a particularly important role.

The IOM supports the Bali Process by providing technical expertise to the various working groups during their annual meetings and in the implementation of their work plans. It also hosts the RSO in Bangkok and supports its administration.

In addition, the IOM implements local, regional and national projects of the Bali Process. These initiatives cover things such as capacity-building activities, migrant protection services, engagement with the private sector, production of guidelines, toolkits and research and thereby contribute to the implementation of Bali Process recommendations.

The IOM country office in Australia supports coordination processes by providing technical secretariat functions. This includes facilitating the registration and attendance of the representatives of members and observers at Bali Process events.





Future of the Bali Process

Despite the Bali Process achieving a more focused and coordinated approach to people smuggling and trafficking in the region, these crimes remain a serious problem. The work of the Bali Process remains as important as ever.

Despite the Bali Process achieving a more focused and coordinated approach to people smuggling and trafficking in the region, these crimes remain a serious problem. The work of the Bali Process remains as important as ever.

The **Eighth Ministerial Conference**, held in Adelaide in February 2023, set out a future-focused approach to addressing changing patterns of people smuggling, trafficking in persons and related transnational crime in the region. Ministers committed to implement the 2023 **Adelaide Strategy for Cooperation**, which outlines priorities for cooperation through the Bali Process in eight areas, reflecting the current challenges faced by members:

The work of the Bali Process remains as ***important*** as ever.

- 1 Law enforcement
- 2 Stakeholder engagement
- 3 Information sharing and public information campaigns
- 4 Irregular migration and related transnational crime
- 5 Border management
- 6 Victim protection and migration management
- 7 Returns and reintegration
- 8 Coordination and support



Participants at the 8th Bali Process Ministerial Conference, Adelaide, Australia, 10 February 2023

Highlights of the Adelaide Strategy for Cooperation include commitments to combat the trafficking of people into online scam operations and address the multifaceted impacts of technology on irregular migration. This includes engaging with digital industry, equipping Bali Process members with the tools – such as digital forensics capacity – to fight technology facilitated smuggling and trafficking in persons, and organising collaboration between anti-trafficking and cyber-crime units.

The Strategy commits Bali Process members to strengthen collective efforts with the private sector through the GABF to combat trafficking in persons, modern slavery and the worst forms of child labour, and

to strengthen engagement with civil society to improve responses to people smuggling, trafficking in persons and related transnational crime, including to support and protect victims and help identify and prosecute perpetrators. Members also agreed to cooperate to improve sustainability and durability of returns.

On border management, Members committed to promote effective frontline responses to irregular migration through the continued delivery of targeted Bali Process guides and tools and training for operational and policy officers. They agreed to continue activities to build preparedness, such as multidisciplinary table-top and planning exercises, and to continue to engage on emergency irregular migration situations through

the Consultation Mechanism. They also recognised the need for research, policy dialogue and practical cooperation on emerging issues, and to enhance members' understanding of the impact of natural and humanitarian disasters on irregular migration.

Importantly, the Adelaide Strategy for Cooperation identifies that public engagement is a critical component of future efforts to prevent people smuggling, trafficking in persons and related transnational crime. It commits members to work together to raise public awareness of the risks of irregular migration and promote safe and legal migration.



To enhance members' ***understanding*** of the impact of natural and humanitarian disasters on irregular migration.

Ministerial Co-Chair, Ibu Retno Marsudi, Minister for Foreign Affairs, Indonesia, addressing the Bali Process Ministerial Conference, 10 February 2023



The Bali Process

on People Smuggling, Trafficking in Persons and Related Transnational Crime

Ministerial Co-Chair, Senator the Hon Penny Wong, Minister for Foreign Affairs, Australia, addressing the Bali Process Ministerial Conference, 10 February 2023

ed Transnational Crime



The Bali Process needs to remain agile in order to support members to respond to changing patterns of people smuggling, trafficking in persons and related transnational crime in our region.

Co-Chairs Statement

Eighth Ministerial Conference, Adelaide, Australia,
10 February 2023

1

The Eighth Ministerial Conference and Third Government and Business Forum of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process) co-chaired by the Foreign Ministers of Indonesia and Australia were held in Adelaide, Australia, 10 February 2023. The meetings reviewed developments in the Bali Process region, and agreed priorities to address emerging challenges in relation to people smuggling and human trafficking.

2

The Ministerial Conference reaffirmed the mandate of the Bali Process and marked the occasion of its 20th anniversary year. Ministers confirmed the enduring importance of the Bali Process as a voluntary, inclusive and non-binding forum for policy dialogue, information sharing and capacity building, to promote and facilitate regional consensus and collaboration to strengthen the collective capacity to address challenges within its mandate. The Conference provided an opportunity for Ministers and their representatives (herein referred to as 'Ministers') to review developments since the Seventh Ministerial Conference and reaffirm the commitments of the 2016 and 2018 Ministerial Declarations and Co-Chairs' Statements. It also marked the 10th anniversary of the Regional Cooperation Framework, which resulted in the establishment of the Regional Support Office. Ministers expressed their appreciation for the efforts committed by all since the last Conference. Ministers also commended the engagement of Bali Process members with the Regional Support Office and encouraged ongoing support to deliver the forward plan.

