

# SUMMIT HANDBOOK

**Practical guidance  
on preventing  
and responding  
to unaccompanied  
children going  
missing**



**Missing  
Children  
Europe**



Centre for the  
Study of  
Missing Persons

**NIDRS**  
jeugdbescherming voor vluchtelingen



**DEFENCE for  
CHILDREN**  
The Netherlands



**kmop**  
KINDING A BETTER WORLD

**TJSLA**



This project has been funded with the support of the European Commission. This publication reflects the views only of the author. The European Commission cannot be held responsible for any use which may be made of the information contained therein.

Developed in the framework of the EU  
co-funded project SUMMIT - Safeguarding  
Unaccompanied Migrant Minors from  
going Missing by Identifying Best Practices  
and Training Actors on Interagency  
Cooperation

© 2016 Missing Children Europe

Authors:

Federica Toscano, Missing Children Europe

Delphine Moralis, Missing Children Europe

Jan Murk, Nidos

Rebecca O'Donnell, Child Circle (Section on Principles)

Lay out: Jade Janssens

All rights reserved. Any reproduction or  
presentation of this publication can only  
take place if the relevant copyright is  
respected.

With special thanks to all the  
stakeholders who were willing to share  
their experiences and practices

Printed in April 2016



**Missing  
Children  
Europe**



Centre for the  
Study of  
Missing Persons



## Table of Contents

<b>Acronyms and abbreviations</b>	<b>1</b>
<b>European Commission principles on integrated child protection systems</b>	<b>3</b>
<b>1 Introduction</b>	<b>7</b>
Aim of the handbook	7
Target group of professionals	8
Key terminology	11
<b>2 Framework</b>	<b>15</b>
<b>3 Principles</b>	<b>21</b>
Introduction	21
Guiding Principles for Preventing & Responding to Disappearances of Unaccompanied Children	23
Overview of relevant EU development in the field	26
<b>4 Unaccompanied children as a specific target group</b>	<b>29</b>
Cultural differences	31
War and poverty	32
Being a child and alone	33
Psychological issues	34
Objectives or instructions of the family	35
Safety risks	36
Legal guardianship and promotion of interests	37
Conclusion	38
<b>5 Perspectives for action</b>	<b>39</b>
<b>5.1 Prevention</b>	<b>39</b>
Information known about the child	41
Collection of identifying information	43
Informing the child to make better choices	48

Child-friendly way to provide important information and generate trust	50
<b>Training actors to be better informed</b>	<b>59</b>
<b>Assessing the likelihood of an unaccompanied child going missing</b>	<b>60</b>
Risk assessment	61
Elements to be taken into account when assessing the risk that a child will go missing	62
<b>Cooperation between actors</b>	<b>70</b>
Collaboration with other agencies in prevention activities	70
Memorandum of understanding or protocols of cooperation	71
<b>Measures available to protect the child</b>	<b>73</b>
Foster care and safety plan	73
Protected reception facilities	74
Actions to be taken when the child is at risk of being (re)trafficked	76
<b>5.2 Response</b>	<b>80</b>
Responsibility for a case of a missing unaccompanied child	82
Reporting of a missing unaccompanied child	84
Actions to be taken after the disappearance	89
Cooperation with other agencies	95
<b>5.3 Aftercare</b>	<b>118</b>
<b>5.4 Summary template on ownership, complementarity and coordination between different agencies involved</b>	<b>125</b>
<b>Annex I - European Model Protocol of Cooperation between Law Enforcement and Civil Society Organisations in Cases of Missing Children</b>	<b>129</b>

# Acronyms and abbreviations

CONNECT	Identifying good practices in, and improving, the connections between actors involved in reception, protection and integration of un-accompanied children in Europe
EASO	European Asylum Support Office
EC	European Commission
EU	European Union
EUROPOL	European Union's law enforcement agency
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
IMPACT	Improving Monitoring and Protection Systems Against Child Trafficking and Exploitation
INTERPOL	International Criminal Police Organization
IOM	International Organisation for Migration
KMOP	Family and Childcare Centre
LEA	Law Enforcement
MASH	Multi-Agency Safeguarding Hubs



NGO	Non-governmental Organisation
NRM	National Referral Mechanism
PSTD	Posttraumatic stress disorder
UN	United Nations
UNICEF	United Nations Children's Fund
UNCRC or CRC	United Nations Convention on the Rights of the Child
UNHCR	United Nations High Commissioner for Refugees



# European Commission principles on integrated child protection systems<sup>1</sup>

1. Every child is recognised, respected and protected as a rights holder, with non negotiable rights to protection.

Every child is treated with dignity and as a unique and valuable human being with an individual personality, distinct needs, interests and privacy, with due regard to the child's right to participation.

There are measures to empower children to protect themselves and their peers and to claim their rights.

Child-sensitive and accessible complaint and reporting mechanisms, including helplines and hotlines, are integrated in the system.

Children are involved in decisions that concern them, including the development, monitoring and evaluation of child protection strategies, policies, programmes and services.

2. No child is discriminated against
3. Child protection systems include prevention measures.

This may include the adoption of national legislation prohibiting all forms of violence against children in all settings, policy measures

---

<sup>1</sup> From the European Commission's reflection paper "Coordination and cooperation in integrated child protection systems", 2015





promoting child rights, awareness-raising and education for children, parents and society at large, proactive policy and outreach measures especially to discriminated against groups, parenting and family support, universal and targeted social services, integrated strategies to reduce child poverty, mechanisms for children to claim their rights, links with other policy areas, robust data collection.

4. Families are supported in their role as primary caregiver.

The primary position of families in child caregiving and protection is recognised and supported through universal and targeted services, through every stage of intervention, particularly through prevention.

5. Societies are aware and supportive of the child's right to freedom from all forms of violence.

There are concerted efforts to inform the public, including children, about children's rights and encouraging action to prevent violence against children, and to prevent the stigmatisation of child victims of violence.

6. Child protection systems ensure adequate care

Professionals are committed and competent. Professionals and practitioners working for and with children receive training and guidance on the rights of the child, on child protection law and procedures and more generally on child development. The necessary protocols and processes are in place to facilitate their role and responses to violence against children are inter- or multi-disciplinary.

Information is shared on certification and training to promote trust, including cross-border.

Standards, indicators and tools and systems of monitoring and evaluation are in place, under the auspices of a national coordinating framework. Systems are effectively regulated and independently monitored and accountable, ensuring accessible, quality, child-sensitive services and care for all children. The monitoring system guarantees unrestricted access to monitor the quality of services delivered, in particular for any form of institutional care.

Within organisations working directly for and with children, child





protection policies and reporting mechanisms are in place. All agencies and service providers, civil society organisations, private associations, commercial or non-profit organisations, working directly with children have robust child protection policies.<sup>34</sup>

7. Child protection systems have transnational and cross-border mechanisms in place:

In view of the increasing prevalence of children in cross-border situations in need of child protection measures, efforts are stepped up by: clarifying roles and responsibilities, keeping abreast of country of origin information, ensuring a national focal point for cross-border child protection matters, adopting procedures/guidance/protocols/processes, for example for the transfer of responsibility within the context of asylum procedures (Dublin Regulation), or when considering out of country care placements, or family tracing and protection in cases of child trafficking. However, for children seeking international protection or child victims of trafficking where contact could put the child and/or family at risk, caution should be exercised.

