

# Bali Process Government and Business Forum

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## **PROGRESS REPORT**

From Nusa Dua 2018  
to Adelaide 2023

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**Bali Process**  
Government &  
Business Forum

2023

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# Foreword by Business Co-Chairs

## SECTION 01

**In 2018, together with the Ministerial Co-Chairs, we came together and endorsed the Acknowledge, Act, Advance Recommendations, agreeing to focus on supply chain transparency, ethical recruitment, and worker redress and remediation. This landmark Indo-Pacific policy framework was the first of its kind and still provides a useful roadmap for all business leaders today.**

While we commend the progress achieved to date, we regret that the Government and Business Forum (GABF) has been unable to meet in person since 2018. The multiple and compounding global crises which have dominated recent years, such as the COVID-19 pandemic, conflict, and humanitarian disasters, exacerbate the problems that the GABF aims to address. Perpetrators have also misused technology to take advantage of vulnerable populations.

These crises have created an environment where disruption to employment and education is the norm, not the exception. They have led to demonstrable increases in poverty and forced and irregular migration.

These factors all heighten risks of modern slavery. In fact, the 2021 Global Estimates of Modern Slavery, developed by the International Labour Organization, Walk Free, and the International Organization for Migration, estimates that almost 50 million people - 10 million more than just five years ago - are now living in situations of forced labour or forced marriage.

The stark increase in global exploitation highlights how urgent action is required from governments and business leaders. Of the 27.6 million people in situations of forced labour, the majority are employed in the private sector. Migrant workers, whether vulnerable due to irregular or poorly governed migration, or unfair recruitment practices, are more than three times as likely to be in forced labour than non-migrant workers.

These findings serve to highlight the importance of decisive and coordinated action. By providing a platform for collaboration between government and business, the GABF uniquely empowers leaders to tackle systemic problems together. Despite the growing problem, there are some positive changes which spark hope. For example, government-led legislative initiatives are not only creating a stronger criminal justice response to modern slavery, but demanding businesses address modern slavery risks in their supply chains. Increasingly, businesses are expected to detail their risk reduction processes to gain access to markets and capital. Public opinion is rapidly evolving and leading the charge in shaping what is acceptable business practice – which in turn is driving leaders to innovate and overcome the challenge of exploitation living within their supply chains.

Given the seismic changes the world has faced over the last five years, we are particularly honoured to present the following report which highlights the commitment among members to end modern slavery, and provides examples of those seeking bold and innovative solutions despite adversity.

We look forward to continuing this important work, and taking a particular focus on ethical recruitment, transparency in supply chains, and worker redress and remediation systems in future. We are strongest together, and it will be together that we end modern slavery.

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We, the Business Co-Chairs of the Bali  
Process Government and Business Forum,  
deeply appreciate the commitment and  
dedication shown by members to eradicate  
human trafficking, forced labour, modern  
slavery, and child labour.

**Dr Andrew Forrest**  
Chairman of Fortescue  
Business Co-Chair

**Garibaldi Thohir**  
President Director of PT Adaro Energy  
Indonesia Tbk  
Business Co-Chair

# Bali Process Government and Business Forum Timeline 2002–2023



**February 2002**

**Inaugural Bali Process Ministerial Conference**



**March 2016**

**Sixth Bali Process Ministerial Conference**

Governments acknowledged the need to engage constructively with the private sector and appointed Business Co-Chairs to lead this charge.

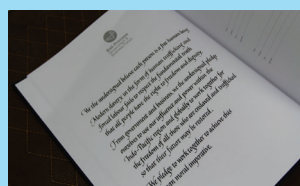


**August 2018**

**Seventh Bali Process Ministerial Conference and launch of the AAA Recommendations at the Government and Business Forum**

**August 2017**

**Launch of the Government and Business Forum**



**2020-2021**

Consultations held with business and government representatives on financial, fishing, garments, electronics and shipping sectors

**February 2023**

**Adelaide Bali Process Ministerial Conference and Government and Business Forum**

**The Bali Process Government and Business Forum is a unique partnership that brings together government and business leaders to eradicate human trafficking, forced labour, modern slavery, and the worst forms of child labour.**

The Bali Process was established in 2002 as an intergovernmental forum to facilitate regional cooperation to address people smuggling, human trafficking, and related transnational crime.

The 2016 Bali Declaration recognised the critical role of the private sector in combatting human trafficking, forced labour, and related exploitation – crimes that affect every country and all sectors of the economy.

Government ministers recognised the need to engage constructively with the private sector to expand legal and legitimate opportunities for labour migration and to combat human trafficking and related exploitation in our region.

In 2017, the GABF was established to provide a platform for collaboration between government and business to end the crimes of human trafficking and forced labour. At the seventh Bali Process Ministerial Conference (BPMC) in 2018, Ministers confirmed the GABF as an additional track of the BPMC.

This initiative is jointly chaired by Australia and Indonesia's Foreign Ministers and two Business Co-Chairs – currently Andrew Forrest (Australia) and Garibaldi Thohir (Indonesia).

At the BPMC held in Bali on 7 August 2018, ministers and business leaders agreed on a comprehensive set of recommendations that provide a framework for business and government to collaborate on these issues.

The Acknowledge, Act, 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.

Focused on the key themes of supply chain transparency, ethical recruitment, and worker redress, the AAA Recommendations outline the need to acknowledge the scale of the problem, act to strengthen policy and legal frameworks, and advance efforts over the long term to eradicate these transnational crimes.



# The Nusa Dua Forum 6-7 August 2018

**The 2018 BPMC attracted over 350 participants from across 52 countries. Twenty-seven ministerial level government officials attended the BPMC, representing 48 countries (including observer member states).**



Ten international organisations were represented, with the International Organization for Migration (IOM) presenting to business leaders at the Business Forum.

Over 80 businesses, civil society groups and observers participated in the two-day Business Forum event. Among the business leaders, 18 key sectors were represented such as agriculture, apparel, electronics, retail, media, mining and construction.

Following the Ministerial Conference, the key declarations in relation to the GABF included:

- Full support for the GABF, confirming it is an additional track of the Bali Process;
- Commendation of the efforts of businesses attending, who are leading by example, and using their influence to enhance collaboration with government and catalyse action;
- Endorsement of the AAA Recommendations;
- Recognition of the diversity of Bali Process members, and that action needs to be tailored to individual country and industry contexts and capacities;
- Valuing that business and government each bring different perspectives and approaches, and can learn much from one another.