3

Ministers acknowledged that regional and global developments that heighten risks for regional security and stability, including the ongoing impacts of the COVID-19 pandemic, conflict, the use and misuse of technology, including trafficking in persons into online scams, natural and humanitarian, including climate-related, disasters, have exacerbated irregular migration concerns for Bali Process members. They expressed particular concern that women, children and persons with disabilities, continue to be disproportionately affected.

- 4 Ministers acknowledged the increase in dangerous irregular migration movements, through land, water, and air by displaced populations, and the challenges for the region to address these issues. Ministers recognised the need to prevent, disrupt, and prosecute the criminal syndicates involved in the trafficking in persons in this context. They also recognised the efforts of members hosting displaced populations. They acknowledged members' significant efforts to rescue and support victims of trafficking and criminal exploitation based on humanitarian considerations.
- 5 Ministers recognised that strong, clear public messaging is essential to promote safe migration pathways and prevent loss of life at sea. Ministerial Co-Chairs asked the Regional Support Office to work with affected states and deliver a public messaging workshop to strengthen members' strategic messaging capacities and to support coherent and coordinated delivery of public messaging, as well as to enhance coordination among law enforcement authorities to prevent, disrupt, and prosecute the criminal networks.
- 6 Ministers expressed deep concern at the scale of online scam operations by criminal syndicates which have become a significant driver of human trafficking in the region. They emphasised the need to address increasing incidents of people being trafficked to work in online scam operations as an issue of priority.
- 7 Ministers also expressed grave concern at the loss of life and exploitation of persons by people smugglers, human traffickers and other criminal networks. Ministers acknowledged that responses must be comprehensive and integrated, while accommodating the specific circumstances faced by individual member countries and the vulnerabilities of victims.

- 8 Ministers welcomed progress in Bali Process cooperation and capacity building since the Seventh Ministerial Conference, including the significant progress towards the implementation of the 2018 'Strategy for Cooperation'. Through its working groups, other engagement mechanisms and the Regional Support Office, the Bali Process has promoted information exchange, shared good practices, built capacity, and facilitated joint actions to uncover and disrupt criminal networks and protect victims of trafficking and exploitation.
- 9 Ministers commended Members' efforts to continue Bali Process engagements during the pandemic in a virtual format. Ministers acknowledged the value of maintaining flexible arrangements for Bali Process meetings moving forward, while noting the value of in-person meetings for strengthening informal links between Bali Process members.
- 10 Ministers endorsed the working groups' efforts to address challenges and trends, emerging as a result of the pandemic and the sharing of lessons learned on dignified, safe, and sustainable returns and reintegration of migrants to home countries. Ministers acknowledged the importance of the Bali Process in following regional developments and fostering cooperation between members to prevent and respond to relevant, emerging issues. Ministers welcomed strengthened collaboration with business and civil society, as well as with regional organisations, including ASEAN, and relevant consultation initiatives.
- 11 Ministers and business leaders commended the progress already made by the GABF to combat trafficking in persons, forced labour, modern slavery, and the worst forms of child labour through implementing the priorities of the 'Acknowledge. Act. Advance.' (AAA) Recommendations.

12

Ministers and business leaders noted the critical role that public-private sector partnerships will play in addressing the increasing online job scam situation and encouraged members and business leaders to identify and find practical ways that technology businesses in particular can prevent and disrupt these crimes.

13

Ministers and business leaders welcomed further engagement between the working groups of the Bali Process with the GABF to promote greater supply chain transparency, ethical recruitment, protection for victims and survivors and access to redress mechanisms.

14

Co-Chair Ministers, mindful of discussions under the GABF, are committed to undertake closer collaboration with the Business Co-Chairs and invite the Business Co-Chairs to develop tangible recommendations and concrete goals and outcomes.

15

Ministers reaffirmed the need for a future-focused approach to changing patterns of people smuggling, human trafficking and related transnational crime in the Bali Process region. They committed to:

- a.** Implement an updated 2023 Adelaide Strategy for Cooperation that reflects the current challenges faced by Bali Process members;
- b.** Enhance the capabilities of law enforcement authorities to leverage technology to combat people smuggling, human trafficking, and related transnational crimes;
- c.** Promote safe and legal migration for sustainable long-term impact and raise public awareness of the risks of irregular migration, including online scams and their connection to human trafficking;
- d.** Task the Senior Officials to strengthen cooperation through facilitation of policy dialogue, information-sharing, and capacity building, including to respond the current challenges of trafficking into online scam operations, and further ask the Regional Support Office to conduct study and develop concrete recommendations;
- e.** Advance voluntary, sustainable and dignified returns and address challenges associated with the mass return of irregular migrants, the repatriation of victims of trafficking, and the drivers of re-migration;
- f.** Continue collaboration with the private sector, with particular emphasis on digital technology.

