



This project is funded by the Partnership Instrument (PI) of the European Union.



International Labour Organization

The Partnership Instrument (PI) of the European Union

Foreword

Welcome to the first quarterly Newsletter developed by International Organization for Migration (IOM) in the framework of the recently-launched 'EU-China Dialogue on Migration and Mobility Support Project'. First action funded by the Partnership Instrument (PI) of the European Union in China, this three-year project is being implemented by IOM and the International Labour Organization (ILO) as of 10 April 2015.

Migration and Mobility is not a new chapter in the dialogue between EU and China. While previous EU-funded projects, such as the 'Capacity-Building on Migration Management in China (CBMM)' project, phase I and II (2007 to 2014), aimed at building partnerships, providing technical assistance and identifying areas of mutual interest between EU and Chinese relevant governmental institutions, the new 'EU-China Dialogue on Migration and Mobility Support Project' will build on these matured partnerships and facilitate an engaged policy dialogue between China and EU on various issues of equal significance to both parties such as promotion of regular migration opportunities and reduction of irregular migratory flows. Further, this new phase of migration and mobility initiatives will not only continue technical cooperation and exchange-related activities but will also evolve into new areas of common interest. In line with IOM's global theme of the year 2015, 'Migrants and Cities', the topic will be the subject of a range of policy seminars and research works that are of relevance both to EU in its efforts to promote European labour market as well as to China in view of its unprecedented urbanization. Additionally, the project will assess the development dimension of migration and examine how migration and mobility can impact the development process.

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Through the Partnership Instrument (PI), the EU cooperates with partners around the world to advance strategic interests and tackle global challenges. The PI is one of the funding instruments that enable the EU to take part in shaping global change and promote its core values.

The PI shall support measures that respond in an effective and flexible manner to objectives arising from the Union's bilateral, regional or multilateral relationships with third countries and shall address challenges of global concern and ensure an adequate follow-up to decisions taken at a multilateral level.

The PI has four main **objectives**:

1. Offering policy support and responding to global challenges;
2. Projecting the international dimension of Europe 2020;
3. Facilitation and support of economic and trade relations; and
4. Promoting public diplomacy and academic cooperation.

For further information, please consult:

<http://ec.europa.eu/dqs/fpi/>



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The first Briefing of the EU-China Dialogue on Migration and Mobility Support Project



On 10 April 2015, a first briefing was held in Beijing to initiate the new 'EU-China Dialogue on Migration and Mobility Support Project'.

It brought together all main actors from both sides, including a high-level EU delegation led by Mr. Matthias Ruete, Director General of the Directorate General for Migration and Home Affairs

(DG HOME), who was on official visit in Beijing to attend the EU-China Dialogue on Mobility and Migration. Representatives of the EU Delegation to China, high-level representatives from Chinese relevant Ministries including Ms. JIANG Qin, Senior Counsellor, the Department of International Organizations and Conferences of the Ministry of Foreign Affairs, Mr. PANG Shuqiang, Deputy Director-General, Bureau of Exit & Entry Administration (BEEA) of the Ministry of Public Security as well as Ministry of Commerce, State Administration of Foreign Experts Affairs, ILO and IOM also attended.

Both sides stressed on the importance of convening such meetings that allow the establishment of contacts among parties and helps build a better understanding of each other and even of each other's words and terminologies. Ms. JIANG said China is confident that the new project will support China in its efforts in promoting international cooperation, in particular with the EU on migration and mobility. Mr. Mathias Ruete, Director General for Migration and Home Affairs (DG HOME) outlined how EU is currently reassessing its migration policy. On 13 May, the EU presented a new migration agenda with improved governance, more focus on legal migration and more vigorous action against irregular migration and ensuring more secure borders.

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Through this Newsletter, we will share analysis around the EU-China dialogue on Migration and Mobility, highlight latest policy developments, related legislative regulations established in the EU as well as in China and outline project activities that take place in parallel to these developments.

The focus of this first issue is introducing the project, its objectives, main actors as well as preliminary consultations.

Pär Liljert, Head of Office, IOM Liaison Office in China.



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The Official Launch of the EU-China Dialogue on Migration and Mobility Support Project



On 10 April 2015, IOM China Head of Office, Mr. Pär Liljert and the Ambassador of the European Union to China, Mr. Hans-Dietmar Schweisgut, signed the project agreement in Beijing. This event also marks the official kick-off of the project. The signing event and the launch of the project coincided with the EU-China Dialogue on Mobility and Migration that took place in Beijing from 8 to 9 April 2015.