Eighteen business sectors were represented including agriculture, apparel, electronics, retail, media, mining and construction.

52

Countries

350+

Participants

80+

Businesses



# Acknowledge, Act, Advance Recommendations

**The AAA Recommendations set out a pathway for both business and government to contribute to the eradication of these crimes.**

Implementation of the AAA Recommendations will increase momentum toward achieving Target 8.7 of the 2030 Agenda for Sustainable Development, which calls for immediate and effective measures to be taken to eradicate forced labour, end modern slavery and human trafficking, and eliminate the worst forms of child labour. To do so, business and government need to acknowledge the scale of the problem, strengthen and implement policy and legal frameworks and advance efforts over the long term. This should include clear and consistent standards for ethical recruitment and treatment of workers, supply chain transparency, and redress mechanisms.

## **Acknowledge:**

Encourages deeper understanding by business and government of the scale of, and challenges associated with these transnational crimes. These crimes also undermine economic growth by contributing to inefficient labour markets, depressing wage rates and causing significant social costs. Consumer and investor choice is also increasingly driven by ethical considerations.

## **Act:**

Encourages businesses to implement ethical business practices and governments to strengthen policy and legislative frameworks. Clear and consistent policies and legislation also offer an attractive investment destination for business. Consistency across jurisdictions will encourage business to act.

## **Advance:**

Recognises that the GABF is at a pivotal stage of development. The GABF's Business Co-Chairs and Secretariat will develop a governance framework that ensures the ongoing sustainability and effectiveness of the Forum.

The AAA Recommendations recognise that businesses and countries represented within the GABF are diverse and therefore, the recommendations must be tailored to be appropriate within specific contexts and local capacities



# The AAA Recommendations recognise that businesses and countries represented within the GABF are diverse.

## Overview of AAA Recommendations

Pillar	Outcomes	Government	Business
<b>I.</b>	<b>Acknowledge</b> Acknowledge and understand the risk Commit to taking practical action	<ol style="list-style-type: none"> <li>1. Raise awareness with business, consumers and workers.</li> <li>2. Develop policy guides on supply chain transparency, ethical recruitment, and worker-protection and redress frameworks through existing Bali Process mechanisms.</li> </ol>	<ol style="list-style-type: none"> <li>1. Deepen understanding within their own organisations and supply chains, through dedicated resources, training and capability development.</li> <li>2. Conduct ongoing risk assessments and take steps to manage risk in accordance with best practice.</li> </ol>
<b>II.</b>	<b>Act</b> Strengthen, implement and enforce policies and legislation Ethical business policies and practices	<ol style="list-style-type: none"> <li>1. Strengthen, amend, or repeal, where necessary, policy and legislation to encourage supply chain transparency, ethical recruitment, and protection for victims and access to redress mechanisms.</li> <li>2. Implement and enforce clear policies and legislation that encourage business to act.</li> <li>3. Improve transparency and ethical recruitment practices within public procurement supply chains.</li> <li>4. Ratify relevant international conventions and protocols.</li> </ol>	<ol style="list-style-type: none"> <li>1. Improve supply chain transparency.</li> <li>2. Implement ethical and transparent recruitment practices.</li> <li>3. Strengthen internal codes of conduct, contractual terms, procedures and policies that offer safeguards and avenues for redress for workers impacted by forced labour and related transnational crimes.</li> </ol>
<b>III.</b>	<b>Advance</b> Sustainable and effective GABF	<ol style="list-style-type: none"> <li>1. Welcome the GABF as permanent track of the Bali Process.</li> <li>2. Conduct and share research on prevalence, trends and best practice.</li> </ol>	<ol style="list-style-type: none"> <li>1. Establish a governance framework which ensures sustainability and effectiveness of the GABF.</li> <li>2. Promote the business case for taking action, including through research and case studies.</li> <li>3. Encourage other businesses to take action, including through engagement with the GABF.</li> </ol>

# Bali Process GABF Progress Report

**This Progress Report sets out an overview of GABF consultations and activities, together with examples of progress made by governments and businesses to implement the AAA Recommendations. While it is not a comprehensive account of all action taken to implement the AAA Recommendations, this report aims to highlight examples of positive progress which have been shared with the Secretariat through the Progress Report Survey and ongoing engagement.**

## **Government and Business Forum Activities**

Like many other organisations with a global remit, the GABF had to revise its normal operating procedure due to the risks presented by the pandemic. The public health crisis presented an opportunity to develop a new strategy for online engagement.

Since the last Ministerial Conference, the GABF has held five online Consultation and Innovation sessions, designed to support the implementation of the AAA Recommendations. These sessions each focused on a different industry, covering the finance, fishing, electronics, garments, and shipping sectors. Each session attracted between 80 to 110 participants from across business, government, and civil society.

The business membership of the GABF is broad and incorporates a range of sectors. The ability to focus on a single sector at a time provides an opportunity to more thoroughly examine the intersection of business and government interests.

Each consultation emphasised the need for action, engagement, and collaboration from a range of stakeholders to protect workers throughout complex supply chains. One of the overarching themes that stretched across these consultations was the use of technology.

There are a growing number of platforms available to both businesses and governments that address GABF focus areas of supply chain transparency, ethical recruitment, and worker redress. Some of these platforms are sector specific, while others have a broader application. This is an area of interest to many GABF members, and incorporating technological solutions into the GABF's work will be a key focus for the future.

The GABF Secretariat intends to conduct further consultations in 2023 - commencing with the agricultural sector.

# Key themes

## SECTION 05

### Financial Sector Consultation and Innovation Session 30 September 2020

The financial sector has a critical role to play in combatting human trafficking and modern slavery – and in implementing the AAA Recommendations. Labour exploitation and human trafficking risks exist across the global economic system. The financial sector's engagement with the real economy brings it into contact with these risks in various ways, and places financial institutions in a unique position to influence the practice of other business actors.

- Investors can use their leverage to encourage businesses to address risks in their operations and supply chains.
- Banks have a role to play in identifying and reporting potential indicators of financial crime linked to forced labour and trafficking, and working with law enforcement to address such financial crimes.
- Banks, lenders, and insurers can reduce vulnerability by increasing access to financial services for at-risk groups.
- Stock and commodity exchanges, payment platforms, and regulatory bodies can connect participation in financial markets to meeting labour exploitation and human trafficking prevention criteria.

The GABF Financial Sector Consultation and Innovation Session set out to bring Bali Process member governments and financial sector actors together to share insights and identify practical and effective actions to address labour exploitation and human trafficking.