- 16 Ministers agreed to remain seized of the matter of the recent irregular maritime movements in the Andaman Sea. In this regard, Co-Chair Ministers tasked the Senior Officials Co-Chairs to reactivate the Consultation Mechanism in response to this matter, to explore options for Bali Process engagement and support.
- 17 Ministers reaffirmed the importance of promoting the work of the Bali Process and providing access to key information and available resources for members and the public. In this regard, they welcomed the ongoing efforts to refresh the Bali Process and Regional Support Office websites.
- 18 Attending the meeting were representatives from Australia, Indonesia, Bangladesh, Bhutan, Brunei, Cambodia, China, Fiji, France, Hong Kong, Iraq, Japan, Jordan, Kiribati, Laos, Malaysia, Maldives, Mongolia, Nauru, Nepal, New Zealand, Palau, Papua New Guinea, Philippines, Republic of Korea, Samoa, Singapore, Solomon Islands, Sri Lanka, Thailand, Timor Leste, Tonga, Türkiye, United Arab Emirates, United States of America, Viet Nam, ILO, IOM, UNHCR and UNODC.
- 19 Also attending were representatives from the following observers Canada, Finland, Germany, Italy, Russia, International Federation of the Red Cross and Interpol.
- 20 Appreciation was expressed to Australia for hosting the meetings, the Business Co-Chairs, Walk Free Foundation and Adaro for their contribution to the Government and Business Forum, and for technical contributions by IOM, UNHCR and UNODC across the range of Bali Process activities, and for administrative support provided by IOM.

2023 Adelaide Strategy for Cooperation

Eighth Ministerial Conference,
Adelaide, 10 February 2023

At the 8th Bali Process Ministerial Conference on 10 February 2023, recalling and reaffirming the principles and direction set out in the 2016 and 2018 Ministerial Declarations and Co-Chairs Statements, and recognising enduring priorities from 2018 Strategy for Cooperation, as well as new priorities for cooperation, Ministers endorsed an updated 2023 Adelaide Strategy for Cooperation, designed to reinvigorate an agile, relevant, and responsive Bali Process beyond 20 years since its establishment.

This 2023 Adelaide Strategy for Cooperation includes activities conducted by Bali Process working groups, other engagement mechanisms, and the Regional Support Office (RSO), focused on eight areas of cooperation.

The eight areas of cooperation are:

- 1 **Law enforcement**
- 2 **Stakeholder engagement**
- 3 **Information sharing and public information campaigns**
- 4 **Irregular Migration and Related Transnational Crime**
- 5 **Border Management**
- 6 **Victim Protection and Migration Management**
- 7 **Returns and Reintegration**
- 8 **Coordination and support**

This list of activities under the eight areas of cooperation in this document is not intended to be exhaustive.

Ministers further call for collective efforts and support from Bali Process Member States, International Organizations, and Relevant Institutions on the implementation of the Strategy to combat people smuggling, trafficking in persons and related transnational crime.

1 Law enforcement

1. Promote and strengthen capacity to deliver coordinated, comprehensive approaches to detecting, preventing, investigating and prosecuting people smuggling, trafficking in persons, and related transnational crime, including the emerging online scam operations.
2. Strengthen law enforcement responses to technology-facilitated people smuggling, trafficking in persons and related transnational crime, including: building digital forensics capacity, such as investigation and evidence gathering, strengthening collaboration between specialised anti-trafficking and cyber-crime units; and furthering understanding of how to adapt existing policy and legislative frameworks.
3. Conduct capacity building to improve the capabilities of the officers of members' relevant national mechanism on the timely identification of, and assistance to, victims of trafficking in persons.
4. Pursue information-sharing, coordinated action and joint operations, and foster closer cooperation among members to disrupt and dismantle people smuggling and human trafficking networks.

2

Stakeholder engagement

5. Strengthen collaboration with regional organisations, including ASEAN, and relevant consultation initiatives, to foster cooperation and policy dialogue, and enhance regional coordination on training and capacity building with relevant institutions, including the Jakarta Centre for Law Enforcement Cooperation.
6. Through the Government and Business Forum (GABF), strengthen government engagement and collective efforts with the private sector to combat trafficking in persons for the purposes of forced labour, modern slavery, and the worst forms of child labour, including promotion of supply chain transparency, ethical recruitment and worker protection and redress.
7. Strengthen engagement with civil society and other relevant organisations to improve national and regional responses to people smuggling, trafficking in persons and related transnational crime, including to foster collaboration in supporting and protecting victims, and to help identify and prosecute perpetrators.
8. Strengthen engagement with technology platforms and related organisations, and encourage technological innovations and partnerships, to reduce trafficking risks in online spaces and strengthen communication among platforms, policymakers and law enforcement.

