



The European Migration Network (EMN) is co-ordinated by the European Commission with National Contact Points (EMN NCPs) established in each EU Member State plus Norway.

Detecting, Identifying and Referring Victims – practices in Member States

Preliminary Findings

EMN Ireland Conference on Challenges and Responses to Identifying Victims of Trafficking
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Introduction

- 3rd EMN Focused Study 2013
- *Preliminary findings only*
- Context
- Scope
- Rationale
- Aim
- Target audience

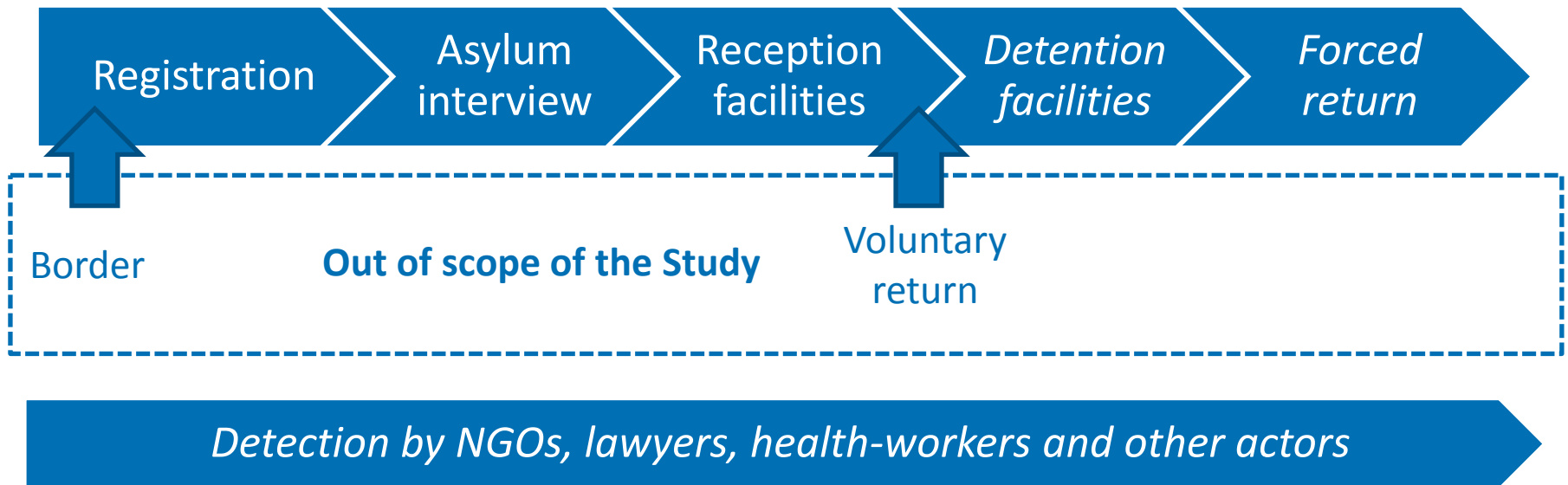
Identification of victims of THB in asylum and return

- Evidence of a problem of non-identification
- Lack of regulatory system to protect victims (e.g. protection dependent upon cooperation with authorities)
- Need for greater understanding – lack of in-depth studies

