

# 2023 ASEAN LEADERS' DECLARATION ON COMBATING TRAFFICKING IN PERSONS CAUSED BY THE ABUSE OF TECHNOLOGY

*Adopted in Labuan Bajo, Indonesia on 10 May 2023*

**WE**, the Association of Southeast Asian Nations (ASEAN), namely Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Republic of the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand, and the Socialist Republic of Viet Nam, gathered in Labuan Bajo, Indonesia, on the occasion of the 42nd ASEAN Summit on 10 – 11 May 2023;

**ACKNOWLEDGING** that while technology, including information and communications technologies, has become an indispensable element of our lives, particularly during the COVID-19 Pandemic, it has also generated risks and consequences of technology abuse, in facilitating transnational and organised criminal activities;

**SHARING** concerns about the increasing abuse of technology in facilitating trafficking in persons (TIP) in Southeast Asia and globally, proliferated through the use and abuse of social media and other online platforms in every step of TIP activities, from profiling, recruiting, controlling and exploiting of the victims to the laundering of proceeds of the crime, which has complicated anti-TIP efforts, as well as multiplied the number and scale of the cases;

**UNDERSTANDING** the complex, cross-sectoral and multidimensional nature of TIP, as well as its additional challenges of its perpetration through technology that requires collective and immediate regional responses;

**REAFFIRMING** our commitment to a more robust and more effective regional and international cooperation against TIP, while recognising the differences in our legal systems;

**ACKNOWLEDGING** that the eradication of TIP cannot be separated from economic and social development, border management, law enforcement, protection of workers, and respect for human rights, as well as the impact by crisis and conflict, while particularly **RECOGNISING** the contributions of migrant workers to the society and economy of ASEAN, including the economic recovery post-COVID-19 pandemic;

**REAFFIRMING** our commitment to the UN Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), ASEAN Convention Against Trafficking in Persons, Especially Women and Children (2015) (ACTIP), and other ASEAN and UN relevant instruments against TIP;

**TAKING INTO ACCOUNT** multilateral efforts within the regional context, including the Commemoration of the UN's World Day Against Trafficking in Persons 2022 related to the use and abuse of technology, ASEAN Senior Officials' Meeting on Transnational Crime, ASEAN Task Force on Fake News, the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, and the Manila International Dialogue on Human Trafficking;

**WELCOMING** the progress of cooperation to prevent and combat TIP as well as the ongoing development of the Bohol Multi-Sectoral Work Plan Against Trafficking in Persons 2023-2028 and its subsequent implementation, and other forms of regional cooperation against Trafficking in Persons, ASEAN Consensus on the Rights of Migrant Workers, as well as noting the recommendations of the Border Management Cooperation Dialogue for the ASEAN Region.

**HEREBY DECLARE TO:**

1. **REITERATE** the need to promote a cohesive and immediate ASEAN response in addressing current and future threats arising from the abuse of technology and take full advantage of new and evolving technologies to enhance this effort;
2. **STRENGTHEN** cooperation and coordination against TIP caused by abuse of technology through various regional mechanisms and ASEAN initiatives, including by enhancing each Member State's law enforcement's and relevant agencies' capacity to investigate, collect data and evidence, identify victims, detect, disrupt, and prosecute the crime; using technology tools; sharing best practices and lessons learned; exchanging information; conducting joint coordinated exercises and operations; as well as joint investigations related to TIP, and other related transnational crimes, as appropriate;
3. **STRENGTHEN** regional efforts to identify trafficked or potential victims, including through technology-based methods to prevent their criminalisation and detention, subject to domestic laws, as well as to encourage the development of recommended identification guidelines at the national level;
4. **STRENGTHEN** efforts to address vulnerability factors, including gender, ethnicity, disability, age, and other factors, and root causes that give rise to and increase the risk of TIP caused by abuse of technology;
5. **PROMOTE** effective implementation of the existing ASEAN instruments related to TIP, such as the ACTIP, to maintain their relevance and adaptability in the context of emerging and future challenges;
6. **ENCOURAGE** setting a minimum standard of protection at the regional level for a victim of TIP, including exploring the development of a regional referral mechanism through leveraging existing ASEAN mechanisms to avoid re-victimisation, retraumatisation, and continuing exploitation of victims;
7. **STRENGTHEN** joint cooperation in the field of border management, prevention, investigation, law enforcement and prosecution, protection, repatriation and support such as rehabilitation and reintegration of victims;
8. **CONDUCT** research, policy dialogue, and share knowledge on typologies and trends of the abuse of technology in TIP cases in the region to identify strategies and formulate policies and guidelines;
9. **IMPROVE** national prevention efforts, including enhancing public awareness campaigns and labour inspection systems, enhancing cross-border control and migration management, and strengthening the use of advanced technology;
10. **IDENTIFY** and **ADDRESS** gaps in legal framework and systems including migration and border management to ensure the effective detection, prevention, investigation and prosecution of TIP, including technology-facilitated trafficking in persons and ensure that legal frameworks and systems keep pace with technological development;

11. **PROVIDE** immediate response and assistance to victims of TIP, including by improving channels of coordination and communication on information exchange, improving access to legal assistance, remedy and grievance, and collaborating with law enforcement networks in the region, such as ASEANAPOL and the Heads of Specialist Anti-trafficking Units (HSU) under SOMTC mechanism;
12. **ENHANCE** mutual legal assistance in TIP cases, including those caused by abuse of technology, through the effective implementation of the ASEAN Treaty on Mutual Legal Assistance in Criminal Matters (AMLAT);
13. **ENHANCE** further cooperation and collaboration with ASEAN Dialogue Partners, UN Agencies, and relevant consultative processes such as the Bali Process as well as to strengthen, where applicable and appropriate, effective partnership and collaboration with various stakeholders, including the public and private sectors, civil society, academia, media and technology companies to encourage innovations, to prevent TIP caused by the abuse of technology and to take a proactive approach against the crime;
14. **UPHOLD** our commitments to the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (2017), ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (2007), ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children, ASEAN Multi-Sectoral Work Plan 2017 – 2020 (Bohol Trafficking in Persons Work Plan) and its successor work plan; and
15. **TASK** the relevant ASEAN Sectoral Bodies to mobilise resources and modalities, and develop strategies against criminal use of technology in TIP.

Adopted on this Tenth Day of May in the Year Two Thousand and Twenty-Three in a single original copy in the English language