3

Information sharing and public information campaigns

- 9. Support members to develop and implement effective public information campaigns, raise public awareness and promote digital literacy, including among youth, to reduce irregular migration and promote safe and legal migration.
- 10. Facilitate information-sharing and collaboration among policy and operational officials, including through thematic dialogues and workshops.

4

Irregular Migration and Related Transnational Crime

- 11. Engage on emergency irregular migration situations through the Consultation Mechanism and Senior official Co-Chairs' Good Offices outreach.
- 12. Conduct research, policy dialogue and practical cooperation within the Bali Process mandate on emerging issues, including trafficking into online scam operations, and enhance Members' understanding of the impact of natural and humanitarian disasters on irregular migration.
- 13. Continue activities to build preparedness to respond to irregular migration, including changing patterns and trends, such as multi-disciplinary table-top and planning exercises.
- 14. As part of efforts to combat people smuggling, trafficking in persons, and related transnational crimes, continue work with relevant mechanisms on anti-corruption initiatives.

5

Border Management

- 15. Continue to update and develop guides, tools and training for operational and policy officers to promote effective frontline response to irregular migration, including resources and training on technology as a facilitator of, and tool to combat, people smuggling and trafficking in persons.
- 16. Continue to support the responsible use of biometrics for identity integrity in immigration, in cooperation and collaboration with national authorities/mechanisms, as appropriate.

6

Victim Protection and Migration Management

- 17. Promote victim-centred approaches, and support comprehensive solutions, to the relevant management of people smuggling and trafficking in persons.
- 18. Increase awareness of available assistance and support for persons in need of protection, in particular women and children.
- 19. Support the further implementation of Bali Process initiatives on civil registration and collection of vital statistics.

7 Returns and Reintegration

20. Support Members to explore, develop, and strengthen policies and procedures on returns and reintegration, including in relation to access to services and livelihoods, the preparedness of labour markets, and, where relevant, the protection of vulnerable returnees, in order to improve sustainability and durability of returns.
21. Collaborate across Working Groups to better understand the relationship between returns, victim protection, and the investigation and prosecution of perpetrators of people smuggling, trafficking in persons, and related transnational crime.

8 Coordination and support

22. Continue to harness the Regional Support Office (RSO) as a focal point to provide support to build member capacity across the Bali Process mandate and areas of focus.
23. Enhance internal and external communication, including launch of refreshed websites, RSO social media strategy, and online resources.
24. Strengthen consultation and collaboration across Working Groups on the inter-related issues of irregular migration, in order to streamline and enhance the effectiveness of the Bali Process.
25. Members to consider supporting the RSO through voluntary funding, or seconding officers to the RSO to undertake projects.

Individual *Perspectives* of Some Bali Process Members



Malaysia

As a founding member of the Bali Process, the fight against people smuggling and human trafficking has always been high on the agenda for Malaysia. Since 2002, the Malaysian Government has partnered with regional and international bodies to support the Bali Process, including by hosting meetings and workshops for fellow Bali Process member states. Malaysia also actively participates in numerous Bali Process programs, including the Task Force on Planning and Preparedness, the Technical Experts Group on Returns and Reintegration, and the Working Group on the Disruption of People Smuggling and Trafficking in Persons Networks. Malaysia remains fully committed to implementing action item 3 of the Working Group on Trafficking in Persons Forward Work Plan: 2021–2023, related to capacity building of Bali Process Members to respond effectively to human trafficking and related forms of exploitation, in line with international standards.

Additionally, at the ASEAN level, Malaysia has also taken on the important role of Voluntary Lead Shepherd for People Smuggling. In this capacity, Malaysia has organized several regional level meetings and was instrumental in the development of the ASEAN SOMTC Work Programme to Combat People Smuggling 2022–2024.



Cambodia

Cambodia has been part of the Bali Process since its inception and was the first country to develop national guidelines on victim identification. Based on the Bali Process Strategic Plan, bilateral and multi-lateral collaboration to fight human trafficking in and among countries in the region has been strengthened. The Strategic Plan has supported Cambodia in the development of formalised mechanisms to counter human trafficking, including bilateral memoranda of understanding, regional agreements and standard operating procedures. The Bali Process has also initiated better connections by having regular meetings among member governments and the business sector to build effective preventive measures within the production chain.

Through the Bali process, Cambodia has had the chance to exchange its experiences and lessons learnt with other member countries, with a view to driving effective responses. Victims' rights are well protected, and more and more perpetrators are being found and punished because of the collaboration between individual authorities. However, transnational organized crime is constantly evolving, by combining with information technology which is used by perpetrators and places our region at greater risk of trafficking crime. Therefore we urge strong leadership and mechanisms, along with stronger collaboration and commitment among country members to strengthen our capacity in fighting such crimes, to thereby establish a peaceful region free from damage by criminals. Cambodia reaffirms its strong commitment and political will in joining with other countries in a robust effort to combat trafficking in persons in order to protect our people.



Japan

Japan congratulates the Bali Process (BP) on its 20th anniversary for its role as a non-binding multilateral forum to facilitate policy dialogue, cooperation and information sharing in Asia and the Pacific Region. Japan has been a consistent member since its inception in 2002.