Recent EU developments

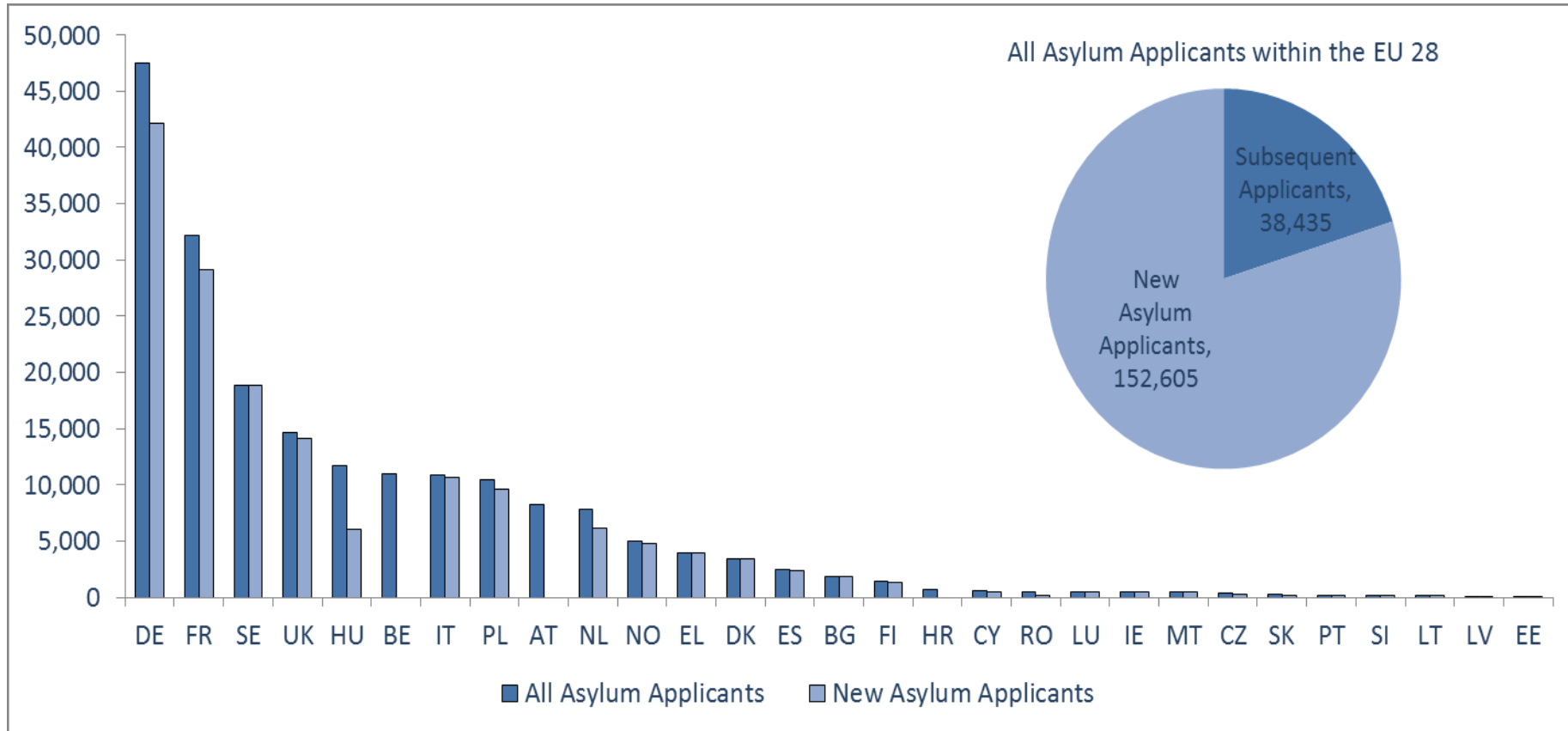
- Directive 2011/36/EU - Art. 11(4)
- EU Strategy 2012-2016
- Recast asylum acquis:
 - Directive 2011/95/EU (Qualifications)
 - Directive 2013/33/EU (Receptions)
 - Regulation (EU) No 604/2013 (Dublin)
- Return Directive
- International policy – UNHCR

Stages of opportunity for identifying and protecting victims



Number of asylum applicants in MS

Figure: Asylum and new asylum applicants by (Member) State, first half of 2013 (monthly data)



Source: Eurostat [7 October 2013] as published in the EMN Bulletin No. 5

Evidence of identifications in international protection and forced return procedures

- Victims of trafficking granted a protection status
- Referrals from international protection (IP) to migration procedures
- Referrals from specific authorities (asylum, receptions, return, detention)
- Other evidence
- Those Member States (MS) with no evidence of victims in asylum / return procedures

Structure of remainder of this presentation

- Mechanisms for detection / identification in:
 - International protection procedures
 - Dublin procedures
 - Forced Return procedures
- Referral
- Preliminary findings on good practice
- Future measures



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Mechanisms for detection / identification in IP procedures

- Self-reporting
- Screening
- Detection by authorities
- The role of workers in reception facilities and other actors
- The importance of training



Mechanisms for detection / identification in Dublin procedures

- Detection dependent on stage at which Dublin cases are assessed
- MS vary as to the level of information provided to Dublin transferees
- MS vary as to whether the transfer is delayed and/or suspended

Mechanisms for detection / identification in forced return

- Proactive screening is much rarer than in IP procedures
- In some Member States, even self-reporting is not possible – *consideration that the trafficking should have already been detected*
- Identification procedures: interview, indicators, official identifying authorities



Referral

- Three scenarios:
 - Referral to assistance (without leaving the procedure)
 - Referral to a different protection procedures,
 - Referral onto THB procedures.
- Use of NRMs and other cooperation systems
- Granting of protection to victims of THB



Preliminary findings on good practice

- Screening
- Training actors in detection
- Facilitating self-reporting
- Cooperation between actors
- More proactive approach to detection and identification, especially in Dublin and forced return procedures

Future measures

- Development of protocols for identification in law and soft law
- Setting up of National Referral Mechanisms (NRMs)
- Increased / improved training
- Setting up of strategies
- Funding NGOs



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Thank you!

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