8. The child has support and protection:

No child should be without the support and protection of a legal guardian or other recognised responsible adult or competent public body at any time. In view of the need for continuity of actions, the child protection system appoints a person of reference responsible for the child from reporting and referral through to follow-up and reintegration, to assure liaison among the different sectors and to guarantee a coherent and comprehensive response.

9. Training on identification of risks for children in potentially vulnerable situations is also delivered to teachers at all levels of the education system, social workers, medical doctors, nurses and other health professionals, psychologists, lawyers, judges, police, probation and prison officers, journalists, community workers, residential care givers, civil servants and public officials, asylum officers and traditional and religious leaders. Rules on reporting cases of violence against children are clearly defined and professionals who have



reporting obligations are held accountable.

10. There are safe, well-publicised, confidential and accessible reporting mechanisms in place:

Mechanisms are available for children, their representatives and others to report violence against children, including through the use of 24/7 helplines and hotlines.



# 1 Introduction

## Aim of the handbook

When an unaccompanied migrant child goes missing or is at risk of going missing from care, it creates a cross roads of different circumstances, laws and actors. The migration dimension of the child's situation frequently aggravates the risks of disappearances, as the child is often in a precarious situation; it also means the responses to the disappearance need to be tailored to this specific context. Child protection principles, migration and asylum laws, and specific responses to disappearances - including law enforcement investigation - need to come together to prevent and respond to the disappearance of an unaccompanied child. In addition, challenges related to human smuggling and trafficking, including labour and sexual exploitation have to be taken into account. The often very complex situation of a missing unaccompanied migrant child requires a multi-disciplinary approach in order for the risks

confronted by the child to be mitigated his or her rights and needs to be met.

To prevent and respond to an unaccompanied child going missing, practitioners with different backgrounds are required to work together in a coordinated and efficient way. These actors include law enforcement professionals, social workers, reception professionals, guardians, employees of 116 000 hotlines and others.

This handbook aims to stimulate and disseminate practices on how to better cooperate in prevention, response and after care of missing unaccompanied children. The handbook is inspired by the results of the Report "Best practice and key challenges for interagency cooperation to safeguard unaccompanied migrant children from going missing". This study specifically looked to combine the experience of both the actors which



primarily deal with the care of unaccompanied children (guardians, social workers, reception professionals) and those which focus on disappearances of children (hotlines and law enforcement), and to examine how this combination of actors can cooperate better and on what issues in particular.

This handbook does not comprehensively address general practices in the care of unaccompanied children, but only elements that are linked to preventing and responding to their disappearances

## Target group of professionals

The handbook is addressed to several categories of professionals that are involved in the situation of unaccompanied children. The primary roles of key agencies and actors are as follows:

### 1 Law Enforcement Agencies (LEA)

**National police forces:** this group includes both local police and coordinating units specialised in

missing cases or in supporting the work of officers at local level.

**Interpol:** an international police organization, with 190 member countries. The role of Interpol is to enable better cooperation between police around the world, especially through their high-tech infrastructure offering technical and operational support. INTERPOL's General Secretariat publishes the Yellow Notices at the request of



National Central Bureaus (NCBs) and authorised entities. A Yellow Notice helps locate missing persons, often children, or helps identify persons who are unable to identify themselves.

**Europol:** The European Police Office (commonly abbreviated Europol) is the law enforcement agency of the European Union that handles criminal intelligence and combats serious international organised crime by means of cooperation between the relevant authorities of the member states, including those tasked with customs, immigration services, border and financial police etc.

The agency has no executive powers and its officials are not entitled to conduct investigations in the member states or to arrest suspects. Europol, in providing support through information exchange, intelligence analysis, expertise and training, can contribute to the executive measures carried out by the relevant national authorities.

## 2 Carers

**Operators working in reception centres** that host unaccompanied

children, meaning reception facilities which provide housing, food, basic health care and pocket money for their inhabitants. The characteristics of these services typically vary from one facility to another, both within a country and the region. In some cases, these facilities host only unaccompanied children, in other cases the children hosted are mixed with those coming from different non-migrant backgrounds.

**Guardians** are the representatives appointed to assist and support unaccompanied children. Guardians have an important role to safeguard the child's best interests and well-being. In some systems, the guardian has the mandate to arrange all basic needs and to assist them in the asylum procedure, return, Dublin procedures, family tracing, etc. The EU asylum acquis requires that Member States ensure as soon as possible the necessary representation of unaccompanied children by legal guardianship (or, where necessary, by an organisation which is responsible for the care and well-being of minors, or by any other appropriate representation). Professional guardianship is not the rule in the



EU and guardianship systems are not established in all EU countries. For example, there is not a guardianship system in Ireland and UK. However, the UK is currently piloting a guardianship system in Northern Ireland.

### **3 Hotlines for missing children, operated through the European number 116 000**

The 116 000 hotline for missing children was reserved in 2007 by the European Commission<sup>1</sup> and has been implemented gradually since then at national level. Today the hotline is operational in 27 EU Member States as well as in Serbia and Albania. Finland remains the only EU state without a 116 000 missing children hotline. Through the number parents and children alike, whether at home or in another European country, have obtained free emotional, psychological, social, legal and

administrative support. This holistic and multidisciplinary approach is necessary to deal with the specific needs of parents and children calling the hotline.

Resources and capacity of hotlines vary in the different countries, and this may have an impact on the potential support offered in cases of missing unaccompanied children. Therefore, it is important that actors involved in the situation of a missing unaccompanied child assess with the hotlines capacity and role that can be played in cases of missing unaccompanied children.

---

<sup>1</sup> 2007/116/EC, Commission Decision of 15 February 2007 on reserving the national numbering range beginning with 116 for harmonised numbers for harmonised services of social value (notified under document number C(2007) 249)



# Key terminology

**Child:** A child “shall mean any person below 18 years of age.” CRC, Article 1

“Where the age of the [victim] is uncertain and there are reasons to believe that the victim is a child, that person is presumed to be a child in order to receive immediate access to assistance, support and protection”. Anti-Trafficking Directive (2011/36/EU), Article 13 (2)

**Integrated child protection systems:** Child protection system that place children at the centre, allocating staff and finance, and putting in place laws and policies, governance, monitoring and data collection. They are necessary to offer protection and response services, and care management, to protect children from violence.

**Unaccompanied child:** An ‘unaccompanied minor’ is a child “who arrives on the territory of the Member States unaccompanied by an adult responsible for him or her whether by law or by the practice of the Member State concerned, and for as long as he or she is not effectively taken into the

care of such a person; it includes a [child] who is left unaccompanied after he or she has entered the territory of the Member States.” Qualification Directive (2011/95/EU), Article 2 (f)

**Missing person:** Anyone whose whereabouts cannot be established and where the circumstances are out of character or the context suggests the person may be subject of crime or at risk of harm to themselves or another.

