

**KUALA LUMPUR DECLARATION  
ON  
IRREGULAR MOVEMENT OF PERSONS IN SOUTHEAST ASIA**

**WE**, the ASEAN Ministers from 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, responsible for overseeing the prevention and combating of transnational crimes in our respective states, gathered here in Kuala Lumpur, Malaysia on 29 September 2015 for the Tenth ASEAN Ministerial Meeting on Transnational Crime (hereinafter referred to as the AMMTC);

**RECALLING** the outcomes of the Emergency ASEAN Ministerial Meeting on Transnational Crime (EAMMTC) Concerning the Irregular Movement of Persons in the Southeast Asia Region, held in Kuala Lumpur, Malaysia, on 2 July 2015;

**NOTING** the outcomes of the Special Meeting on Irregular Migration in the Indian Ocean held on 29 May 2015 in Bangkok to discuss the irregular movement of persons among the countries involved;

**CONCERNED** over the recent increase in the irregular movement of persons in the Southeast Asia region and its serious impact on the national security of the affected countries namely Malaysia, Myanmar, Thailand and Indonesia;

**RECOGNISING** irregular movement of persons as a global phenomenon which requires concerted effort to address in accordance with the principle of international burden sharing and shared responsibility;

**ACKNOWLEDGING** the commitment and the need for ASEAN Member States to work together to address the irregular movement of persons irrespective of whether they are the countries of origin, transit or destination;

**RECOGNISING** the urgency of the current situation which requires immediate regional responses;

**VIEWING** the increasing challenges posed by the irregular movement of persons in this region, particularly the close connection between trafficking in persons and smuggling of migrants;

**STRONGLY CONDEMNING** trafficking in persons and smuggling of migrants while expressing the collective determination of the ASEAN Member States to combat both crimes;

**ACKNOWLEDGING** that in addition to trafficking in persons and smuggling of migrants, the irregular movement of persons could also contribute to the commission of other forms of transnational crime;

**RECOGNISING** the need for coordinated responses amongst the ASEAN Member States in addressing the issues of trafficking in persons, smuggling of migrants and related transnational crime, including enhanced regional cooperation on border management;

**FURTHER RECOGNISING** the need to expedite 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 (APA);

**AFFIRMING** the commitment to cooperate and coordinate more closely with the Meeting of the ASEAN Directors-General of Immigration Departments and Heads of Consular Affairs Divisions of the Ministries of Foreign Affairs (DGICM) on the issue of smuggling of migrants;

**WELCOMING** the offer by ASEAN Dialogue Partners on aspects of assistance in capacity building, and enhancement of law enforcement cooperation, including expert-level advisory services; and

**DO HEREBY AGREE TO:**

1. Include people smuggling as one of the transnational crimes under the purview of SOMTC and AMMTC and to work in tandem with the DGICM on this issue;
2. Look forward to the discussions in the DGICM on irregular movement of persons including the possibility of establishing a Special Task Force or Heads of Specialist Unit on this issue;
3. Strengthen law enforcement efforts in combating trafficking in persons and people smuggling as well as other forms of transnational crime at the national and regional level, among others, through the sharing of information and intelligence and, where appropriate, the establishment of a special investigative taskforce;
4. Utilise the Treaty on Mutual Legal Assistance in Criminal Matters to ensure that ASEAN Member States are well-equipped to prosecute perpetrators of the heinous crimes of trafficking in persons and people smuggling, and bringing such perpetrators to justice through due process;
5. Conduct analysis and studies on the irregular movement of persons in Southeast Asia and its connection with trafficking in persons and people smuggling as well as other forms of transnational crime with a view to assist ASEAN Member States in their efforts to address the long-term impact of this issue;
6. Develop and implement, together with relevant ASEAN sectoral bodies, comprehensive regional communication campaigns to send a strong message to the community to prevent irregular migration that is closely linked to trafficking in persons and people smuggling;
7. Strengthen cooperation with ASEAN Dialogue Partners and related International Organisations in combating trafficking in persons and people smuggling, including through law enforcement cooperation, sharing of information and expertise, exchange of intelligence and capacity building;

8. Endorse the establishment of a trust fund to be administered by the ASEAN Secretariat for voluntary contributions from ASEAN Member States and members of the international community to support the humanitarian and relief efforts involved in dealing with challenges resulting from the irregular movement of persons in Southeast Asia;
9. Recommend to the ASEAN Leaders to task relevant ASEAN bodies to explore the possibility of setting up a Task Force to respond to crisis and emergency situation arising from irregular movement of persons in Southeast Asia; and
10. Look forward to the early ratification of the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) and the effective implementation of the ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children (APA).

**ADOPTED** in Kuala Lumpur, Malaysia, on this Twenty-Ninth Day of September in the Year Two Thousand and Fifteen.