Approximately 110 participants attended, including speakers from Finance Against Slavery and Trafficking, Stock Exchange of Thailand, Government Pension Fund of Thailand, Australian Border Force, Fidelity International, First Sentier Investors, New Zealand Superannuation Fund, Scotia Bank, and The Mekong Club, in addition to Walk Free and the Australian and Indonesian Senior Official Co-Chair representatives.

### Fishing Sector Consultation and Innovation Session 13 October 2020

The International Labour Organization (ILO) Work in Fishing Convention, 2007 (No. 188) provides a framework for decent working and living conditions for fishers, including to a minimum requirement for working hours on board vessels, conditions of service food and accommodation, occupational health and safety requirements, medical care, and social security. Despite the existence and implementation of this international framework, serious risks of labour exploitation and human trafficking remain pervasive in the fishing sector. Examples raised during the session include:

- Fishers were subjected to excessive hours, had passports or wages withheld, faced poor working or living conditions, physical confinement, and incurred debts through recruitment.
- Migrant workers are particularly vulnerable in the sector, in part due to communication barriers and additional risks related to the recruitment process.
- Complex transnational supply chains and the involvement of multiple states with different jurisdictions means that many actors have a role to play in addressing human trafficking and modern slavery in the fishing sector and ensuring decent working conditions for fishers.

Approximately 80 participants attended, including speakers from the ILO, the Department of Justice (the Philippines), the Ministry of Marine and Fisheries (Indonesia), Thai Union, Walmart, Pacific Islands Forum Fisheries Agency, IOM, Global Tuna Alliance, and Ocean Mind, in addition to Walk Free and the Australian and Indonesian Senior Official Co-Chair representatives.



# Progress Report

## Key themes

### Electronics Sector Consultation and Innovation Session

#### 17 November 2021

As global demand drives manufacturing for electronics products, the electronics sector is an increasingly key industry, particularly for the Asia region. Risks of forced labour, in part due to the use of temporary and subcontracted labour, the use of recruitment agencies, and complex supply chains spanning multiple countries with differing labour rights protections, pervade the sector. Comprehensive regulation, monitoring, and action from stakeholders is necessary to address the risks of forced labour in the electronics sector. During the electronics sector consultation, participants emphasised the importance of:

- Partnership and capacity building in relation to combatting forced labour and the need to work together with suppliers.
- Ensuring solutions are designed to take into account the perspectives of workers and worker representatives (both trade unions and informal groups).
- Engaging with the most vulnerable in our workforce, and to ensure there are effective grievance mechanisms for workers to raise issues.
- Collaboration with governments, civil society, and business to protect the most vulnerable workers.
- Government and business action to prohibit the payment of fees by workers.

Speakers included representatives from the Responsible Business Alliance, Ministry of Home Affairs (Malaysia), ILO, NXP Semiconductors, Seagate, and the International Justice Mission, in addition to Walk Free and the Australian and Indonesian Senior Official Co-Chair representatives. Approximately 60 participants attended this session.

### Garment Sector Consultation and Innovation Session

#### 25 November 2021

Risks of human trafficking and slavery pervade garment sector supply chains, from the production of raw materials to the manufacturing of final garments. Garment workers face low wages, excessive hours, harassment and abuse at work, and hazardous health and safety conditions. Key points raised during the session included:

- Vulnerabilities in the garments sector are underscored by a lack of social protection.
- Workplace exploitation and abuse worsened following the COVID-19 pandemic.
- There are opportunities for industry and non-industry stakeholders, including government, business, suppliers, civil society, and the international community, to take action and collaborate to reduce exploitation.
- Businesses must create greater visibility throughout their supply chains and remediate any incidents found.

Approximately 60 participants attended, hearing from speakers representing ILO Thailand, Ministry of Foreign Affairs (Indonesia), Pan Brothers, Kathmandu, Laudes Foundation, Centre for Child-Rights and Business, and Diginex, in addition to Walk Free and the Australian and Indonesian Senior Official Co-Chair representatives.





## Shipping Sector Consultation and Innovation Session

### 23 August 2022

Despite the millions of seafarers ensuring goods are moved around the world for the benefit of business, shipping can be a forgotten link when those same businesses examine their supply chain for human rights violations.

It is imperative that those at sea are not an invisible workforce; due to the isolated nature of work, a lack of transparency and accountability increases the risks faced by vulnerable workers. Participants at the session emphasised that:

- Offshore workers have the same human rights as onshore workers, and are just as deserving of decent work conditions.
- The Flag of Convenience system allows ship owners to register ships in countries with little to no requirements obligating them to comply with labour standards. This leaves crew members vulnerable to exploitation.
- There have been numerous cases over the years of seafarers working for no or little pay, or in conditions described as unbearable.

- Challenges created by the pandemic have exacerbated the human rights abuses suffered by seafarers; however, these abuses pre-dated COVID and, unless purposefully disrupted, will persist when the pandemic abates.
- Businesses are customers – it is critical they use their leverage to end exploitative practices everywhere in their supply chains, including at sea.

Approximately 110 participants attended the session. Speakers included representatives from the ILO, Directorate of International Security and Disarmament (Indonesia), Philippine Overseas Employment Administration, Wilhelmsen Ship Management, Institute of Human Rights and Business, RightShip, and South32, in addition to Walk Free and the Australian and Indonesian Senior Official Co-Chair representatives.

Offshore workers have the same human rights as onshore workers, and are just as deserving of decent work conditions.

# Progress Report

## Key themes

### Launch of Toolkit for Business and Investors on Government and Business Forum website

In 2020, GABF Secretariat, Walk Free, launched a toolkit to help business and investors take action to improve human rights standards in their supply chains and combat forced labour, human trafficking and other forms of modern slavery. The toolkit was launched on the Bali Process Government and Business Forum website and was designed to help business implement the AAA Recommendations.

The Toolkit provides a library of tools, research, case studies and relevant laws to help businesses and investors understand modern slavery risks, conduct due diligence, improve supply chain practices and reporting and – ultimately – protect workers from modern slavery.

Following consultation with several Bali Process business leaders, Walk Free curated resources from organisations around the world to form the Toolkit. A range of topics are covered across six key areas:

1. Understanding the problem
2. Supply chain due diligence, codes of conduct, corrective action and remedy
3. Legal obligations and frameworks
4. Modern slavery reporting
5. Financial sector tools
6. Mitigating impacts of COVID-19 on vulnerable workers

Find out more at [www.baliprocessbusiness.org](http://www.baliprocessbusiness.org)



### MODERN SLAVERY BENCHMARKING TOOL

1 IDENTIFY RISKS

2 TAKE ACTION TO PREVENT, MITIGATE AND REMEDY

3 DISCLOSE PROGRESS

# The Stock Exchange of Thailand, Walk Free and FAST have promoted this guidance to over 50 other stock exchanges through the Sustainable Stock Exchanges initiative.