Media Round-Up

IOM Press Briefing Note:

<http://iom.int/cms/en/sites/iom/home/news-and-views/press-briefing-notes/pbn-2015/pbn-listing/iom-hosts-eu-china-dialogue-on-m.html>

Press Release of the Ministry of Foreign Affairs of People's Republic of China:

http://www.fmprc.gov.cn/mfa_chn/wjb_602314/zzjg_602420/t1253718.shtml

Press release of the European Union concerning Project Coordination Meeting:

http://eeas.europa.eu/delegations/china/press_corner/all_news/news/2015/20150413_en.htm

IOM Press Briefing Notes posted on the Facebook page of IOM Regional Office for Asia and the Pacific in Bangkok:

<https://www.facebook.com/iommigration/photos/>

[a.182599769020.127104.161303029020/10152850032819021/?type=1&theater](https://www.facebook.com/iommigration/photos/a.182599769020.127104.161303029020/10152850032819021/?type=1&theater)



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Project Summary

Objectives, Outcomes, Impact and Partnerships

The 'EU-China Dialogue on Migration and Mobility Support Project' is an initiative funded by the Partnership Instrument (PI) of the European Union and implemented by the International Organization for Migration (IOM) and the International Labour Organization (ILO).

The overall objective of this project is to contribute to better management of mobility and legal migration between the EU and China, as well as to reduce irregular migratory flows. It aims at maximizing the benefits of international migration and focuses on **the four pillars of the Global Approach to Migration and Mobility framework** that are of common interest to both EU and Chinese stakeholders and supports both sides' strategic growth and development agendas:

- 1 organizing and facilitating legal migration and mobility
- 2 preventing and reducing irregular migration
- 3 maximizing development impact of migration and mobility
- 4 promoting international protection

This project will address the current opportunities and challenges in EU-China cooperation in the migration field and aims at supporting a broader, more inclusive and well-functioning strategic agenda, covering not only increased mutual interests related to migration and mobility issues but also addressing difference in priorities and capacities to reach a more advanced level of dialogue and cooperation between China and EU.

The project is expected to achieve its objectives by delivering the following **four outcomes**:

- ⇒ A structured and well-functioning migration dialogue between EU and China is consolidated and supported;
- ⇒ Legal migration and mobility opportunities between China and EU strengthened and promoted and rights of migrant workers protected;
- ⇒ Capacity of Chinese stakeholders strengthened to prevent and reduce irregular migration from China to EU, address human trafficking and reduce the presence of Chinese irregular migrants in EU through return, readmission and reintegration measures while ensuring international protection in mixed migration flows; and
- ⇒ Policy makers and practitioners draw on international good practice and research to improve cooperation on migration and mobility and maximize the development impacts.

A wide range of activities have been designed within this project in order to respond to the evolving needs of the all-encompassing dialogue on Migration and Mobility between EU and China.

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Partnerships

Key European partners include the EU Member States, EU departments, services and agencies (e.g Foreign Policy Instruments (FPI), Migration and Home Affairs (DG-HOME), International Cooperation and Development (DG-DEVCO), European External Action Service (EEAS), Europol, Eurojust and Frontex and EU Delegation to China.

Key Chinese government partners include the Ministry of Foreign Affairs (MFA), Ministry of Public Security (MPS), Ministry of Commerce (MOFCOM), China International Contractors Association (CHINCA) of the Ministry of Commerce, All-China Federation of Trade Unions (ACFTU), the State Administration of Foreign Experts Affairs (SAFEA) and other relevant entities.

New Regulation on the Issuance of (Z) visa and some background Information on the definition of ‘Short-Term stay’ visa and related requirements

In November 2014, the MOHRSS, MFA, MPS and the Ministry of Culture (MOC) jointly promulgated (for Trial Implementation) the entry procedures of foreigners who enter China for short-term employment. This new procedure is a regulation with a particular focus on regulating cultural and performance-related activities of foreigners in China. It mainly targets foreigners staying in China for the duration of less than 90 days.

This Regulation includes specific articles on categories and requirements of visa issuance for foreign nationals. For instance, the article 2 (6) clearly distinguishes between (F) visa and (M) visa both targeting those foreigners, who come to China for business related activities.

According to this procedure, short-term stay (within 90 days) include the following purposes of entry in China:

- ⇒ Enter China to complete some tasks related to technology, scientific research, management and guidance;
- ⇒ to conduct trial training at sports agencies (including coaches, athletes);
- ⇒ to develop films (including advertising films and documentaries);
- ⇒ to attend fashion shows (including car model, print advertising, etc.);
- ⇒ to engage in commercial performances; and
- ⇒ other situations identified by MOHRSS.

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In addition, it regulates that following situations are not considered as short-term work tasks:

- ⇒ Procurement of machinery equipment; equipment matching, installment, debugging, dismantling, giving guidelines and training;
- ⇒ provide guidance, supervisions and examinations of projects that win bids in China;
- ⇒ dispatch to complete short-term work tasks at the branch offices, sub-company, representative offices in China;
- ⇒ take part in sport events (including athletes, coaches, team doctors, assistants, etc. except if he/she enters in China to participate in sport matches, holding registration cards approved by responsible Chinese organizations, according to the requirement of international sports organizations);
- ⇒ enter in China to be involved in non-remunerated works or volunteer / voluntary work remunerated by overseas organizations; and
- ⇒ in cases when the cultural agency doesn't indicate "commercial performance concerning foreign affairs" on the approval document.

