

# 2016 EAST ASIA SUMMIT DECLARATION ON STRENGTHENING RESPONSES TO MIGRANTS IN CRISIS AND TRAFFICKING IN PERSONS

*Adopted in Vientiane, Lao PDR on 8 September 2016*

**WE**, the Heads of State/Government of the Member States of the Association of Southeast Asian Nations (ASEAN), together with Australia, the People's Republic of China, Republic of India, Japan, New Zealand, the Republic of Korea, the Russian Federation, and the United States of America on the occasion of the 11th East Asia Summit (EAS) held in Vientiane, Lao People's Democratic Republic;

**NOTING** with serious concern the large global displacements of people caused by conflict and crises, including the high numbers of displaced women and children, as well as the tragic loss of life at sea and the abuse and exploitation of people, especially those who are in vulnerable situations, at the hands of people smugglers and perpetrators and accomplices of trafficking in persons;

**BEARING IN MIND** the need to address the root causes of irregular movement of persons;

**RECOGNISING** the large number of people displaced by natural disasters whose vulnerability to trafficking in persons, abuse and other forms of exploitation increases, and taking note of recent efforts to integrate human mobility within disaster risk reduction and management strategies and other relevant development processes;

**RECOGNISING ALSO** the urgency of countering trafficking in persons in all its forms, including migrants who may be exploited during the migration process, and the need to support effective international action to address both the immediate and long-term aspects of trafficking in persons;

**BEARING IN MIND** our commitment to our respective international and national legal obligations to undertake efforts to prevent and combat people smuggling and trafficking in persons, and to investigate, prosecute, and punish perpetrators, recognizing that the safety and appropriate protection and treatment of victims of trafficking and migrants in crisis are paramount;

**MINDFUL OF** the increase in the irregular movement of persons, **AND UNDERLINING** our concern for the unique barriers they may face in accessing help during a crisis, such as language barriers, isolation from social support, restrictions on mobility as well as lack of access to documentation and consular services;

**TAKING NOTE** of the adoption of the Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29) by the International Labour Conference, which recognizes that the context and forms of forced or compulsory labour have changed and trafficking in persons for the purposes of forced or compulsory labour, which may involve sexual exploitation, is the subject of growing international concern and requires urgent action for its effective elimination;

**COMMENDING** regional efforts to date by affected countries to respond to the irregular movement of persons in the Indian Ocean, including the Ministerial Meeting on Irregular Movement of People in Southeast Asia hosted by Malaysia in Putrajaya and the Special Meetings and Special Retreat on Irregular Migration in the Indian Ocean hosted by Thailand since May 2015, and the Sixth Bali Process Ministerial Conference in March 2016;

**APPRECIATING** regional and sub-regional efforts to combat trafficking in persons, including the Coordinated Mekong Ministerial Initiative against Trafficking in Persons (COMMIT) by the Governments of the Greater Mekong Sub-Region;

**APPLAUDING** the adoption of the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP), and the ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children and the efforts of those ASEAN members who have already ratified the Convention;

**WELCOMING** the initiative of the UN Summit for Refugees and Migrants and taking note of the Leaders' Summit on Refugees, to be held during the 71st Session of the General Assembly in September 2016;

**EMPHASISING** the important role that the EAS can play, alongside other international mechanisms, in furthering multidimensional region-specific long term approaches to addressing mixed migratory flows, which may include irregular migration, refugees, and victims of trafficking in persons, pursued in a spirit of cooperation and collective effort, in accordance with relevant international instruments and national law;

**ACKNOWLEDGING** the adoption of the 2030 Agenda for Sustainable Development, which includes Sustainable Development Goals (SDG), particularly goals 5, 8, 10 and 16 that aim to reduce inequality within and among countries, address the issue of trafficking in persons and promote orderly, safe, responsible migration policies;

**WELCOMING** the Emergency ASEAN Ministerial Meeting on Transnational Crime Concerning Irregular Movement of Persons in Southeast Asia Region in Kuala Lumpur, Malaysia on 2 July 2015; and

**NOTING** with appreciation the establishment of the ASEAN Trust Fund to Support Emergency Humanitarian and Relief Efforts in the Event of the Irregular Movement of Persons in Southeast Asia;