## Promoting Transparency Through Stock Exchanges

Stock exchanges in member states have an important contribution to make in implementing the AAA Recommendations and increasing the effectiveness of listed companies combatting modern slavery.

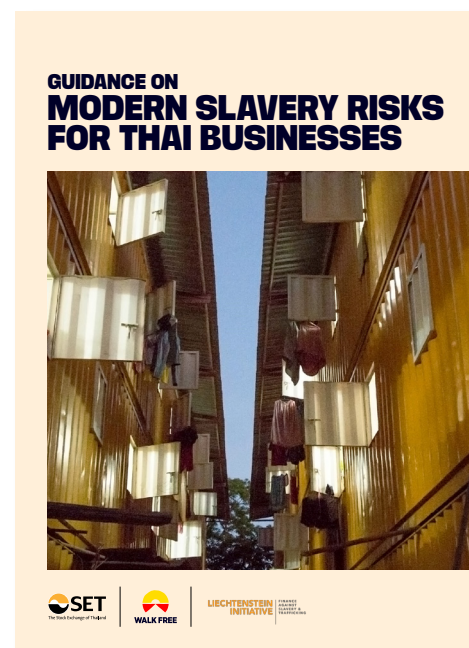
Following the Government and Business Forum Financial Sector Consultation and Innovation Session, the Stock Exchange of Thailand partnered with Walk Free and the Finance Against Slavery and Trafficking (FAST) initiative to launch *Guidance on Modern Slavery Risks for Thai Businesses* and a *Modern Slavery Benchmarking Tool* in December 2021. The Guidance supports Thailand's new mandatory reporting on environmental, social, and governance (ESG) issues, including human rights and social issues, throughout their business value chains.

The Guidance was launched at a webinar attended by over 200 participants, with speakers from the Ministry of Justice, Stock Exchange of Thailand, Walk Free, and FAST, as well as senior business leaders from Thai listed companies, such as Bali Process Business Leader, Mr Thiraphong Chansiri, Chief Executive Officer of Thai Union.

The Guidance explains what makes workers vulnerable to modern slavery, outlines specific industry risks in Thailand, and provides a checklist for what businesses should do to identify, address and report on these risks. It will help listed companies to strengthen their modern slavery risk management and improve their sustainability reporting. Investors can use the guidance to understand key modern slavery risks facing companies, identify best practice for addressing and reporting on these risks, and ensure they are using modern slavery disclosures to inform investment decisions and conduct more effective stewardship of their investment portfolios.

Alongside the Guidance, an online *Modern Slavery Benchmarking Tool* was developed to provide all businesses with a score and tailored report on what they are doing well and how they can improve.

The Stock Exchange of Thailand, Walk Free and FAST have promoted this Guidance to over 50 other stock exchanges through the Sustainable Stock Exchanges Initiative, the World Federation of Exchanges, and the Asian and Oceanian Stock Exchange Federation. Walk Free hopes to facilitate further collaboration between regional exchanges through the Bali Process Government and Business Forum in future.





# Progress Report

## Government Progress

This section sets out examples of progress made by governments to address human trafficking and modern slavery. While it is not an exhaustive list, this section highlights some of the ways governments have acted to implement the AAA Recommendations since the convening of the last Bali Process Government and Business Forum (GABF).





# Acknowledge

## Governments to:

- 1. Raise awareness with business, consumers and workers.**
- 2. Develop policy guides on supply chain transparency, ethical recruitment, and worker-protection and redress frameworks through existing Bali Process mechanisms.**

Many Bali Process governments have recognised the importance of raising awareness of human trafficking and slavery among businesses, consumers, and workers, and launched awareness-raising initiatives. For example:

- As part of a trafficking in persons campaign run in 2021, New Zealand created materials providing information on people trafficking and migrant worker exploitation and translated these into several common languages in Aotearoa New Zealand. The campaign aimed to raise awareness among the public and provide support and resources to organisations and individuals working with people at risk of human trafficking.
- Timor-Leste ran its first National Community Engagement Forum on Trafficking in Persons in 2018, working with the International Organization for Migration to socialise the 2016 *Trafficking in Persons Law* across 12 municipalities.
- In 2022, Sri Lanka's Ministry of Labour and Foreign Employment conducted over 100 awareness programs on safe labour migration and human trafficking for prospective migrant workers. In 2021, Sri Lanka's Bureau of Foreign Employment also participated in TV and radio programs to raise awareness of safe labour migration.
- Indonesia, through the Ministry of Women's Empowerment and Child Protection, published pocket books and made short films to disseminate information about the prevention and handling of trafficking in persons. The Ministry also established an online system for recording and reporting cases of violence and trafficking in persons.

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# Progress Report Government Progress

## Act

### Governments to:

- 1. Strengthen, amend, or repeal, where necessary, policy and legislation to encourage supply chain transparency, ethical recruitment, and protection for victims and access to redress mechanisms.**
- 2. Implement and enforce clear policies and legislation that encourage business to act.**
- 3. Improve transparency and ethical recruitment practices within public procurement supply chains.**
- 4. Ratify relevant international conventions and protocols.**

Since the last GABF, there have been notable efforts by governments to strengthen domestic policies and legislation to promote transparency across supply chains, encourage ethical recruitment practices, and provide support and redress mechanisms for victims.

### Supply Chain Transparency

#### Australia

In December 2018, the Australian Parliament passed the *Modern Slavery Act 2018* (the Act). The Act came into force on 1 January 2019 and requires certain large businesses to prepare annual modern slavery statements which outline the modern slavery risks in their global operations and supply chains and the actions taken to address these risks. Under the Act, the Australian Government is also required to publish annual modern slavery statements.

In 2019, the Australian Government established a Modern Slavery Business Engagement Unit (the Unit) within the Australian Border Force, responsible for raising awareness about the Act, supporting compliance, and providing support and guidance to entities reporting under the Act. This function now sits within the Attorney-General's Department following a machinery of government change. During the 2021 calendar year alone, the Unit conducted over 40 face-to-face and virtual awareness raising workshops and presentations to assist businesses.