If the foreign national belongs to the category **1, 2, 3** or **4**, he/she should apply for **M visa** within 90 days of entry in China. If the foreign national belongs to the category **5** or **6**, he/she should apply for **F visa** within 90 days of entry in China.

Procedure for applying for short-term work visa

- ⇒ Apply for a work permit in China
- ⇒ Go through formalities for the invitation letter or invitation confirmation letter
- ⇒ Apply for the Z visa.

Foreign nationals, who obtain working permit, allowing them to enter China to complete a short-term work, must apply for Z visa at the Chinese embassies and consulates or other visa-granting organizations abroad. They should submit the following documents:

- ⇒ Authorized certificate (approved official document) and approval of short-term employment for foreigners working in China (original and one copy)
- ⇒ Authorized invitation letter and invitation confirmation letter
- ⇒ Original passport or other international travel document (original and one copy)
- ⇒ Other supporting documents required by the Chinese visa-granting authority abroad
- ⇒ Go through formalities for the work-type residence permit.

For those short-term works, the duration of which does not exceed 30 days, the visa issuing organization abroad should issue a 30-days-stay visa and add a bilingual remark at the remark column "Allowed to work only within the period of time indicated in the approval".

- ⇒ For those short-term works, the duration of which



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exceeds 30 days, the remark column should indicate that residence procedures should be completed within 30 days after the entry.

- ⇒ The purpose of this procedure is to distinguish between applicants who do not need to apply for Z visa and those obtain Z visa but do not go through the procedure of getting a resident's permit.
- ⇒ The (Z) visa is issued to those who intend to work in China according to the Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners.
- ⇒ The regulation does give a clear description of what is required in order to apply for such visa. It only indicates that the applicant shall, in accordance with relevant provisions, submit the work permit, certificates and other supporting documents. The visa authority may require, in some specific cases, the submission of additional material.

Procedure for applying for short-term work visa

In order to obtain a (Z) visa, one of the following documents must be submitted :

- ⇒ Foreign national's work permit issued by Human Resources and Social Security authorities of the Chinese government, as well as the Invitation Letter of Duly Authorized Entity or Confirmation Letter of Invitation issued by relevant Chinese entities.
- ⇒ Foreign expert's work permit issued by the State Bureau of Foreign Experts as well as Invitation

Letter of Duly Authorized Entity or Confirmation Letter of Invitation issued by relevant Chinese entities.

- ⇒ Registration Certificate of Resident Representative Offices of the enterprises of foreign countries (regions) issued by Chinese authorities of industrial and commercial administration, as well as Invitation Letter of Duly Authorized Entity or Confirmation Letter of Invitation issued by relevant Chinese entities as well as Invitation Letter of Duly Authorized Entity or Confirmation Letter of Invitation issued by relevant Chinese entities.
- ⇒ An approval document for commercial performances issued by the Chinese government authorities for cultural affairs or Invitation Letter of Duly Authorized Entity or Confirmation Letter of Invitation issued by relevant Foreign Affairs Office of provincial governments of China.
- ⇒ Letter of Invitation to Foreigners for Offshore Petroleum Operations in China issued by China National Offshore Oil Corporation;

The regulation also reminds foreign nationals that:

Holders of (Z) Visa shall apply, within 30 days of their entry date, for foreigners' residence permits to the Exit/Entry Administrations of public security organs under local people's governments at or above the county level in their place of residence.



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For any enquiries on the content of this publication, please contact IOM Liaison Office in Beijing:

IOM Liaison Office in China,
No. 9-1-82, Tayuan Diplomatic Compound, 1 Xindonglu, Chaoyang District, Beijing China, 100600, Tel: 86-10-59799695, Fax: 86-10-85323687, E-mail: iombeijingMMSP@iom.int

国际移民组织驻华联络处, 北京市朝阳区塔园外交公寓9-1-82, 邮编100600, 电话: 86-10-59799695, 传真: 86-10-85323687, 电子邮件: iombeijingMMSP@iom.int

ILO Country Office for China and Mongolia, No. 1-10, Tayuan Diplomatic Office Building, 14 Liangmahe Nanlu, Beijing, 100600, China, Tel: 86-10-65325091, Fax: 86-10-65321420

国际劳工组织中蒙局, 北京市朝阳区亮马河南路14号, 塔园外交办公楼1单元10层, 邮编100600, 电话: 86-10-65325091, 传真: 86-10-65321420