



International Organization for Migration (IOM)



International Labour Organization

EU-China Dialogue on Migration and Mobility Support Project
支持中欧人员往来和移民领域对话项目

WORKSHOP ON INTERNATIONAL STANDARDS FOR IDENTIFYING AND ASSISTING VICTIMS OF TRAFFICKING

Nanjing, 15 – 16 November, 2016



Summary Report

On 15 and 16 November, the *Workshop on International Standards for Identifying and Assisting Victims of Trafficking* was held in the city of Nanjing, Jiangsu Province, as part of the *EU-China Dialogue on Migration & Mobility Support Project*. IOM Head of Office, **Mr. Pär Liljert**, introduced the activity and provided an overview of the current trends, globally as well as in China, related to counter-trafficking. The opening session, also had **Mr. Stephane Bauguil**, Programme Manager for the Foreign Policy Instrument at the Delegation of the European Union to China and **Mr. Li Wei**, representing Director CHEN Jianfeng from the Office to Combat Trafficking, giving their opening remarks.



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Day 1

Session 1- The Identification of the Victims of Trafficking & International Legal Frameworks

The first day saw presentations by **Mr. Richard Fairbrother** from IOM, on the basic concepts in international law on trafficking in human beings, specifically focusing on clarifications on the issue of 'consent' and 'deception', also in relation to marriage migration. Exploitation was highlighted as a key element of trafficking, which includes threats and coercion (according to some other countries legal frameworks).

Different identifiers were provided to be able to assess a potential trafficking case. Control of the victim by the trafficker was described as an important identifier. Traffickers have different ways and forms of control on their victims, including;

- debt bondage;
- isolation;
- use of violence and fear;
- use and threat of violence (also against family members); and
- cultural practices (such as using curse to control victims).

The international definition of trafficking requires authorities to look at the act, exploitation, and the means of control. The difference between smuggling and trafficking was explained as in trafficking the victim is exploited and in smuggling there is no exploitation, but only transportation.

Mr. Li Wei from the Office to Combat Trafficking at the Ministry of Public Security (MPS), gave a presentation on China's current counter-trafficking situation. A nation-wide DNA database for trafficked children has been instituted and several public awareness activities, including the use of social media, have been conducted. China is trying to tackle the issue of forced marriages, especially of women from Vietnam, Myanmar, Cambodia and Laos. These women are being transferred more and more from the border regions of China towards inland China.

Mr. Li explained that Chinese women are trafficked out of mainland China; mainly to Hong Kong SAR & Macao SAR and to Europe, Asia & Africa. China has signed anti-trafficking agreements with Vietnam, Laos and Cambodia and



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holds regular meetings with the competent authorities of these countries. At the moment China is in discussions with Thai authorities on having a similar agreement.

China has set-up eight liaison offices in the border areas to counter human trafficking. China would like to strengthen its cooperation on information exchange and law enforcement cooperation, and is developing several public information campaigns to increase general public awareness.

Mr. Richard Fairbrother delivered a second presentation on **Identifying Victims of Trafficking**. Victims of trafficking are often fearful of authorities, especially the police, so professionals working in counter-trafficking need to keep this in mind since victims might present hostility to the police.

Session 2- Legal Frameworks for Identification of Victims of Human Trafficking

Inspector **Ms. Rita Theodorou Superman**, Head of the Counter-Trafficking Unit from the National Police of Cyprus shared her experience on victim identification and counter-trafficking efforts in Cyprus. Ms. Theodorou Superman provided a framework to the process involved in trafficking victims, including:

- Recruitment
- Transportation
- Exploitation
- Victim disposal
- Proceeds

Ms. Theodorou Superman stressed the concept that victims rarely believe they are victims of trafficking and she provided input on what it means to be a victim and what the victim might think and feel, including some of the 'myths' that victims present.

The Cypriot legal context on trafficking was introduced together with the Cypriot manual for police officers to identify victims of trafficking. Ms Superman remarked that trafficking is a hidden crime and anyone could be a victim (incl. domestic workers, sex workers, etc.). Ms. Theodorou Superman emphasized on the need to have a victims-centered approach that takes into consideration the victims' trauma, culture and fears.



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The Spanish National Police expert, **Inspector Cristina Hermoso Belmonte**, head of the division responsible for human trafficking from Asian countries, presented a trafficking case to exemplify international cooperation between China and Europe. She explained how international cooperation was fundamental in the dismantling of an international trafficking ring. The case also showed that trafficking could also involve the use of document fraud (including passports and visas). Specific cooperation between China and Spain was emphasized as being crucial in solving the case and the details of how China and Spain cooperated were shared.

Ms. Theodorou-Superman provided another presentation about the EU funded EMPACT project, a consortium of EU Member States trying to tackle human trafficking from China. Ms. Theodorou-Superman provided an overview about a research conducted in Cyprus about Chinese victims of trafficking. She explained, the importance of an agreement between the Ministry of Justice and Public Order of Cyprus and the Ministry of Public Security of China, as this facilitates cooperation on public security matters.

Mr. Gao Fei from the Public Security Bureau of Jiangxi province spoke about the counter-trafficking efforts in Jiangxi. Foreign brides in Jiangxi increased sharply since 2012. By end 2015, there were 4,280 marriages registered in Jiangxi involve brides from neighboring countries, specifically Vietnam and Cambodia, and to a lesser extent from Laos and Myanmar. Foreign brides are sometimes 50% of the total of marriages in the following villages in remote rural areas: Boyang, Leping, Fulian, Lichuan, and Xingse. Many are introduced by marriage intermediaries and the husbands' side pays commission money to the agents.