In 2020, the Online Register for Modern Slavery Statements was launched and provides a publicly accessible and searchable source in a single location. The Australian Government is currently undertaking a statutory review of the Act, looking at its operation and effectiveness over its first 3 years. The Government released an Issues Paper in August 2022, commencing a three-month public consultation process. Feedback provided through the consultations, submissions and survey results will inform a final report with recommendations to the Australian Government to be published in 2023.

#### New Zealand

A key pillar of New Zealand's Plan of Action against Forced Labour, People Trafficking and Slavery is to introduce supply chain legislation to help prevent worker exploitation and modern slavery in the organisations of its domestic and international supply chains. The legislation is intended to be introduced in 2023, following a public consultation on the policy proposal during 2022.

Alongside progress towards its modern slavery legislation, New Zealand has established a modern slavery leadership advisory group with representatives from business, government, civil society and academia, chaired by the former New Zealand Bali Process Business Leader Rob Fyfe.

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Since the last GABF, there have been notable efforts by governments to strengthen domestic policies and legislation to promote transparency across supply chains.

## Malaysia

Malaysia continued its focus on encouraging business action on human rights. Through a series of engagement sessions in 2019, Malaysia launched a process for a National Action Plan on Business and Human Rights (NAP BHR). The NAP BHR will be informed by a national baseline assessment to identify the gaps and current state of affairs for business and human rights in Malaysia. On 21 and 22 September 2021, Malaysia also held its first National Conference on Business and Human Rights to share information on the progress of the NAP BHR and bring together key stakeholders to actively participate in the NAP BHR discussions.

## Ethical Recruitment

Governments can promote ethical recruitment by strengthening protections in legislation. Examples of progress here include:

- In 2021, Mongolia prohibited recruitment agencies from charging any fees from employees, as well as the confiscation of identity documents, switching contracts without consent, or withholding wages.
- In the United States, the *Federal Acquisition Regulation: Combating Trafficking in Persons – Definition of “Recruitment Fees”* - first drafted in 2015 and issued in December 2018 - clarified the prohibition on charging recruitment fees to workers.
- Jordan issued *Regulation No. 63 of 2020 regulating recruitment agencies in the recruitment of non-Jordanian domestic workers*. The regulation enables authorities to rate recruitment agencies on their compliance with labour laws and revoke the licenses of non-compliant agencies.

## International Labour Organization promotes fair labour practices

Since the previous forum, the ILO has continued to raise awareness and advocate for good labour practices across the region through programs such as Tripartite Action to Enhance the Contribution of Labour Migration to Growth and Development in ASEAN (TRIANGLE) – supported by the Australian and Canadian Governments, Safe and Fair: Realizing women migrant workers’ rights and opportunities in the ASEAN region, as well as Ship to Shore Rights South East Asia, and From Protocol to Practice: A Bridge to Global Action on Forced Labor (BRIDGE). Some examples of the activities undertaken within these programs include:

- Building the capacity of labour inspectorates in ASEAN member states.
- Drafting regional guidelines on ‘Achieving Fair and Ethical Recruitment’ – Improving Regulation and Enforcement in the ASEAN Region’.
- Providing input to national legislation and supporting drafting of policy guidelines across ASEAN member states.

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# Progress Report

## Government Progress

### Sri Lanka

Sri Lanka redrafted its National Labour Migration Policy to develop the National Policy on Migration for Employment for Sri Lanka and National Action Plan (2022-2026). In consultation with relevant stakeholders, the Policy was developed under four key policy areas:

1. Good governance of labour migration to promote decent and productive employment.
2. Secure rights and protection of migrant workers and ensure wellbeing of their families.
3. Promotion of employment opportunities for skilled and semi-skilled migrant workers in local and global economies.
4. Enhance benefits of migration and its nexus with national development.

A review of the amended *Sri Lanka Bureau of Foreign Employment Act No. 21 of 1985* is also in its final stages. The amendments include regulating sub-agents, introducing license suspension as an administration measure, and enhancing the punishment of offences.

### Protection for Victims and Access to Redress Mechanisms

Since the 2018 Forum, countries have ratified relevant international conventions and strengthened legislation provisions to effectively criminalise forms of exploitation. For example:

- Six Bali Process governments (Australia, Bangladesh, Malaysia, New Zealand, Sri Lanka and Thailand) have ratified the *Protocol of 2014 to the Forced Labour Convention, 1930*.
- Bangladesh, Brunei, Nepal, Pakistan and Palau acceded to the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*, which means that now approximately three quarters of all Bali Process countries have acceded to this Convention.

- Thailand amended its *Anti-Human Trafficking Act in 2019* to criminalise forced labour as a distinct offence under section 6.1.
- The Maldives amended its *Prevention of Human Trafficking Act* to effectively criminalise human trafficking crimes.

Governments have also made efforts to ensure that trafficking victims are identified and referred to appropriate services. Examples of progress include:

- In August 2022, the Timor-Leste Government together with the IOM, launched standards of operation procedures to identify victims and provide a referral mechanism to trafficked people.
- In October 2022, Jordan's Ministry of Justice launched a National Referral Mechanism to combat human trafficking.
- In November 2022, Bangladesh established guidelines on identifying trafficking victims. These guidelines are being piloted across a selection of police stations in the country.

### Indonesia

A major development made by Indonesia to address the issue of trafficking in persons is through the establishment of Task Force for the Prevention and Handling of Trafficking in Persons in 2021. The Task Force coordinates 24 Ministries/Institutions, and across 32 provinces and 245 municipalities and districts in Indonesia. The Task Force also develops the 2020-2024 National Action Plan, which provides directions and steps to prevent and handle trafficking in persons.

In the context of improving services to witnesses and/or victims of human trafficking, Indonesia enacted *Regulation of the Ministry of Women's Empowerment and Child Protection No. 8 of 2021 concerning Standard Operating Procedures for Integrated Services for Witnesses and/or Victims of Human Trafficking*. The standard operating procedures aim to protect trafficking victims and ensure that the handling process of witnesses and/or victims can apply the gender perspective approach and prevent victims from experiencing retraumatisation, judgement, and stigmatisation.



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Bali Process governments welcomed the GABF as a permanent track in 2018. There have been excellent examples of research on prevalence, trends, and best practice since.

## Advance

### Governments to:

- 1. Welcome the GABF as permanent track of the Bali Process.**
- 2. Conduct and share research on prevalence, trends and best practice.**

Bali Process governments welcomed the GABF as a permanent track in 2018. Since then, there have been excellent examples of research on prevalence, trends, and best practice.