Irregular migration, trafficking in persons and people smuggling remain prevalent in the region and beyond, violating human rights and human dignity, undermining sustainable development, peace and prosperity.

Japan extends its sincere appreciation to Australia and Indonesia as Co-Chairs of the Bali Process for their leadership and tireless efforts in maintaining the momentum to collectively address these transnational organized crimes. Japan has been working closely with various partners in tackling this challenge, including IOM, UNODC, ASEAN and other member governments, through funding numerous projects and hosting workshops.

Moreover, Japan's annual financial contributions to the Bali Process website since 2004 has been instrumental in the maintenance of this digital platform as a key point of reference for member governments and advancing the objectives of the Bali Process. Japan reaffirms its wholehearted support for the Bali Process and remains committed to our common purpose of fighting these transnational organized crimes.



Thailand

Irregular migration has long been a common challenge in the Asia Pacific region. Given its transnational element, no country can tackle it alone and international cooperation is indispensable.

As a country of origin, transit and destination of migrants, Thailand fully appreciates the instrumental role played by the Bali Process in forging regional cooperation to address people smuggling, trafficking in persons and other related transnational crimes, engendering not only high-level policy commitment but also numerous concrete and action-oriented activities.

Thailand has been a member of the Bali Process since its inception 20 years ago and has been actively participating, principally through its membership of the Steering Group and the Ad Hoc Group as well as by serving as the host country for the RSO. Our agencies have also benefitted extensively from the pool of knowledge and expertise, capacity building, information sharing and networking opportunities provided by the Bali Process and the RSO.

As the trend of migration in the region keeps evolving, we remain committed to working closely with the Co-Chairs and other Members to enable the Bali Process to effectively deal with emerging issues and challenges and better protect victims of all forms of irregular migration.



Maldives

Since 2002, the Bali Process has made exceptional strides in enhancing regional awareness, cooperation and collective response in the areas of People Smuggling, Trafficking in Persons and Related Transnational Crime. As such, the Bali Process has an exceptional level of experience in providing key insights to Member-States and has an innovative platform for Member-States to effectively counter irregular migration.

In this regard, reflecting upon the continuous support the Maldives has received from the Bali Process thus far, it is greatly appreciated by relevant stakeholders such as the Maldives Judiciary, Maldives Immigration, Maldives Police Service, Ministry of Economic Development and the Anti-Trafficking in Persons Office. This has included technical support extended by the Bali Process/RSO in the formulation of a law criminalizing Trafficking in Persons in the Maldives.

Furthermore, the numerous capacity building opportunities extended by the Bali Process in countering irregular migration has enabled Maldives Immigration to establish a stronger network in the region to effectively counter other transnational crimes such as illegal border crossing and other fraudulent practices, leading to further strengthening border security of the Maldives.

We extend our sincere appreciation and gratitude to the Bali Process for the constant support provided in various aspects to the Government of Maldives in our efforts to enhance policies and measures in place to collectively counter irregular migration both at home and at a regional level.



France (New Caledonia)

Mass irregular migration with its associated international crimes is unfortunately still a reality. By participating in the Bali Process, France is grateful for the opportunity to be part of strong Asia-Pacific regional cooperation to combat the problems of irregular migration and trafficking in persons.

Crime has no borders and therefore concerted action between several countries makes more sense than isolated responses.

Since 2006, the participation of French representatives to Bali Process conferences, in particular, the International Cooperation Department and the specialised Border Police in New Caledonia, reinforces France's commitment in the Pacific area alongside the Bali Process member countries. This network allows France to be alongside countries fighting with practical procedures and to participate in concrete measures to face the problems of irregular migration. These challenges are constantly evolving as they are linked to the global geopolitics of migrants, from the continent to the Pacific.

France wishes to ensure that the Bali Process continues to perform its role as a stable interlocutor between continental and island countries.



New Zealand

New Zealand is a proud member of the Bali Process. We recognise the instrumental role this forum has played in addressing the complex challenges of people smuggling, trafficking in persons, and related transnational crime in the Asia-Pacific region. Over the last 20 years the Bali Process has effectively raised regional awareness of these crimes and their consequences, developed and implemented strategies and progressed practical cooperation in response. New Zealand values the engagement opportunities through the Bali Process and remains committed to working with other members to ensure that it remains a valuable and effective regional mechanism to address these challenges.

New Zealand is pleased to have led the establishment of the Working Group on the Disruption of People Smuggling and Trafficking in Persons Networks, holding the role of co-chair since 2015. Above all, this group has built trust and enhanced operational cooperation between countries.

New Zealand aims to prevent maritime mass arrivals through a strategy founded on the principles of proportionality; cooperation and partnerships; fulfilment of international human rights and humanitarian obligations; and the need for a proactive, flexible and evolving approach. Our partnership with the region was recently strengthened with the deployment of four Irregular Migration Liaison Officers.