Mr. Gao mentioned that about 3,000 of these foreign brides are satisfied of this situation, 25% have children, and only 7.5% divorce. In 2016, there were 16 cases of human trafficking, involving 10 criminal groups, 59 women were repatriated and specifically 13 Cambodian women and 12 Vietnamese brides were saved.

A professional team lead by the Head of the PSB deals with cases of trafficking in human beings. Since 2013, they have organized a number of special actions for foreign women being trafficked into China and strengthened collaboration within our provincial authorities and other provinces' authorities. There are still



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challenges in getting evidence, language barriers, and issues surrounding resettlement and temporary shelter.

Mr. Gao had the following recommendations:

- 1) Strengthen national and international collaboration;
- 2) Develop a joint mechanism between Bureau of Exit and Entry Administration (BEEA) of MPS and the Public Security Bureau (PSB) of MPS to make sure that the foreigners living in the province are known to the authorities;
- 3) Further strengthen efforts to eliminate criminal groups who specifically target women and children for trafficking; and
- 4) Recommend MPS to start a round of inspection of local authorities under the second National Plan of Action.

During the Q&A session following Mr. Gao's presentation a representative from Yunnan province gave a report about the counter trafficking efforts in Yunnan including detail information about the 5 liaison offices that exist with the other countries authorities.

The Sichuan All China Women's Federation representative asked Cyprus and Spain about the role of NGOs in the respective countries and how they assist in cases of trafficking. The two European experts provided detailed replies and explained that the role that NGOs play in their respective countries is crucial to their work and in providing assistance to victims.

Day 2

Session 3 - Victims Identification and Screening in Practice

Ms. Hanh Pham from the Dutch Foundation *Shop Den Haag* provided a presentation about the cultural aspects related to trans-national cases of human trafficking. She spoke about her own experience working as a manager for a project targeting the Chinese community in the Netherlands. Ms. Pham



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presented cultural difference that might hinder investigations into criminal cases, and these are not only related to language barriers, but also about cultural values related to trafficking, sexual exploitation and especially on the cultural differences on being a **victim**.

Mr. Hans van Hoegge, a principal criminal investigator from the Ministry of Social Affairs of the Netherlands, introduced the Dutch efforts to tackle labour exploitation of victims of trafficking. He presented a specific case involving Chinese nationals, through which he explained the Dutch system of combatting labour exploitation trafficking. Even though labour exploitation is not considered as trafficking in China, the presentation by Mr van Hoegge was well received.

Ms. Deng Jun a Director for the Public Security Bureau of Guizhou Province provided a presentation about Guizhou's counter-trafficking efforts. She highlighted recent efforts such as an investigation for a case that started with one victim and they realized it involved more than one person but at the end of the investigation it was found that several victims were being trafficked into Guizhou.

Ms. Deng highlighted the importance of cross-border cooperation to solve cases. Guizhou PSB does information campaigns especially for children, including the use of cartoons and merchandise such as shopping bags, cups, etc. Guizhou PSB provides regular training on counter-trafficking, it also developed mobile phone apps through cooperation with Alibaba (software provider). The Alibaba platform is a very important information dissemination tool.

Ms. Deng made the following recommendations:

- 1) From the potential victims that would like to reach out to the police, it is very difficult for the police to hear the whole truthful story. The police need to think of methods of how to get as much as possible correct information without creating much trauma to the victims because the correct statements from victims are extremely important for the investigations;
- 2) MPS to initiate a mechanism involving different stakeholders on transnational trafficking cases. Many foreign women who are trafficked, in the past were bought by Chinese nationals and to strengthen



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collaboration with foreign entities, including law enforcement agencies;
and,

- 3) MPS to facilitate international channels of communication on cases of trafficking

Session 4 - Victim Protection and Assistance

Mr. Zhou Guangzhen from the Sichuan Provincial Women Federation part of the All-China Women's Federation (ACWF) gave an overview of ACWF's role in counter-trafficking efforts in Sichuan.

Sichuan Province has several human trafficking cases; possibly due to a high number of Sichuanese that are migrants. Sichuan produced approximately 15 million migrants and several have left-behind children in Sichuan making them a vulnerable group for human traffickers to exploit. ACWF-Sichuan assists the PSB to crackdown on trafficking on provide assistance to victims and provide information campaigns.

ACWF-Sichuan uses holidays like Spring Festival to hold information campaigns. They specifically target remote mountainous villages that would normally have limited access to knowledge and information.

Mr. Zhou explained that ACWF-Sichuan goes to the local remote communities to carry out the information campaigns including providing leaflets, but also use social media and television to create awareness. According to Mr. Zhou, ACWF-Sichuan goes to the left-behind women to build their confidence and self-esteem and to carry out campaigns about safety. ACWF-Sichuan also tries to give care, by setting up women's home and children's homes, also to provide psychological assistance with a special dedicated team.

Mr. Zhou finally provided the following suggestions:

- Counter-trafficking efforts should be combined with the development of women. Anti-poverty efforts can reduce trafficking. As an example,



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ACWF-Sichuan helps drop-out girls to study and to acquire skills so that they get a job;

- Job creation in the home towns is important so there is no need to migrate;
- Information campaigns on gender equality play an important role to reduce trafficking of women; and
- It is important to strengthen cooperation with grass root level organizations (like the village level organizations).

The final session was a case simulation exercise prepared by **IOM**. The participants were divided into smaller groups and they had to discuss how to tackle two pretend cases involving potential victims of trafficking from Cambodia and Lesotho.

The different groups then presented their replies to the wider group and feedback was given.

Evaluation & Closing Remarks

At the end of the two-day event, the participants filled in the evaluation questionnaires and closing remarks thanking all participants and organizers were provided by IOM and MPS.

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Appendix 1

Participants' list

Appendix 2

Summary of evaluations



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