### Bangladesh

In 2022, Bangladesh published the “First National Study on Trafficking in Persons in Bangladesh”. This study was published by the Global Action against Trafficking in Persons and Smuggling of Migrants, with the cooperation of the Bangladesh Government and United Nations Office on Drugs and Crime to provide a comprehensive account of the current trafficking situation in Bangladesh. The study covers trafficking trends, characteristics, risk factors, modus operandi of traffickers, and national responses to trafficking crimes. A data-sharing partnership enabled the study to use statistics gathered from government agencies, including the Ministry of Justice, Law and Parliamentary Affairs and the Ministry of Home Affairs.

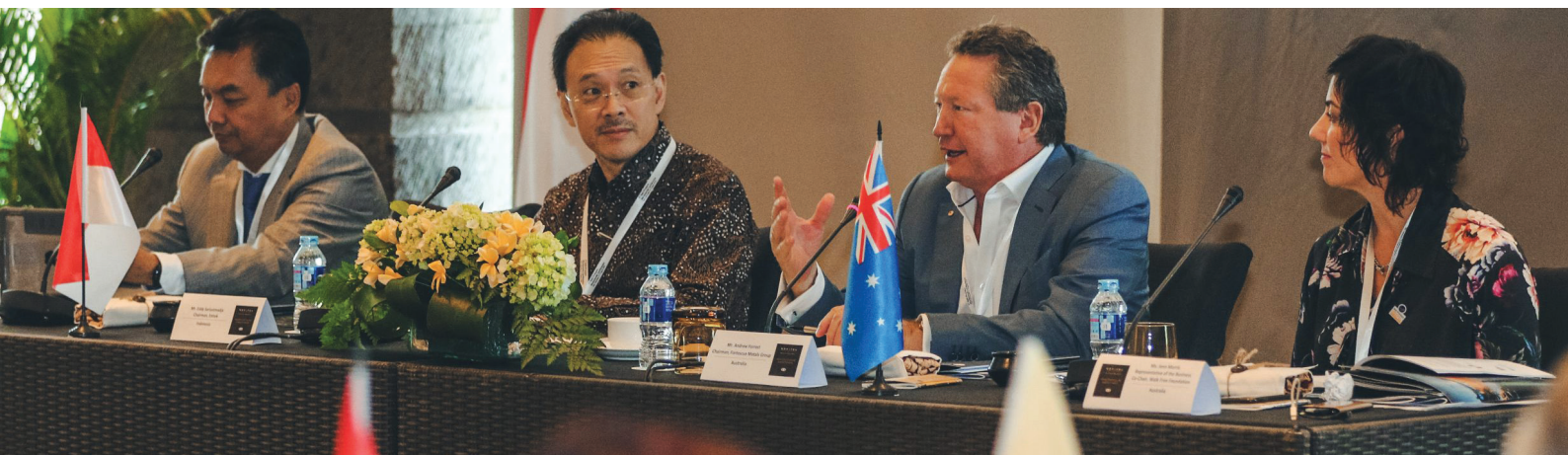
### Turkey

Under the Support to Turkey’s Migration Management Studies Project funded by the Republic of Turkey and the European Union, research on labour exploitation was conducted across different provinces and six regions of the country. The research aimed to collect up-to-date information from stakeholders on the risk of human trafficking for forced labour and to support the institutional and legal reform process in the field of migration management. Within the scope of the research, 93 stakeholders from state and non-state actors, national and international civil society organisations, academics and international organisations were interviewed and ten research activities were carried out and completed.

# Progress Report

## Business Progress

This section sets out examples of progress made by businesses and initiatives launched to support businesses seeking to address human trafficking and modern slavery. Though not a comprehensive account of all actions taken by business since the last GABF forum, this section highlights some examples of positive progress to implement the AAA Recommendations.



# Acknowledge

## Business to:

1. **Deepen understanding within their own organisations and supply chains, through dedicated resources, training and capability development.**
2. **Conduct ongoing risk assessments and take steps to manage risk in accordance with best practice.**

## Fortescue – Australia

Fortescue, founded by Dr Andrew Forrest AO, is a global leader in the iron ore industry with mining assets in the Pilbara, Western Australia. The company is driving future growth through international exploration with a focus on commodities that support green energy, decarbonisation and electrification. Through its green energy and technology company, Fortescue Future Industries, Fortescue is rapidly diversifying into an integrated, global green energy and resources company.

Building on the company's established human rights practices, in FY22 Fortescue completed a salient human rights risk assessment to identify areas with greatest potential to impact the human rights of people across Fortescue's value chain. The company also established a modern slavery procurement procedure to provide greater guidance on supplier screening, introduced mandatory human rights training for all employees, and established a global monitoring centre aimed at protecting their people and assets.

Since the previous Forum, Fortescue has gained a better understanding of the risk profile within their existing supply chain and is working to strengthen due diligence processes prior to vendor onboarding. As part of this, Fortescue has updated their Sustainable Procurement Standard which requires greater transparency of vendor supply chains prior to contract award. This enables Fortescue to be more selective about who they engage with while helping to raise the standards and expectations within the industry.

Fortescue continues to collaborate with government, its peers and advocacy bodies, including Walk Free. This has included Dr Forrest holding meetings with businesses and governments over the past year to raise awareness and call for urgent and effective action against modern slavery.

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# Progress Report

## Business Progress

### Act

#### Business to:

- 1. Improve supply chain transparency.**
- 2. Implement ethical and transparent recruitment practices.**
- 3. Strengthen internal codes of conduct, contractual terms, procedures and policies that offer safeguards and avenues for redress for workers impacted by forced labour and related transnational crimes.**

#### Thai Union - Thailand

Created in 2016, the Thai Union's "Ethical Migrant Recruitment Policy" looks at improving the practices associated with migrant recruitment. The policy aims to ensure that there is safer migration recruitment and to reduce the potential labour exploitation of migrant workers. In 2019, Thai Union had their Ethical Migrant Recruitment Policy independently evaluated. The independent evaluation found that the policy resulted in a reduction of the costs relating to the recruitment process that are incurred by workers, reports of workers feeling safer throughout the recruitment process, an increase in applicants for jobs and higher levels of job satisfaction by workers. Following the evaluation, in 2021, Thai Union has implemented a number of the recommendations and updated their policy.

Complementary to this, in January 2022, Thai Union has enacted the 'Employers Pay Principle', for recruitment of migrant workers in their Thailand-based operations. This principle provides that all costs related to recruitment will be borne by Thai Union and not workers seeking employment. Thai Union will report on the progress of the Employers Pay Principle annually.