**Missing children:** This include a wide range of situations that span from runaways, to abduction by parents or third parties and to missing unaccompanied minors or otherwise missing, lost and injured children. EC Study on Missing Children: Mapping data collection and statistics on missing children in the EU, 2013, p.15

**Missing unaccompanied children:** Disappearances of migrant children, nationals of a country with which there is no free movement of persons, under the age of 18 who have been separated from both parents and are not being cared for by an adult who by law





is responsible for doing so. Missing Children Europe, Practical Guide for Hotline operators.

**Separated child:** A 'separated child' is a child who has been separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members. UN Committee on the Rights of the Child General Comment No. 6 CRC/GC/2005/6 and the UN Guidelines for the Alternative Care of Children (UN Alternative care guidelines) A/HRC/11/L.13, paragraph 8

**Guardian:** A guardian is an independent person (or an organization represented by an individual person) who safeguards a child's best interests and general well-being, and complements the limited legal capacity of the child. The guardian acts as a statutory representative of the child in all proceedings in the same way that a parent represents his or her child. UN Committee on the Rights of the Child General Comment No. 6 CRC/GC/2005/6 and the UN Alternative care guidelines A/HRC/11/L.13

**Representative (sometimes referred to as legal representative):** A representative "means a person or organisation appointed

by the competent bodies in order to assist and represent an unaccompanied [child] in [international protection] procedures with a view to ensuring the best interests of the child and exercising legal capacity for the [child] where necessary." Reception Conditions Directive (2013/33/EU), Article 2 (j)

Representatives or legal representatives differ from the qualified lawyer or other legal professional who provides legal assistance, speaks on behalf of the child and legally represents him or her in written statements and in person before administrative and judicial authorities in criminal, asylum or other legal proceedings as provided in national law

**Guardianship authority:** The 'guardianship authority' is the institution or organisation or other legal entity that has the responsibility for recruitment, appointment, monitoring, supervision and training of guardians. The role of the guardianship authority or organisation should be laid down in the law. UN Alternative care guidelines, A/HRC/11/L

**Victim of trafficking:** A 'victim of trafficking' is a person who has been subject to trafficking in human beings as defined in Article 2 of the [EU Anti-Trafficking Directive](#)



(2011/36/EU).

**Trafficking:** “the recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”

**Exploitation:** “Exploitation shall include, as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, including begging, slavery or practices similar to slavery, servitude, or the exploitation of criminal activities, or the removal of organs.” When such conduct “involves a child, it shall be a punishable offence of trafficking in human beings even if none of the means set forth in paragraph 1 has been used.”

**Smuggling:** is a crime involving the “procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State

Party of which the person is not a national or a permanent resident.”

UN Convention against Transnational Organized Crime, [Smuggling of Migrants Protocol](#), Article 3.

**Good practice:** The term good practice is used to describe a practice in the field of combating child trafficking that has proved to be efficient in one country or more and to indicate that this system might be applicable and adaptable in a different setting. A model of good practice can also be derived from a model of bad practice. No model can be entirely duplicated due to different national settings. Each model of good practice also has disadvantages and might not work in a different setting, but it is still valuable as an effective method in the respective country.

### **Schengen Information System (SIS)/Schengen Information**

**System II** is large-scale information system that supports external border control and law enforcement cooperation in the Schengen States. The SIS enables competent authorities, such as police and border guards, to enter and consult alerts on certain categories of wanted or missing persons (“article 32 alerts” - Article 32 of



Council Decision 2007/533/JHA) and objects. A SIS alert contains information about a particular person or object as well as instructions on what to do when the person or object has been found. Specialised national SIRENE Bureaux serve as single points of contact for any supplementary information exchange and co-ordination of activities related to SIS alerts. The SIS is in operation in all EU Member States and Associated Countries that are part of the Schengen Area.

**Interpol Yellow Notices** are a law enforcement tool aimed at increasing the chances of a missing person being located, particularly if there is a possibility that the person might travel, or be taken, abroad. A Yellow Notice serves a global alert to help locate missing persons, or to identify persons who are unable to identify themselves. While some Yellow Notices are restricted to law enforcement use only, many are available publicly. For a yellow notice to be issued, a local police authority should get in touch with their INTERPOL National Central Bureau

**Hotspots** are structures created at the EU's External Borders where the European Asylum Support

Office (EASO), EU Border Agency (Frontex) EU Police Cooperation Agency (Europol) and EU Judicial Cooperation Agency (Eurojust) work with the authorities of the frontline Member State to help to fulfil their obligations under EU law and swiftly identify, register and fingerprint incoming migrants.

**Eurodac** is an EU asylum fingerprint database. When someone applies for asylum, no matter where they are in the EU, their fingerprints are transmitted to the EURODAC central system. EURODAC has been operating since 2003.



## 2 Framework

This handbook for practitioners is written in the framework of a European Commission, DG HOME PPUAM II funded project entitled Safeguarding Unaccompanied Migrant Minors from going Missing by Identifying Best Practices and Training Actors on Interagency Cooperation, in short 'SUMMIT.' The SUMMIT project is coordinated by Missing Children Europe, a European Federation which brings together grassroots NGOs active in the prevention, support and protection of missing children. The project partnership included also the University of Portsmouth (UK), NIDOS (NL), Defence for children-ECPAT (NL), TUSLA (IR), KMOP (EL) and Child Circle (BE). Associate Partners of SUMMIT are Telefono Azzurro (IT), Child Focus (BE), Missing People (UK), Consortium "Hope for Children" UNCRC Policy Centre (CY), Fundacion Anar (ES) and The Smile of the Child (EL).

Children go missing everywhere and for many different reasons. A study published by the European

Union in 2013<sup>1</sup> reported that 250 000 children are reported missing in the EU every year. The study however also highlights inconsistencies in data that remain unexplained and acknowledges that countries with similar population sizes provide very different figures. Underreporting and lack of awareness of avenues for reporting furthermore challenge the availability of a full understanding of the scale of the problem.

Over recent years, European Institutions and stakeholders have stepped up actions to prevent and protect missing children in general, in particular since the reservation<sup>2</sup> in 2007 of the 116 000 hotline number for missing children, currently operational

---

<sup>1</sup> [http://ec.europa.eu/justice/fundamental-rights/files/missing\\_children\\_study\\_2013\\_en.pdf](http://ec.europa.eu/justice/fundamental-rights/files/missing_children_study_2013_en.pdf)

<sup>2</sup> Commission Decision 2007/116/EC of 15 February 2007 on reserving the national numbering range beginning with "116" for harmonised services of social value.



in 27 EU Member States as well as in Serbia and Albania.<sup>3</sup> These hotlines provide free legal, social, psychological and administrative support and coordinate appeal services for specific cases of missing children, complementing the investigative work of law enforcement authorities. Hotlines across the EU responded to 268.309 calls in 2014. Other efforts to protect children who go missing include the development of national 'child alert' or Amber Alert systems, enhanced functionalities through the second generation Schengen Information System (SIS II)<sup>4</sup> etc.

Data collected annually by Missing Children Europe from the 116 000 hotlines for missing children provide an indication of the different situations of children reported missing, including children who run away from home or from institutions, children who are abducted by a parent (both nationally and internationally), missing unaccompanied migrant children, children abducted by a third person (including criminal abductions),

lost, injured or otherwise missing children.