New Zealand's approach to people trafficking is encapsulated in our Plan of Action against Forced Labour, People Trafficking and Slavery. We work in partnership across and outside of government to progress initiatives that prevent people trafficking, proactively identify and support victims, and utilise enforcement tools to hold people to account.

New Zealand is also progressing domestic legislation to establish graduated responsibilities for New Zealand organisations, to ensure that their supply chains and operations are free of modern slavery and worker exploitation.

Palau

In March 2021, Executive Order No.444 reorganized the Ministry of Justice, establishing within it a permanent Anti-Human Trafficking Unit (AHTU), tasked to serve as the focal point for the Republic's anti-human trafficking efforts, focused on aggressive, proactive action to identify and eliminate human trafficking, and coordinate with international partners and organizations.

This January, the Anti-Human Trafficking Working Group was established. It is chaired by the Honorable J. Uduch Sengebau Senior, Vice President and Minister of Justice of Palau and composed of members from all relevant sectors including Government agencies and service providers, civil society, traditional, and religious organizations, in order to take a holistic approach to this important work.

The Working Group and AHTU have worked together to create and adopt the Anti-Human Trafficking National Action Plan 2022-2025, distribute anti-human trafficking literature, and submit proposed legislation to address concerns in the statute regarding sentencing perpetrators of human-trafficking. This February Palau observed its first Anti-Human Trafficking Awareness Month. In July, the Vice President received commitment from the Indian Ambassador to Palau to construct what will serve as the first shelter for victims of crime, including victims of human trafficking.

The Bali Process is a useful and important tool for addressing the scourge of human trafficking. However, it is imperative that the processes utilized in Palau take into account the Pacific context, especially as it relates to small island nations with relatively low populations and an overall more relaxed pace of living. It would be immensely helpful to create a sub-group or committee within the Member States composed of States with a similar social and economic context to Palau in order for those states to share strategies and success stories.



Australia

The Bali Process is an important forum in which the region engages with pressing issues of irregular migration. Australia is proud to co-chair the Bali Process with our close partner, Indonesia. Our work together through the Bali Process is of great importance and has created a significant shift in cooperation and awareness through the region over its 20 years.

Increasingly, we are all source, transit and destination countries. New trends, such as the increased use of technology by criminals, are changing the way trafficking in persons and people smuggling crimes are committed. This stretches resources and challenges the way we respond. Sharing good practices and capacity building across the membership is critical.

The Bali Process has recognised the importance of cooperation between government and business to increase the awareness of the problems caused by human trafficking and modern slavery. The establishment of the Government and Business Forum helps to identify, develop and promote innovative approaches to supply chain transparency, ethical recruitment and redress for workers. Successfully addressing these issues requires strong engagement and cooperation among government, business, international organisations and civil society.

The Bali Process is a dynamic one. We are confident its past success can be built on in order to face emerging challenges.



Indonesia

Since its inception in 2002, the Bali Process has served as a valuable platform for its members to contribute and share best practices in countering trafficking in persons, people smuggling, and related transnational crimes.

In its endeavour, the Bali Process has faced various challenges stemming from regional dynamics, new schemes and methods of crimes in the region using advanced technology or digital platform, as well as the COVID-19 pandemic. This phenomenon has required Bali Process to be agile, relevant, and responsive to develop concrete solutions to its members. As the Co-Chair, Indonesia also acknowledges Bali Process members whose contribution immensely guide and build the forum to where we are today.

Moving forward, Indonesia welcomes further engagement and collaboration with the government, private sectors, international organizations, and civil society. Indonesia would also continue to support Bali Process and its workstreams in enhancing coordinated policy responses and mutually beneficial cooperation to address irregular migrations, in line with the mandates of Bali Process and its Strategy for Cooperation.



USA

The United States is pleased to commemorate the 20th anniversary of the Bali Process as the first entity of its kind in the Pacific region to address migrant smuggling and human trafficking. The Bali Process is instrumental in facilitating a coordinated, regional response. The U.S. has been an observer since inception and a full member since 2011.

U.S.-Bali Process Collaboration manifests chiefly in the following areas:

- Support for coordination and contingency planning to address mass maritime movements, including capacity building for affected governments.
- Cooperation on proactive screening for indicators of human trafficking to identify victims, facilitate access to protection and assistance, as well as effectively investigate and prosecute the crime. The Bali Process offers numerous tools to help practitioners combat human trafficking, using victim-centred and trauma-informed approaches.
- U.S. business collaboration with the Government and Business Forum to share best practices and expertise. The *Acknowledge, Act, and Advance Recommendations* (AAA Recommendations) specify actions needed in key areas such as responsible procurement, recruitment, supply chains transparency, and worker protections.
- The U.S.-funded and International Organization for Migration-implemented Asia Regional Migration Program strengthens, in partnership with select Bali Process member states, their capacities for humane migration management and protection of refugees and vulnerable migrants.