#### Fast Retailing - Japan

In 2019, Fast Retailing took a number of steps including establishing a human rights policy, a hotline for worker grievances and the 'Fast Retailing Code of Conduct for Production Partners'. The Code of Conduct specifically includes prohibitions on forced labour and child labour by their production partners.

In August 2019, Fast Retailing partnered with the ILO. Two key outputs resulted from this partnership. The first was to better understand the recruitment and employment conditions of migrant workers in Japan, Thailand and Malaysia. The second was to strengthen the rights of workers and social security rights of workers in Indonesia, which included providing the technical support in the implementation of a new employment insurance system that came into effect in 2022.



# Walmart: Forced Labor and Responsible Recruitment

Walmart aims to source responsibly while acting as a catalyst of positive transformation for the well-being of people working in consumer product supply chains, working with others to realize the economic promise of supply chains and helping address specific systemic risks.

Walmart's Responsible Sourcing program sets expectations of product suppliers aligned with our Human Rights Statement, monitors supplier performance against those expectations and works through our business to continuously improve our product supply chains. Walmart articulates our expectations in our Standards for Suppliers, which apply to all suppliers who sell their products to us for resale or for Walmart's own use. Suppliers are expected to cascade the requirements outlined in our Standards for Suppliers throughout their supply chains – including raw material, component or ingredient suppliers, and subcontractors and agents. These foundational expectations address fundamental issues such as worker safety, forced labor and harassment and discrimination in the workplace.

Walmart employs a risk-based approach to monitor for compliance with our Standards, focusing on areas that pose the greatest potential risk to worker dignity. Regions and territories are assigned risk levels based on World Bank governance indicators. New facilities that produce product where Walmart will be the importer of record must be audited and receive an acceptable result prior to beginning production for Walmart. Suppliers' failure to comply with these policies may result in disciplinary action, up to and including termination.

Walmart and the Walmart Foundation have prioritized working with stakeholders to combat forced labor and other exploitative practices in global supply chains. In 2016, Walmart and Walmart Foundation set an aspiration to help make responsible recruitment the standard business practice for employers throughout global supply chains within a decade (by 2026). Since then, our business and philanthropic efforts have focused on the following (which include over \$45 million in grants promoting responsible recruitment of workers and fair and responsible labor practices in global supply chains). This work includes:

1. Conducting due diligence, including funding research into the prevalence of social concerns in industry supply chains and/or regions and tracking progress toward improvement – through groups such as the International Organization for Migration (IOM), International Justice Mission (IJM) and Woodrow Wilson International Center for Scholars. For instance, the Walmart Foundation funded IJM's first comprehensive study documenting the prevalence of forced labor and exploitation of fishermen on Thai fishing vessels. The Foundation also

funded the IOM work to better understand the scope and scale of migrant labor in Walmart's supply chains in Thailand and Malaysia. Through this grant, IOM trained 100 facilities in Thailand and Malaysia on managing migrant worker exploitation risks and trained over 90 recruiters on ethical recruitment in Indonesia, Nepal, Malaysia, Cambodia, Thailand, Bangladesh and Myanmar.

2. Collaborating with stakeholders in consortia and task forces to develop and share best practices via groups such as the Seafood Task Force, Ethical Charter on Responsible Labor Practices, Leadership Group for Responsible Recruitment (LGRR), Responsible Labor Initiative (RLI).
3. Strengthening demand/building capacity for responsible recruitment of workers and fair and responsible labor practices through supplier engagement. To engage suppliers in advancing responsible recruitment across our supply chain, Walmart launched – in consultation with external stakeholders and civil society organizations – a Supplier Responsible Recruitment initiative at the March 2022 Walmart Supplier Growth Forum. The initiative invites suppliers (starting with seafood, produce and electronics) to adopt and report on practices related to recruiting, worker engagement, and transparency that experts believe will facilitate responsible recruitment.
4. The Foundation has additionally funded initiatives empowering migrant workers through worker voice, creating safe migration pathways for migrant workers, building anti-trafficking hotlines, and more. For instance, In FY2021, the Walmart Foundation made an investment in CIERTO to build capacity around the responsible recruitment of H-2A migrant workers through the Mexico/U.S. corridor to U.S. farms and to support implementation of the "Employer Pays Principle". Likewise, the Walmart Foundation also funded the Labor Mobility Partnerships to develop globally scalable and sustainable solutions that allow workers to safely access jobs abroad, and the Issara Institute, International Research and Exchanges Board (IREX), and Polaris respectively, to address worker voice, community engagement, and safe migration – especially in the first mile.

Walmart also focuses on supporting strong policy and regulation, engaging governments to advocate for policy change and enforcement of current laws and regulations. For example, Walmart advocated for responsible recruitment through the Bali Process Government and Business Forum and via direct engagement with government leaders in southeast Asia.

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# Progress Report

## Business Progress



### Delegate Comment

**Hafimi Haadii**

LVK Group (Brunei)

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“Covid-19 and the fallout of the pandemic has been the push toward digital transformation of business and government support. Post pandemic challenges were largely affecting the mobility of labour at all levels not just domestically, but also cross border migration of labour. In Brunei, all sectors of the economy were impacted, however, the restarting of economies post pandemic reset the rules of engagement as well as the upgraded focus on labour standards. In bilateral agreements with some of the traditional countries where labour is supplied, minimum wage requirements have been incorporated into labour contracts with migrant workers, as well as understanding of migrant worker rights, responsibilities and platforms for recourse. Both employer and employee relationships are mutually beneficial as legislation seeks to have fair guidelines and protection against human trafficking. Enhancement of workplace safety and procedures mandated by law is also a major shift in national governance due to the increase of Foreign Direct Investment facilities in the country, which over time will ensure global standards are met.”



## Delegate Comment

### Chevaan Daniel

Capital Maharajah  
Organisation (Sri Lanka)

**“Our commitment to a Sri Lanka, and a world free of modern-day slavery remains solid. Especially at a time of extreme social and economic upheaval, we understand the importance of our role, and will continue to lead by example.”**

## Wesfarmers - Australia and New Zealand

Wesfarmers Limited (Wesfarmers) is one of Australia's largest publicly listed companies. Since the previous forum, Wesfarmers has continued to build upon existing policies and frameworks. In 2020, Wesfarmers established a 'Modern Slavery Risk Management Plan' and launched their modern slavery, supply chain risks training, for employees. In 2021, Wesfarmers introduced the 'Refinitive Know Your Customer World Check Risk Intelligence' tool in 2021. This tool aids in the identification and management of potential risks including violations of human and labour rights. Also in 2021, Kmart and Target, businesses of Wesfarmers, implemented an ethical sourcing policy that requires transparency from their suppliers around supply chains and environments. The businesses ranked equal first in the 2022 Fashion Transparency Index, which reviews the top 250 fashion and retail businesses worldwide. Kmart and Target are the only Australian businesses to rank in the top 50 for 2022.