Despite aforementioned developments, the disappearance of unaccompanied children remains broadly hidden, with only anecdotal, yet alarming data available<sup>5</sup>. The SUMMIT project wanted to address this problem, in particular by:

- Identifying risk factors to prevent the disappearance of unaccompanied children from reception centres
- Developing a guidance on best practices for interagency cooperation in the event of a disappearance

To achieve this goal, the project brought together stakeholders from different backgrounds who worked collaboratively in delivering a report on "Best practice and key challenges for interagency cooperation to safeguard unaccompanied migrant children from going missing." The report drew its findings from research conducted

---

<sup>3</sup> See i.a. <http://missingchildreneurope.eu/116000hotline>.

<sup>4</sup> Article 32 of Council Decision 2007/533/JHA on missing persons

---

<sup>5</sup> See 'Best Practices and key challenges on interagency cooperation to safeguard unaccompanied children from going missing' (SUMMIT Report), p.75.



through surveys and interviews with law enforcement agencies, carers (guardians, social services and reception centre workers) and hotlines for missing children from Belgium, Cyprus, Greece, Ireland, Italy, Spain and the United Kingdom. The study explored four areas of action, namely:

- Prevention of disappearances
- Response to disappearances
- Aftercare of an unaccompanied child who returned or was found after disappearing
- Training

The handbook builds on the



**Summary of key challenges identified in the SUMMIT research report "Best practice and key challenges for interagency cooperation to safeguard unaccompanied migrant children from going missing"**

1. Lack of training of professionals on prevention and response to the disappearance of unaccompanied children
2. Lack of systematic and consistent procedures to prevent the disappearance of unaccompanied migrant children
3. Length and complexity of legal procedures as a push factor to leave
4. Lack of systematic assessment of risks or of the likelihood that a child will go missing –e.g. through behavioural patterns related to the nationality of the child
5. Lack of exchange of information between agencies
6. Delayed or no reporting of the disappearance of unaccompanied children
7. Lack of consistency of procedures and follow up on the case (including investigation) after reporting
8. Challenging cross border cooperation and lack of consistent exchange of information across national borders
9. Difficulties in obtaining information from law enforcement on the outcome of the investigation





findings of this report and aims at improving knowledge and response of professionals on an individual level. Translating research findings into practical examples and tools, it endeavours to provide stakeholders with actionable guidance on prevention, response and aftercare of missing children.

Key elements of the handbook are as follows:

- › Principles which guide actions on disappearances, informed by international and EU law obligations (Chapter 3)
- › Understanding unaccompanied migrant children as a specific target group for actions (Chapter 4)
- › The Action Perspective: good practices and tools in the area of prevention, response, after care and training (Chapter 5).

Tools developed in the handbook are available in four languages, English, Italian, Greek and Spanish completed with video clips and material from a training organised in Brussels on 14 & 15 April 2015. All templates included in this handbook will be available for download on Missing Children Europe's

website, on the webpage <http://missingchildren.europa.eu/summit>.

While the handbook is expected, if used consistently, to impact on the situation of unaccompanied children and to prevent them from going missing, it does not cover all systemic level gaps and recommendations identified in the SUMMIT research.



### **Who should use this handbook:**

This handbook is addressed primarily at all stakeholders who work directly with unaccompanied children or with disappearances of children and can – or should – have a role to play in:

1. preventing unaccompanied children from going missing
2. responding to the disappearance of an unaccompanied child
3. providing aftercare to a formerly missing unaccompanied child

These stakeholders typically include:

- > law enforcement agents (front line police officers, investigators, ...)
- > carers (guardians, legal representatives, social services, reception centre workers, ...)
- > hotlines for missing children (call managers, case managers, operators, ...)

It is recommended that stakeholders using the handbook share it with their partners and other actors working on cases of (missing) unaccompanied children to facilitate cooperation.

Tools available in this handbook should be part of a process of interagency collaboration, to achieve the envisaged effect.



# 3 Principles

## Introduction

When children are deprived of their parents, the State has an obligation to provide special protection and assistance to them and to ensure their safety. Importantly, this involves action to prevent the disappearance of children from state care and properly to respond to disappearances.

Preventing and responding to disappearances of unaccompanied children from third countries is a particularly complex and sensitive task. This is the case because of the diverse reasons for which a child might go missing. It also stems from the need for effective cooperation between actors with a range of different responsibilities, such as child protection, social welfare, immigration, law enforcement and border professionals, nationally and across borders.

International and EU law play an important role in setting down the obligations that actors should

fulfil when carrying out this vital work. General children's rights obligations are of central importance. These include the UN Convention on the Rights of the Child, the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union. International and EU asylum, migration and trafficking instruments are also key instruments in the field. They set out common obligations concerning persons within the EU who may be seeking international protection, who may have been trafficked or whose situation is undocumented.

Understanding these EU and international provisions is important for all actors. In particular, national measures need properly to fulfil the obligations set out at EU level. If they do not, the Commission can pursue a Member State for infringement before the European Court. Moreover, certain EU provisions provide for cross border



cooperation between national authorities in specific areas. The Reference document on EU law and policy concerning unaccompanied children in the CONNECT Project ([www.connectproject.eu](http://www.connectproject.eu)) sets out the key legal obligations for unaccompanied children under international and EU law. It also refers to a broad range of policy and practical resources that may be very helpful to policy makers and practitioners alike in this field. Also of importance are the principles set out in the European Commission Reflection Paper on integrated child protection system from June 2015.<sup>1</sup>

Below we identify five key principles that should guide the practical actions of policy makers and practitioners in relation to disappearances, with examples of EU and international instruments that are relevant to fulfilling these principles.

---

<sup>1</sup> See European Commission, Integrated child protection principles, page 3-6



# Guiding Principles for Preventing & Responding to Disappearances of Unaccompanied Children

**1. An unaccompanied child from a third country is first and foremost a child, regardless of their nationality, migration or residence status.** Member States must ensure that they benefit from all of their rights as children, without discrimination (UN Convention on the Rights of the Child).

The fact that they are not a citizen child, or the fact that they may intend to travel to another country, in no way relieves the State of its responsibility to prevent and properly respond to disappearances which may put children at risk of abuse, violence, neglect or exploitation.

**2. All responsible actors should fully respect the obligations of reception, assistance and finding durable solutions for unaccompanied children in their care<sup>2</sup>** including the right to information, representation and access to proper procedures, including family reunification. This includes an individual needs assessment and reception arrangements that are in their best interests. (See EU Reference Document for a full indication of relevant provisions.)

This holistic approach to the child's situation should help discourage children from taking matters into their own hands and moving on, or from surrendering themselves into the hands of those that would

---

<sup>2</sup> For more information on durable solutions, see "Best Practice in Determining and Implementing Durable Solutions for Separated Children in Europe: A Multidisciplinary Approach", available at <http://www.irishrefugeecouncil.ie/wp-content/uploads/2014/03/toolkit.pdf>



exploit them.

**3. Basic information on the child's circumstances should be gathered and be immediately available to help the right actors properly respond to a disappearance of the child.** See Ch. 5.1 of this handbook.

Opportunities to gather and centralise a file of personal information may arise during the course of fulfilling a number of EU obligations. This includes registration at first encounter (for example at hotspots in Greece and Italy), personal information on applications for asylum (including Eurodac information) or personal information obtained during individual needs screening when the child is received into care (e.g provisions in the Asylum Reception Directive and the Anti-Trafficking Directive). It may include information on the family where there have been efforts to support the child in tracing family in the EU.