UNHCR

The United Nations High Commissioner for Refugees (UNHCR) has been a member of the Bali Process from its inception in 2002 and has been committed to advocate and support on issues of safe disembarkation, protection screening, access to asylum and respect for the principle of non-refoulement within this forum.

As examples of UNHCR's engagement with the Bali Process, two toolkits were developed in partnership with the Bali Process RSO. A Screening and Referral Tool Kit was developed in 2020 to help identify victims of trafficking, and individuals at higher risk of trafficking due to early and forced marriage. UNHCR conducted several trainings on the Tool Kit and its application to officials in Indonesia, Malaysia, Thailand and the Philippines in 2021 and 2022. Officials included police, immigration, anti-trafficking and border security officers. With RSO support, UNHCR also developed in 2018 the Civil Registration Assessment Tool Kit which helps states assess access to civil registration in their territory, particularly for difficult to reach populations. The Tool Kit was piloted in Vietnam, Thailand and Pakistan in 2019 – 2020 and reports were produced on lessons learned. Addressing the issue of civil registration which impacts directly on legal status and statelessness can reduce vulnerability to trafficking as these documents facilitate access to services.



Viet Nam

The Bali Process is a milestone for fostering regional dialogue and cooperation.

Since its founding, the Bali Process has demonstrated the value of regional dialogue and cooperation in the Asia-Pacific region for jointly addressing the challenges of people smuggling, trafficking in persons and related crimes. The Bali Process, through its Ad Hoc Group, working groups, the RSO and other engagement mechanisms, has successfully enhanced information sharing, capacity building, law enforcement measures and policy guides and tools for well-managed migration to protect the legitimate rights and benefits of migrants, especially women and children.

For two decades under this framework, the Bali Process, with its long-term strategies, has delivered practical benefits for regional cooperation, contributing to global efforts to eradicate the crimes of human trafficking and human smuggling, expanding safe and regular migration pathways and promoting migrant protection. Viet Nam values the Bali Process and the leading role of Australia and Indonesia in strengthening concerted efforts and substantial cooperation across the region.

Looking to the future of the Bali Process, Viet Nam reaffirms its commitment to advancing the work of the Bali Process for regional peace, stability and prosperity, leaving no one behind for sustainable development.

Viet Nam hosted the Bali Process Steering Group meeting and Ad Hoc Group Senior Officials' meeting in Da Nang in 2019. Viet Nam is a member of the Ad Hoc Group, has been the Co-Chair of the Working Group on Disruption of People Smuggling and Trafficking in Persons Networks and is a member of the Working Group on Trafficking in Persons and Task Force on Planning and Preparedness. Since 2016, the People's Police Academy of Viet Nam, in partnership with the RSO, has annually delivered the Bali Process Basic Course on Combating Trafficking in Persons at the People's Police Academy.



Pakistan

Pakistan wishes to felicitate the Governments of Australia and Indonesia in particular, and other member states in general, for successful completion of 20 years of the Bali Process.

Since its inception in 2002, the Bali Process has effectively raised regional awareness of the consequences of people smuggling, trafficking in persons and related transnational crimes. Pakistan is glad to be an active partner with the Bali Process and play its role in achieving the common objectives.

Because of its peculiar geography, illegal migration and trafficking related issues hold special importance for Pakistan. Pakistan's laws pay equal attention to prevention of Human Smuggling and the protection of victims. Two laws have been promulgated on the subject: the Prevention of Trafficking in Persons Act (TIP) 2018 and the Prevention of Smuggling of Migrants Act 2018. These laws establish the principle of non-criminalization of smuggled migrants, as required under the Palermo Protocols, and contain provisions related to protection, safety and compensation to victims of human trafficking, another requirement of the TIP Protocol.

The Federal Investigation Agency (FIA), the body leading investigation and coordination on human trafficking, has anti-trafficking law enforcement joint task forces for countering trafficking and migrant smuggling, both on federal and provincial levels. It has established linkages with partners, including with Bali Process countries, to reinforce the law enforcement response to human trafficking and migrant smuggling. Locally, Pakistan has launched nation-wide awareness campaigns to educate people about the dangers associated with irregular migration and trafficking in persons.

Pakistan remains committed to working with its partners in dealing with the issues related to People Smuggling, Trafficking in persons and related crimes.