**DO HEREBY DECIDE TO:**

1. Promote and protect effectively human rights and fundamental freedoms of all migrants, in order to advance peace, security, development, and social justice, in accordance with applicable international and national laws;
2. Reaffirm our commitment to democratic values, good governance, rule of law, human rights and fundamental freedoms, inclusive economic growth, decent work, access to basic services, tolerance and mutual respect, adherence to social justice, as well as safe and legal migration pathways, throughout the migration cycle from the country of origin to destination, which are vital to managing migration and optimizing its benefits;
3. Reaffirm our commitment to our respective international legal obligations and encourage the EAS participating countries to identify and provide appropriate safety and protection to migrants in crisis, people displaced by natural disasters, and victims of human trafficking, in accordance with international and national law;
4. Affirm the support of Non-ASEAN EAS participating countries to ASEAN for full implementation of the ASEAN Convention Against Trafficking in Persons, Especially Women and Children and the ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children, in consultation with the ASEAN Senior Officials Meeting on Transnational Crime and the ASEAN Secretariat;
5. Urge States parties to fully implement the United Nations Convention against Transnational Organized Crime (UNTOC) and call upon States that have not done so to ratify or accede to

the UNTOC as well as its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and its Protocol against the Smuggling of Migrants by Land, Sea, and Air;

6. Encourage cooperation among EAS participating countries and international and regional organisations to strengthen effective multidimensional responses to these common challenges, in the spirit of international solidarity and collective effort, including by increasing efforts to combat trafficking in persons in supply chains of goods and services of governments and businesses, sharing information about acts of migrant smuggling and trafficking in persons, enhancing regional law enforcement cooperation, protecting witnesses and victims in cases of trafficking in persons, and rendering assistance to migrants, caught up in natural disaster and conflict, in accordance with laws and regulations as well as international law;
7. Seek to enhance the ability of EAS participating countries and, where appropriate, the private sector, international organisations and other relevant stakeholders, guided by gender equality, as well as the principles of humanity, neutrality, impartiality and independence, to prepare for and respond to the needs of migrants caught in countries experiencing conflicts or natural disasters, where appropriate, including by providing necessary support and by respecting their rights and dignity;
8. Acknowledge continued regional and sub-regional efforts to combat trafficking in persons, including the Coordinated Mekong Ministerial Initiative against Trafficking in Persons (COMMIT) by the Governments of the Greater Mekong Sub-Region and the Australia-Asia Program to Combat Trafficking in Persons (AAPTIP) which aim to address the criminal justice response to trafficking in persons, as well as take note of the Migrants in Countries in Crisis (MICIC) Initiative, co-chaired by the Republic of the Philippines and the United States of America, and the development of its voluntary guidelines for relevant stakeholders, to improve coordination and response in their efforts to assist migrants caught in situations of natural disaster and conflict;
9. Reaffirm our determination to learn from past crises and strengthen the inclusion of migrants and pay attention to their particular needs in the diverse approaches to disaster preparedness, disaster risk reduction and management, regional response and recovery in EAS participating countries, whilst taking into account prevailing national laws and circumstances;
10. Consider further efforts by EAS participating countries to consult widely among states, civil society, the private sector and migrant organizations, through inclusive approaches to provide practical responses to irregular migration;
11. Reaffirm the value of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, as a voluntary, inclusive, non-binding forum for policy dialogue, information-sharing and capacity building, and as a mechanism to facilitate timely coordination of responses to emergency situations and recognize the need for enhanced cooperation and coordination among members, and with other ongoing regional and global initiatives and note the Bali Declaration on People Smuggling, Trafficking in Persons and Related Transnational Crime, agreed at the Sixth Bali Process Ministerial Conference in March 2016;
12. Acknowledge the role that international organizations, the private sector and civil society play to help address the challenges posed by trafficking in persons, people smuggling and irregular migration;
13. Further reaffirm our commitment to take measures to identify victims of all forms of trafficking in persons, including among migrant flows and provide them with appropriate protection and

assistance, in accordance with our respective international obligations and national law and policy.