**4. Actors should work together towards a multi-disciplinary and interagency approach to the situation of the child.** This will allow the specific roles, powers and specialised skills of different actors to be combined to address

disappearances comprehensively. Such cooperation should concern work both at individual case level and at general level (for example, in terms of building knowledge on general risks of trafficking or migration routes).

The European Commission Reflection Paper on integrated child protection systems<sup>3</sup> sets out 10 principles for ensuring a child centred approach to child protection, with all actors working closely together.<sup>4</sup> These state inter alia that:

- > No child is discriminated against.
- > The child has support and protection. Mechanisms are available for children, their representatives and others to report violence against children, including through the use of 24/7 helplines and hotlines.
- > The necessary protocols and

---

<sup>3</sup> European Commission, Coordination and cooperation in integrated child protection systems, 2015, available at [http://ec.europa.eu/justice/fundamental-rights/files/2015\\_forum\\_roc\\_background\\_en.pdf](http://ec.europa.eu/justice/fundamental-rights/files/2015_forum_roc_background_en.pdf).

<sup>4</sup> See European Commission, Integrated child protection principles, page 3-6



processes are in place to facilitate their role and responses to violence against children are inter- or multi-disciplinary.

- › Training on identification of risks for children in potentially vulnerable situations is delivered.

**5. Actors should work together towards better cross border co-operation on disappearances of unaccompanied children, involving child protection actors alongside law enforcement and migration control authorities.**

The Commission Reflection Paper underlines the importance that “child protection have transnational and cross-border mechanisms in place. In view of the increasing prevalence of children in cross-border situations in need of child protection measures, efforts are stepped up by: clarifying roles and responsibilities, keeping abreast of country of origin information, ensuring a national focal point for cross-border child protection matters, adopting procedures/guidance/protocols/processes.”

This includes work involving Europol, the Schengen Information System concerning missing persons

alerts, the Dublin Regulation which covers rules on the jurisdiction for asylum applications of individuals who have moved from one EU country to another, the recent EU relocation schemes for asylum seekers, the Brussels II A Regulation, which concerns jurisdiction and recognition and enforcement of judgments in cross border cases concerning parental responsibility and the European network of hot-lines for missing children.





## Overview of relevant EU developments in the field

There are a number of recent EU developments relevant to disappearances of unaccompanied children and movement of children between countries. These may be helpful to your work and are briefly described below.

### **Cross border alerts on missing children:**

There are a number of specific obligations at EU level concerning the disappearances of unaccompanied children. In particular, a Schengen Information System ("SIS") alert on a missing child is made available to police officers and border guards in all 29 EU and Schengen countries participating in SIS. It contains information to identify the missing child (pictures and fingerprints can be added) as well as an instruction to place the child under protection. Supplementary information on the details of the case are exchanged through the national SIRENE Bureaux, 24/7 operational Single Points of Contact in all countries participating in SIS.

The Commission has recently implemented the following measures

to ensure a better use of SIS for protecting missing unaccompanied children<sup>5</sup>: (i) a procedure has been included in the SIRENE Manual to ensure that all SIRENE Bureaux are aware that the alert concerns an unaccompanied minor (the term "unaccompanied minor" needs to be indicated in the form used for exchanging supplementary information) and (ii) a Commission Recommendation of December 2015 sets out a compilation of recommendations and best practices for the correct application of SIS with a specific focus on unaccompanied minors.

### **Should unaccompanied children be fingerprinted? What about the use of DNA?**

The EU Fundamental Rights Agency is currently researching "Biometric data in large EU IT-systems in the areas of borders, visa and asylum – fundamental rights implications". The ongoing research examines

---

<sup>5</sup> Based on the outcome of the Italian EU funded SIS SIRENE project "Vigila et protege"



both negative as well as positive fundamental rights implications of the use of biometric data and/or other data stored in Eurodac, the Schengen Information System and the Visa Information System. Final reports will be published in 2017.

### **How to identify unaccompanied children currently arriving in the mass inflows to Greece & Italy?**

The EU has also been working on a new approach to addressing the situation of children arriving to Greece and Italy, which includes the establishment of so-called hotspots in Greece and Italy and EU relocation schemes. Hotspots focus EU support for the swift identification, registration and fingerprinting<sup>6</sup> of asylum seekers in Greece and Italy. The EU reloca-

tion scheme foresees the transfer of certain of them (including unaccompanied children) to other Member States via relocation schemes. Guidance is currently being developed by the European Asylum Support Office on the best interests of children at hotspots and in relocation processes.

**After the expiry of the EU Child Rights Agenda and the EU Action Plan on Unaccompanied Minors, are there any new EU policy frameworks that support exchange of national experiences, EU funding, EU practical measures in the field?** A new EU Anti-trafficking Policy Framework is expected, following consultations, towards the end of 2016. The EU is also currently evaluating the implementation of the EU Action Plan on Unaccompanied Minors, with a view to providing recommendations for a follow up. The recent Communication from the Commission on the State of Play of the EU Agenda on Migration noted: "The European Agenda for Migration put a particular emphasis on the need to protect children and to follow up on the Action Plan on Unaccompanied Minors (2010-2014). This work is now under way, to employ a

---

<sup>6</sup> In EURODAC the age limit for registration of fingerprints of minors is 14 years and only the data of asylum seekers and persons crossing the border irregularly are registered. As regards fingerprinting children in the SIS, the Commission has adopted a report pursuant to Art. 22 d) of Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA on the establishment, operation and use of the second generation Schengen Information System, see: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2016:93:FIN>. The implementation is to be expected by the end of 2017.



comprehensive approach for the protection of children throughout the migration chain. Priority for the vulnerable, and in particular unaccompanied minors, is also built into the relocation process. Child protection and child safeguarding are planned to be fully integrated into the hotspots.”



## 4 Unaccompanied children as a specific target group

An unaccompanied child needs to be treated as a child and protected as a child, as explained in the previous chapters. This is still the case, even where unaccompanied children goes missing from care. However, where rights are universal and every case of the disappearance of a child should be taken as seriously as the other, the approach of responding to unaccompanied children going missing should in practice often be different to responses of disappearances of citizen children. Whereas individual personal information is needed in the case of every missing child, actors and individuals responding to missing children should also have basic knowledge of the specific circumstances of certain target groups as

well. Responses to the disappearance of an unaccompanied child should be adapted to these circumstances, and decisions benefit from knowledge of that situation.

This chapter highlights the main features of unaccompanied children as a group that are useful to determine the perspective for action on missing children. It is largely based on experiences collected by Nidos, the Dutch guardianship organisation, and partners that cooperated within the framework of the European Network of Guardianship Institutions (ENGI). Much has – from a different perspective – been written down in the CONNECT-project, some parts



of the text are identical<sup>1</sup>.

The unique situation these children are in makes that they share much more similarities with one another than, for example, with children in regular youth care in a Western country. And, as a consequence, some elements in the responses to these children going missing need to be different from other children going missing, or at least their circumstances should be well understood. This chapter can serve as a learning text to actors who are specialized in missing children, but less specialized in working with unaccompanied children. The reception, support, and regulation of legal custody is organized differently in each country, but the target group is the same. Therefore, it is generally useful for all actors responding to missing unaccompanied children: hotlines for missing children, law enforcement (local and national), volunteers.