UNODC

UNODC is proud to be an active member of the Bali Process, and we applaud Australia and Indonesia's leadership as co-chairs since 2002. We recognise the Bali Process as a focal point for addressing the complex challenges of people smuggling, trafficking in persons and related transnational crime in the Asia-Pacific region. The fact that we have all come together to celebrate the 20th anniversary of the Bali Process is monumental in and of itself. It is indicative of our collective commitment and desire to collaborate, in the spirit of regional cooperation, to address these challenges. The Bali Process States continue to face threats from people smuggling and trafficking in persons networks. Criminal networks operate across borders and too often circumvent law enforcement efforts to deter and disrupt their criminal activities. Irregular maritime movements and the loss of life at sea continue to be a constant tragic reality of this region. The Bali Process has provided a much-needed platform to come together to exchange knowledge and expertise to develop practical initiatives to address these crimes and to build a more peaceful and secure region. Much has been achieved over the last two decades and we should take stock of our accomplishments. But it is not all about looking back. At the 20th anniversary of the Bali Process, we must continue to discuss current challenges, responses, and the forward priorities of the Bali Process. Since its inception, UNODC has played an active role providing support to Bali Process members in their effort to address people smuggling and human trafficking domestically and regionally. Our support takes the following forms:

- UNODC provides technical knowledge and expertise during various Bali Process meetings and events regarding new trends and forms of modus operandi of organised criminal groups facilitating people smuggling and human trafficking.
- UNODC collaborates with the RSO and other members to deliver specific capacity building activities, including specialised training and technology tools to enhance the skills of law enforcement officials.
- UNODC jointly conducts research and produces various informative materials, including thematic briefs and policy guides on criminalising smuggling and trafficking, financial investigations, and the role of corruption in facilitating these complex crimes.

Timor-Leste

The COVID-19 pandemic not only has an impact on public health, but also affects the economic conditions, education and social life of the people of Timor-Leste. The socio-economic conditions of the community have felt the greatest impact, which makes the community more vulnerable and poor.

Many people have lost their jobs due to the COVID-19 pandemic; this has been used by certain elements to carry out human trafficking practices, especially for forced labour purposes.

Several private agencies have recruited young East Timorese to be employed in a number of countries in Asia and Europe. They have been tricked with promises of being employed in overseas companies with high salaries, but in fact many of them are stranded abroad.

More than 500 workers from Timor-Leste recruited by recruitment agencies in Timor-Leste have been laid off in Portugal, more than 300 people in Germany, 7 people in Abu Dhabi and 200 people in Malaysia.

On the other hand, the evaluation of the human trafficking situation carried out by the American Congress in 2021 places Timor-Leste in the Tier2 watch list position and in June 2022 it slightly improved from Tier 2 watch list to Tier 2.

Efforts have been made by the Government of Timor-Leste to respond to the P3 paradigm (prevention, protection and punishment) by establishing the Commission of Anti Human Trafficking.



Nepal

The world is currently intertwined in conflicts with terrible violations of international humanitarian law and human rights law as a result of the fragility of States, of institutions, of societies and of clashing power interests. This has created an atmosphere of unpredictability and impunity, making it very difficult for the international community to prevent crisis.

The problems of the world are getting more perilous and protracted. This is creating a situation of population displacement and migration, ultimately creating space for unscrupulous people to get involved in human trafficking and people smuggling.

Nepal, by far, is not new to this situation and remains vulnerable to such threats. Despite the bleak outlook, Nepal's involvement in the Bali Process has enhanced Nepal's capabilities in raising awareness within its borders of the consequences of people smuggling, trafficking in persons and related transnational crime. We have improved cooperation among our law enforcement agencies (LEAs) to combat people smuggling and trafficking networks.

The Government of Nepal and country-based international non-governmental organisations (INGOs) and non-governmental organisations (NGOs) have been active in increasing public awareness in order to discourage these activities and pin down those who are susceptible to such acts. Likewise, we have very sturdy national legislation that criminalises people smuggling and trafficking in persons and provides ample ground for LEAs to prosecute the criminals.



Jordan

The Hashemite Kingdom of Jordan believes in the necessity of combining national and international efforts to address organised crime in general and human trafficking in particular. The Jordanian Government has the necessary legislative, executive and procedural tools to combat this crime.

Jordan's legislation, most notably the Human Trafficking prevention Law No.9 of (2009) and its amendments include: i) protections for victims and those affected, especially women and children; ii) tougher penalties for perpetrators of human trafficking crimes; iii) a provision for a public prosecutor and specialized judiciary to investigate and combat these crimes and iv) the establishment of a special fund to assist victims and compensate them for the harm they suffer. Work is currently underway to upgrade the network and management of shelters for victims of human trafficking crimes.

On the organisational and procedural level, a specialised executive body – the Anti-Human Trafficking Unit – has been established. Help for victims of human trafficking has also been stood up through the establishment of Karama House under the Ministry of Social Development. The National Strategy to Prevent Human Trafficking and the Action Plan (2019-2022) has also been implemented. The national referral mechanism and standard implementation procedures for dealing with victims of human trafficking have also been developed and officially launched. Work is underway to prepare a national strategy and action plan for human trafficking for 2023-2026.



Top left – Officials discussing how to use biometrics at borders, Bangkok, Thailand, 23–24 January 2019

Top right – Rapidly established camps and small hotels in Aceh Province, Indonesia, 2015 (IOM)

Bottom left – Senior Officials attending a Table-top Exercise in Bangkok, facilitated by the TFPP and Working Group on Disruptions, October 2022

Bottom right – Meeting of the Taskforce on Planning and Preparedness, February 2020, Sri Lanka

The **Bali Process**