In New Zealand, Wesfarmers has been a supporter for the introduction of modern slavery legislation. In March 2021, Bunnings New Zealand, New Zealand Safety Blackwood and Work Wear Group, businesses of Wesfarmers, together with 80 other New Zealand businesses, signed a letter requesting that the New Zealand Government initiate an inquiry into the potential of a modern slavery act. The letter asked for a commitment by the New Zealand Government to consider legislation that would require businesses to collaborate and address modern slavery.

## Adaro - Indonesia

Adaro implemented activities to prevent modern slavery and human trafficking. For example, Adaro adopted a code of conduct to establish management systems and prevent involuntary labour and human trafficking. The code also provides a commitment by Adaro to always treat employees with fairness and dignity by considering their rights and personal pride as a human being and to provide a comfortable and safe work environment.

Another example that was recently received by several companies within the Adaro Group. Bipartite Cooperation, PT Makmur Sejahtera Wisesa, and PT Tanjung Power Indonesia received certificates of appreciation at the provincial level of South Kalimantan from the Governor of South Kalimantan. This award was received on the basis of a good assessment in the application of administration, implementation and K3 (occupational safety and health) programs; participation in mandatory government programs such as BPJS; communication on the application and implementation of applicable laws; capacity building through employee training; and other activities.

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# Progress Report

## Business Progress

### Advance

#### Business to:

- 1. Establish a governance framework which ensures sustainability and effectiveness of the GABF.**
- 2. Promote the business case for taking action, including through research and case studies.**
- 3. Encouraging other businesses to take action, including through engagement with GABF.**

#### Bayat Foundation - Afghanistan

Dr. Ehsanollah Bayat, Chairman and co-founder of the Bayat Foundation, hosted the 'Ending Slavery-Extending Hope' conference in November 2019, Afghanistan's first national conference dedicated to eliminating modern slavery, human trafficking, and labour exploitation in Afghanistan and throughout the world. Bringing together more than 100 delegates and leaders from the private and public sector, the conference facilitated discussions around three subject areas: (i) AAA Goals - From Acknowledgement to Action; (ii) Emancipate and Empower: Jobs, Education, and Protecting Vulnerable Communities from Exploitation; and (iii) Taking Action: A Joint Initiative to Combat Slavery, Human Trafficking, and Economic Exploitation.

Since the previous forum, in 2018 Bayat published Afghanistan's first modern slavery statement by a private corporation and launched the "Bright Future Business Accelerator" program, Afghanistan's first networking and business development program for young Afghan entrepreneurs. The program brought together young Afghan business owners, potential investors, Afghan government representatives and NGOs, working towards a unified mission to develop an Afghan economy that creates millions of jobs and continues the nation's economic development. In 2019, Bayat participated in the Asian Broadcasting Union's Rights4Children campaign, producing and airing a series of radio segments to raise public awareness around new national child protection laws and a workshop for government and business on responsible and sustainable job creation: "Empowering Afghan Youth Through Fair Employment and Inclusive Education".

The Bayat Group also commissioned a full length 21-minute feature documentary on child labour in Afghanistan which was broadcasted nationally in 2019 and remains available online.



Businesses are working to deepen understanding within their organisations and supply chains, through dedicated resources, training and capability development.



### Delegate Comment

**Dr. Ehsan Bayat,**  
The Bayat Group  
(Afghanistan)



“Despite challenges in our country, the Bayat Foundation and Bayat Group remain resolute in our efforts to help eliminate slavery, trafficking and exploitation from Afghanistan — and the world. Since the last GABF, we have built on early efforts to continue to educate, advocate, and support those most at-risk via digital channels, and are urgently focused on the growing number of vulnerable children. We are working hard to provide information, income, and opportunities to families in need as we believe that where opportunity can be expanded, exploitation can be eliminated. We are grateful for the sustained and exceptional leadership offered by the Governments of Australia and Indonesia, as well as, The Walk Free Foundation and our fellow GABF members in the fight against modern slavery and exploitation worldwide, and we ask you to join us in remaining firmly engaged with supporting Afghanistan. For, as Abraham Lincoln stated: ‘If slavery is not wrong, then nothing is wrong.’”

# Progress Report

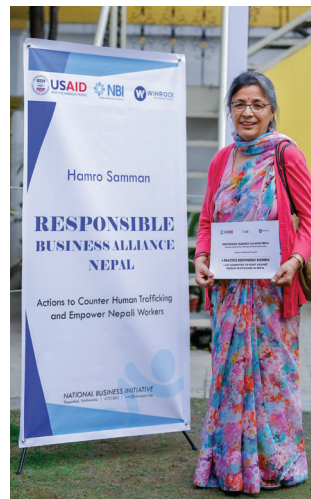
## Business Progress

### National Business Initiative - Nepal

Nepal's Business Leader Kush Kumar Joshi from the National Business Initiative, assisted in establishing the Responsible Business Alliance Nepal (RBAN) network in Nepal. The RBAN currently has 28 members with the main objective being to improve knowledge and awareness about modern slavery in workplace and promote responsible business practices. The RBAN implements the AAA Framework model for their engagement with the private sector to end modern slavery practices in the workforce. At the initial outset, the focus for the RBAN will be toward providing support and guidance through private sector engagement. This includes providing support in developing the plans for private sector engagement and increasing collaboration and communication with stakeholders and the general business space.

Since the previous forum, the RBAN has developed a Responsible Business Toolkit to mobilise the work of the RBAN and provided 17 member companies with 'training to trainers' capacity building program. The RBAN's ongoing plan is to train the remaining members and expand the existing network. In addition to this work, the RBAN has issued a Business Code of Conduct and has sought that this code of conduct is implemented by all organizational members and individual members.

All 28 members of the RBAN have pledged to end modern slavery and publish modern slavery statements.







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[www.baliprocessbusiness.org](http://www.baliprocessbusiness.org)  
[info@baliprocessbusiness.org](mailto:info@baliprocessbusiness.org)

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**Bali Process**  
Government &  
Business Forum

2023