The best interests of the children are the primary concern when children go missing. The children have had to leave their familiar environments due to extraordinary circumstances

and develop and grow into independent adults in a social and cultural environment that is entirely new. The cultural disorientation and lack of knowledge and integration in the new environment, together with their situation regarding the immigration laws, make them vulnerable and requires education and support based on respect, safety, and protection. These children may go missing for multiple reasons. When they disappear from care of their own choice, knowing their backgrounds, pressures and goals is needed to be able to respond and assist them. Elements such as their personal migration goals, their legal situation, relations with and pressure from the family in the country of origin or destination, the need for money to pursue their goals or to send to their family and other elements may well weigh heavier on them than their own safety. Without knowledge of that background it is difficult to estimate the risk of children going missing (again) and even more difficult to offer an alternative to their initial plans that is considered as a real option by the child.

Although the background and circumstances of unaccompanied children are very diverse,

---

1 Marjan Schippers, Working with the unaccompanied child, 2014



the features below are those that may distinguish them from citizen children. Not all features will be relevant to each unaccompanied child; but it is vital to be aware of these potential features when considering their circumstances.

## Cultural differences

### Extended family culture

Usual terms to indicate cultural differences between “countries of origin of refugees and asylum seekers” [and migrants] and “Western countries” are extended family culture versus individually-orientated culture or ‘we versus me’ culture. David Pinto<sup>2</sup> states that, in individually-orientated cultures, individual fulfilment is the highest aim and, in family-orientated cultures, it is (family) honour.

Being focused on individual fulfilment and personal development

can seem strange to unaccompanied children who have recently arrived in the West. This is clear from their wish to satisfy the expectations and instructions of the family and the desire to send money home immediately, even if they are only receiving a very small amount in pocket money. When choosing whether to stay in a (transit) country and ask for protection or asylum or to travel through, the expectation of the family is also often more important than the opportunities for individual fulfilment.

### Family honour

Children coming from cultures with strict rules of honour (extended family culture) regarding partner choice, sexuality and gender roles often are exposed to a culture orientated towards individual development (individual culture) and the danger of violating family honour may be

---

<sup>2</sup> David Pinto, Interculturele communicatie, een stap verder [Intercultural communication, a step further], 2007



great. A child will have to make their own choices between individual fulfilment and the risk of rejection by the family or more drastic forms of honour-related violence. Aid workers, youth care workers or guardians must recognise and understand the risks so that they can help the children consider the matter and look for solutions.

## War and poverty

There is a large contrast between the situation from which unaccompanied children originate and the often traumatic experiences during the long flight and the prosperity in Europe. Minor refugees often have incorporated survival strategies. In Europe, this 'survival behaviour' is often labelled inappropriate or problematic behaviour, especially when children end up in 'regular' youth care facilities and services, where there is insufficient experience and know-how with this aspect of the target group. The approach to tackle problematic behaviour as a result may have adverse effects for the child.



## Being a child and alone

Unaccompanied children are alone and must continue to be on their own to be eligible for protection and reception services specifically for unaccompanied children. Often, it is difficult to involve the family in the support, supervision and protection of children because of the importance of 'being alone'. Unaccompanied children fear their return if they provide information about family. It is a similar case regarding the age of the child, where the difference between being under/over 18 years cannot be reliably determined, even with age assessment. Approaching the age of 18 or the expectation of losing a legal status and risking the loss of reception or protection, or risking forced return and/or detention, may be a factor in cases of unaccompanied children going missing.





# Psychological issues

Unaccompanied children are often burdened with traumas, loss, unpleasant travel experiences, and worries about family that stayed behind. Unaccompanied children report an higher risk to develop Post Traumatic Stress Disorders (PTSD) and related problems (e.g.: sleeping disorders; anxiety and depression<sup>3</sup>. More traumatic experiences prior to migration (wars; conflicts; disasters; etc.) significantly relate with severe PTSD symptoms<sup>4</sup>.

We can observe a “cumulative effect” between traumas affecting this specific class of children before and after their migration journey (pre- & post-migration traumas) which add to effects and consequences that typically concern to migration itself (e.g. as relates to sense of personal and

social identity; (secure) sense of attachment, self-confidence and self-esteem, solid confidence towards significant others; etc.) and that also includes significant modification of the cerebral cortex (reduction of the effectiveness of the inhibition system for aggressive behaviours<sup>5</sup>. A child deprived of an adequate/appropriate family and social emotional support, clearly goes through strong feelings of fear, anxiety, various negative feelings and more generally a wide experience of emotional distress.

The status of vulnerability that we just described represents a high risk condition, particularly for unaccompanied children (both in terms of physical and mental health, as well as in terms of safety/integrity) and a serious risk factor for their developmental path and long term adjustment.

---

3 I. Bronstein, P. Montgomery, *Sleeping Patterns of Afghan Unaccompanied Asylum-Seeking Adolescents: A Large Observational Study*, 2013

4 I. Bronstein and others, *PTSD in Asylum-Seeking Male Adolescents from Afghanistan*, 2012.

---

5 CMárquez and others, *Peripuberty stress leads to abnormal aggression, altered amygdala and orbitofrontal reactivity and increased prefrontal MAOA gene expression*, 2013



# Objectives or instructions of the family

Unaccompanied children have often been sent with expectations or instructions from the family that the child's departure must be of benefit to the whole family. The image of the opportunities that the child will have in the West is often unrealistic, with the expectation that money will be sent, family reunification will take place, and that the child will build a successful career and send more money. Children may be burdened enormously by these unrealistic expectations. It can be important to take an active role, in consultation with the child, in contacting the family as soon as possible to explain what the real opportunities are for the child. Children are often relieved when the family expectations are adjusted in this manner. Contacting the family can be complicated because many unaccompanied children are 'closed off' about their background and family circumstances.

## **Alternative perspectives**

Upon arrival in Europe, many children do not reach their original goal or destination. Some are picked up in transit to family in another European country, others must return to their country of origin immediately, or when they reach age 18. Due to, among other things, the denial of contact possibilities with family or their unrealistic expectations, it is often difficult to discuss with the child (and preferably also with the family) what alternatives exist. As a result, many children find themselves in risky situations because they see no other possibilities than to stay illegally in Europe.



# Safety risks

Compared to other children, unaccompanied children experience additional risks due to their vulnerable position as refugees or migrants, the fact that they are alone, and possibly because they have exhausted all legal remedies.

## Human trafficking and human smuggling

In getting to Europe, unaccompanied children are often already victims of human smugglers, for this may be the only means for them to travel. Human trafficking exists in several forms, including prostitution, drug smuggling, weapons smuggling, or unpaid work, and does not just take place solely during the travel but also once in Europe. Due to a lack of support network, the pressure from family to send money, and sometimes even superstition, unaccompanied children are very vulnerable and easily influenced by human traffickers. The children engage as soon as there is the opportunity, as they want to earn money and

are often afraid following threats made concerning their families; it is obviously difficult to encourage them to make other choices.

