



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

## SEMINAR ON VICTIM IDENTIFICATION FOR VISA OFFICERS OF EUROPEAN EMBASSIES AND CONSULATES GENERAL

Beijing, 2 July; Shanghai, 4 July; Guangzhou 6 July

### Summary | Report



The International Organization for Migration (IOM) organized a one-day *Seminar on Victim Identification for Visa Officers of European Embassies and Consulates General* in China. The activities, which fall under the framework of the *EU-China Dialogue on Migration and Mobility Support Project*, were held in Beijing, 2 July, Shanghai, 4 July, and Guangzhou, 6 July 2018.

The three seminars saw the participations of visa and consular officials from the Embassies and Consulates General of the European Union (EU), European Economic Area (EEA) and Switzerland based in Beijing, Shenyang, Shanghai, Guangzhou and Chengdu.<sup>1</sup> The European Delegation in China was represented by Ms Eline Houwer who attended the seminar in Beijing.

The training was delivered by Ms Hanna Antonova, a ten-year experienced IOM trainer specialized in counter human trafficking and victim assistance.

Human trafficking from China to Europe already is a concern with significant numbers. Precise figures are unavailable, but cases of trafficking and labor exploitation involving Chinese nationals have been reported in several European countries such as Austria, Spain and the United Kingdom. As stated in the *Directive 2011/36/EU of the European Parliament and Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims*, “officials likely to come into contacts with victims or potential victims of trafficking should be adequately trained to identify and deal with such victims”. Visa and consular officers fall into this category: as an increasing number of Chinese victims often use forged documentation to obtain their visas, front-line visa officers might encounter

<sup>1</sup> There were 25 participants in Beijing; 17 participants in Shanghai, and 16 participants in Guangzhou.





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victims or potential victims of trafficking when reviewing documents and carrying out interviews during visa applications.

With this in mind, this training was designed to equip frontline visa officers with suitable guidelines for identifying (potential) victims, including practical techniques such as victim-screening interviews. It also aimed at providing basic knowledge on human trafficking and relevant international legal frameworks. The training combined theoretical discussion with practical group activities. In addition, participants received a package of background documents on counter human trafficking legislation and relevant materials and guidelines for the identification and interview of victims of trafficking.

Ms Antonova opened the training by providing an overview of key concepts of human trafficking. The **definition of human trafficking** might vary in different countries and legislations. Participants' discussion around those definitions highlighted the complexity and multi-layered nature of this type of crime. One of the key international reference tools to define human trafficking is the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (2000), which states that to be charged as human trafficking, a crime should present the following three components: act, means and purpose. Through an interactive group activity, the participants practiced their ability to recognise cases of human trafficking and reflected on differences between human trafficking, migrant smuggling and employment of migrant workers with irregular status – three different criminal activities that are often confused and that sometimes overlap.

The challenge of distinguishing human trafficking from other crimes, in turn, affects the ability of visa officers to correctly and efficiently identifying victims of trafficking. For example, in some cases, victims are not aware of being exploited; in other cases, they might be forced by the circumstances to become traffickers. Participants reflected at length on the issue of **victim's consent** and whether consent is necessarily always real and informed. It is widely understood that there cannot be consent if any of the means (e.g. deception, threat etc) is used by the recruiter.

Ms Antonova dedicated part of the presentation to describe the main trafficking trends in China as both source and destination country and recommended that visa officers familiarize with trafficking trends in the host country. Ideally, there should be periodical exchange of information between Embassies or Consulates General and the relevant country. For example, the United Kingdom periodically shares with their Embassy in Beijing updates on trafficking cases involving Chinese nationals in the country. This allows front-line officers to perform risk assessment when processing visas as well as to use the received information as a possible indicator. **Continuous information exchange between a country and their representative agencies abroad** also plays a key role in victim's assistance as Embassies and Consulates can assist with victim repatriation, travel documents and interpretation services among others.

The last part of the workshop focused on interview guidelines. Case studies and interview simulations were used to highlight the difficulties of identifying and interviewing potential victims of trafficking and trained participants to improve their techniques. Effective use of **screening guidelines** makes identification of potential victims of trafficking considerably easier and more accurate. Adequate and timely identification of potential victims through observable indicators helps to ensure that the case is handled smoothly and appropriately. It is important to use a **victim-centered approach**. Victims should always be made aware of their rights, as well as of available assistance services. They need to



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feel safe, confident and trust their interlocutor to testify about their story. Consequently, the mindset of the interviewers, their ability to spot observable indicators and the set-up of the room are crucial.

## Outcomes

The training provided a platform for European consular officers to exchange first-hand experience in their daily work, as well as to discuss challenges and doubts related to victim identification in consular setting. It also increased overall awareness of the possibility that irregular visa applications are submitted by (potential) victims of trafficking.

The participants actively engaged in the discussion and provided positive feedback. Both formal and informal assessment during the seminar revealed that the participants found the training useful and relevant to their work. In particular, they appreciated the sharing of various legislative documents and other materials including interview guidelines and a list of trafficking indicators. Under the guidance of Ms Antonova, the participants were asked to brainstorm and come up with a list of trafficking indicators based on their direct front-line experience. Although indicators must always be assessed in complex and not on their own, the list provides a valuable tool to recognise potential signs of human trafficking when reviewing visa applications.

For the majority of the participants, this was the first opportunity to attend a training on human trafficking and victim identification, and they expressed their interest in receiving further training in this area. The seminar's success demonstrates the significant potential for further work by the MMSP to support foreign Embassies and Consulates General in strengthening their preparedness in victim identification and assistance.

## Appendix 1

*Agenda*

## Appendix 2

*List of Participants*

## Appendix 3

*Summary of evaluations*



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