## Abuse after end of legal stay

Children who are nearing the end of their reception period and have exhausted most legal remedies are extra vulnerable to abuse and traffickers. Often there is strife and difficulty, due to people coming and going near the large-scale reception where the older children stay, and is probably connected with prostitution and drug dealing. A study<sup>6</sup> among young asylum seekers who left with an unknown destination after their residency status ended shows that a large majority of them initially roamed the streets. The subse-

---

6 R. Staring, J. Aarst, Jong en illegaal in Nederland, een beschrijvende studie naar de komst en het verblijf van onrechtmatig verblijvende (voormalige) alleenstaande vreemdelingen en hun visie op de toekomst, 2010



quent accommodation and work they found were often accompanied with abuse and bad working conditions.

## Legal guardianship and promotion of interests

In many European Member States, a form of guardianship or legal custody is provided for by law. This custody is accompanied by the obligation to promote the interests of the unaccompanied child who is alone and lacks parental supervision. These interests concern both their educational situation (can the unaccompanied child develop safely and without threat?) and their asylum and immigration proceedings (e.g. are the grounds for asylum of the unaccompanied child sufficiently clear and are they brought forward in the proceedings?). Naturally, a lawyer also plays an important role in this, but a guardian must promote the best interests of the child and make sure that the procedure is carried out carefully.

This is an element that is not part of mainstream youth care work. Another aspect in the promotion of their interests is that the guardian with legal custody also ensures that the unaccompanied child can develop without being threatened and that decisions are always taken in the best interests of the child. This means that a guardian must act if an unaccompanied child's development is threatened due to their staying, or threat of having to stay, in an unsafe place.<sup>7</sup>

---

<sup>7</sup> See also "Core Standards for guardians of separated children in Europe", international report and toolkit for guardians available at <http://www.corestandardsforguardians.com/>.



# Conclusion

The specific characteristics of unaccompanied children as a group when compared with citizen children, show that working with them demands specific knowledge, expertise, and attitude. Knowledge about the background of unaccompanied children, legislation in respect of migrants and asylum, legal custody (guardianship), transcultural psychology and pedagogy, and risk signs around lack of safety. Expertise requiring culturally sensitive skills to connect with the unaccompanied child and their network, and skills to deal professionally with the situation of the unaccompanied child, often experienced as hopeless. In any case of unaccompanied children going missing, professionals representing these necessary fields of expertise need to be involved.



# 5 Perspectives for Action

## 5.1 Prevention

**“(Prevention) is about someone being trained and knowledgeable about these issues in order to be able to keep them safe. When a young person is referred to us, we then link them to an advocate in a very timely way. We then ensure that a safety plan is put around that young person to try to support them to not go missing or return to a risky place. We’ve done research and what we’ve found is that young people need foster care with fully trained carers that understand the needs of unaccompanied young people. They need good quality support, like supervising social workers. ”**

---

NGO supporting LEA and social services with trafficked children, UK



Maximising prevention of children going missing is essentially founded in well-functioning child protection systems. There are a number of questions that need to be considered when evaluating the readiness of a protection system in this matter. Are actors well-informed (about the child) and properly trained, do they cooperate with the aim of supporting the child and are they positioned to act when needed? Still, a functioning child protection system will not always be able to prevent an unaccompanied child from leaving reception facilities, as many factors influence the child's decision-making (such as their family's preferences, their migration plan, general ideas about their destination country etc.).

Several aspects of a well-functioning child protection for unaccompanied minors should be considered when talking about prevention of disappearance. In this handbook we will analyse a (non-exhaustive) selection of them:

- Well-informed and well-trained staff who inform the child to make better choices
- Well-informed and well-trained staff who maximise the opportunity to build a relationship of trust
- Well-informed and well-trained staff who do a risk assessment of the child going missing
- The protection system needs an action oriented perspective; upon a risk that is assessed as high, measures need to be in place to be able to protect the child
- Within the protection system, actors need to work together closely
- Information known about the child (to assess risks and – if needed – respond properly later)



# Information known about the child

## Collection of identifying information

The collection of detailed and exhaustive information on a child is essential to ensure a proper follow up in case of disappearance. Identifying information includes the name of the child, presumed age, description of the child including distinguishing features, photograph, biometrical information such as fingerprints (where permissible), as well as information about the origin and nationality of the child. It could also be helpful to collect information on family members or acquaintances and their location, on special needs of the child (e.g. medical needs) etc. It is often worth mentioning elements related to background, for example if the child was a victim of trafficking or was smuggled, as these elements could give an orientation to the investigation on the missing case.

- › This step is extremely important in the case of unaccompanied children, as they don't often own identity papers anymore and the

collection of biometrical data, like fingerprints, is not always allowed (e.g. in many countries if the child is younger than 14 years old)

The most successful practices are those which take time constraints into consideration, as children may go missing within a few hours from their detection or placement in a care centre.

- › Authorities deployed at known border points, such as airports and ports, should be trained to refer the child without delay to appropriate child protection services, which will then gather fuller information on the child.
- › It is important to train personnel, for example guardians, on how to collect and register relevant information on the child.





Every child should be linked to a **personal file** (preferably digital, for sharing purposes). The file should be unique, even when information is collected in different sessions and from different parties, to allow easiest storage and retrieval of information collected.

The use of **standard forms** to collect information, shared by authorities and carers consistently within the country, will also benefit a quicker and more efficient cooperation between concerned services. Personnel needs to be trained on how to fill in the forms and with whom information can be shared.

**Easier centralised systems** (e.g. databases) to register information that would help identify or find the unaccompanied child would simplify cooperation between authorities in charge of the protection and/or the missing case. These databases should be different from the asylum databases and managed by child protection authorities. Data should be used only in the best interest of the child.



## Template for collection of information on an unaccompanied child

The following form needs to be filled in with attention and precision by all authorities or institution in charge and should be sent to child protection authorities (e.g. the service responsible to appoint a guardian).

### 1. Identification of the unaccompanied child

Surname:

Name:

Age declared:

Date and place of birth declared:

Nationality:

Gender:

Language(s) spoken:

Characteristics of their appearance (including information about tattoos, scars, etc.):

Does the child own any ID papers?

☐ Yes (Number: .....)

☐ No

Description of the ID paper:

Does the child own any passports?

☐ Yes (Number: .....)

☐ No

Description of the passport(s):



Does the child have a visa?

☐ Yes (Type and expiration date: .....)

☐ No

**2. Is the child known to authorities responsible for asylum, border control accommodation or return?)**

☐ Yes

☐ No

**3. Identification of family members**

☐ **Father:**

Surname:

Name:

Date and place of birth declared:

Nationality:

Marital status:

Profession:

Address of residence (in the same or another country):

Phone number:

☐ **Mother:**

Surname:

Name:

Date and place of birth declared:

Nationality:

Marital status:

Profession:

Address of residence (in the same or another country):

Phone number:

☐ **Siblings:** (repeat if necessary)

Surname:

Name:

Date and place of birth declared:



Nationality:  
Marital status:  
Profession:  
Address of residence (in the same or another country):  
Phone number:  
Relation with the child:

☐ **Other family members:** (repeat if necessary)

Surname:  
Name:  
Date and place of birth declared:  
Nationality:  
Marital status:  
Profession:  
Address of residence (in the same or another country):  
Phone number:  
Relation with the child:

#### **4. Travel**

☐ **Brief description of the circumstances that brought the child to the country: means of transportation, stops, countries crossed etc:**

.....  
.....  
.....  
.....

☐ **Date of arrival in the country**

.....

#### **5. Declaration of the child related to his or her personal situation**

· Concerning medical conditions

.....



.....  
.....  
.....

- Concerning the presence of members of the family in the country or within the EU

.....  
.....  
.....

- Does the child report to have been victim of trafficking?

.....  
.....  
.....

## **6. Reception of the child**

Address:.....

Contact person: .....

> Decision on reception was taken by:

## **7. Any element that could indicate the risk that the child will go missing<sup>1</sup>**

.....  
.....  
.....  
.....

---

<sup>1</sup> For more information on this point, please see page 63



.....  
.....  
.....

**8. Any other information available that could be useful to identify the child**

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....



# Informing the child to make better choices

“a vital element of the best interest assessment and determination process is communicating with children to facilitate meaningful child participation and identify their best interests. Such communication should include informing children about the process and possible sustainable solutions and services, as well as collecting information from children and seeking their views”

UN Committee on the Rights of the Child (2013), General Comment No. 14, on the right of the child to have his or her best interests taken as a primary consideration, Article 3, paragraph 1



Providing an unaccompanied child with information is an important element of prevention activities. There is a widespread suspicion and scepticism against authorities, that could be eased by providing complete and understandable information on procedures and services available to the unaccompanied child, for example through child friendly communication, such as leaflets and videos.

- › The creation of a relationship of trust between the professional and the child has an important impact on the prevention of the disappearance of a child.
- › The creation of a relationship of trust between the professional and the child is a very efficient measure to prevent the disappearance of the child.

Throughout the process, it is essential to listen to the child, and provide him / her every opportunity to express his/her needs and worries in an open and non-confrontational setting.

The length and complexity of asylum procedures may lead to frustration, fear, lack of trust in the protection system and generate false expectations. Clear and

### **Promising Practice – Cultural Mediators**

In Italy, the involvement of cultural-linguistic mediators has proven essential to foster understanding and trust. Not only do mediators speak the same language of the child and thereby clarify misunderstandings, but often they come from the same country or region. In some cases, they have lived through similar experiences as the child.

Source: Save the Children Italy.





thorough explanations of the services to which the child is entitled and available procedures to be applied to his or her situation is essential to avoid absconding. It is also important to routinely engage with the child and provide updates about the process they are or will be subjected to and what it is likely to involve.

### **Child-friendly way to provide important information and generate trust**

#### **Promising practice: Leaflets**

"Young people have been trying to put together a leaflet for other young people to explain the different sorts of systems here. A lot of young people are not sure – they might have to pay for their care or they're not sure about what their entitlements might be. So we're trying to put a leaflet together with some helpful numbers on it, as well as what their entitlements are."

Source: a reception centre in Spain.

#### **Promising practice: Videos**

In the south of Italy, carers helped a group of Egyptian children to record a video where they were describing to other children what is to be expected when arriving in Europe. The aim of this video was to correct false information that may have been provided to children, using the voice of others, arrived before them.

Source: Save the Children Italy



## **For inspiration – The ‘Resiland’ approach**

The “RESILAND” booklet for professionals is based on stories of children on the move, and translates the children’s key messages, learning and advice into orientations for professionals and officials working with and for children on the move. It is built along the stages of the metaphorical story faced by ‘Resil’ – and provides observations on how stakeholders can support children to feel better, to trust and gain confidence.

These observations come down to basic matters concerning the quality of human relations, dignity and respect, a healthy life and perspectives for the future. It invites professionals and officials working with children on the move to build the relationship with children on the move allowing following guidelines, that may also be of use in the context of prevention of disappearance:

- Engage the child in a conversation about what ‘feeling at home’ means to him or her. Support the child in creating a personal map of the place of arrival with his or her preferred points of reference and confidence.
- Support the child in making positive social contacts and friends among children, youth and adults from different population groups, with a view to fostering a sense of belonging and making the child feel as a member of community where people care about him or her.
- Give the child space and time to talk about his or her home community and its culture, customs and peculiarities. Listen without pressuring the child to speak about it. Be open-minded about social and cultural differences and acquire a basic understanding of places of origin and the causes and contributing factors that led to the child’s departure. This is important for understanding the child’s background, for determining the best interests of the child and for identifying a durable solution.



- Seek dialogue with the child about his or her 'migration project' and the underlying risk factors, aspirations and motivations that led to the child's departure. Take the circumstances of the child's departure into consideration for care planning, best interests determination and the identification of a durable solution.
- Engage the child in a conversation about decisions that are important for him or her. Invite the child to express his or her views about their role in decision making processes. Support the child in expressing his or her personal views in decision making processes and discuss with the child ways and means to gain confidence and agency in decision making, for instance learning how to assess the reliability of information from different sources, how to estimate risks and opportunities and how to reach a conclusion about the own best interests.
- Support the child in getting prepared for changes in life. Offer counselling for the child to reconcile with the changes he or she has lived through in the past. Help the child to gain confidence in his or her own evolving capacities to cope and to keep track of his or her life project.
- Explore together with the child his or her skills, personal capacities and resources. Seek to understand the type of support that the child needs in order to strengthen and activate these capacities and resources in a way that is oriented to the protection, empowerment and development of the child.
- Support children in testing and developing their social and negotiation skills, knowledge of human nature and people skills as these are essential in their interaction with peers and in communities, with service providers and other professionals and officials. These skills are fundamental for understanding sources of risk and protection that are inherent within human relations.
- Create trusted spaces where a child can talk about experiences with illegal or criminal acts. Inform the child about the law in



the place of arrival and the consequences of any infringements. Use the child's disclosure to develop tailor-made counselling and support services for the child, while also taking into consideration any possible implications for the child's asylum claim or residence, or the child's status as a victim of trafficking.

- Listen to the child's economic aspirations and responsibilities and show the child that you take them seriously. Engage in an open and trusted dialogue to exchange views with the child and to try to find solutions. Explain any possible limitations imposed by the care arrangements in the reception system and relevant immigration and labour law
- Support the child in acquiring tools and methods for keeping calm and in control of his or her life, even in difficult situations.
- Talk to children about identity documents and what they mean to the child. Provide them with information about the importance of these documents, who is authorised to check or take them, and what it means for the child to be with or without documents.
- Treat the child with respect and be sensitive to preserving her or his dignity, though the quality of personal relations, targeted assistance and support and a pleasant, healthy and protective environment.
- Engage the child in a conversation about human rights, the rights of the child and the Convention. Seek to relate these rights to the present situation of the girl or boy concerned and their aspirations for the future.
- Support the child in understanding the role of the guardian and use the support offered by the guardian or an equivalent support person in a sensible way to promote his or her best interests.
- Support the child in gaining an understanding of the reception



and protection systems in the place of arrival, including the mandates and roles of different professionals and officials whom the child is going to meet with. Encourage the child to be open about telling her or his story, even if it is difficult to go through repeated meetings and interviews. Raise the child's awareness about the importance of being honest in order to maintain her or his credibility in the asylum procedure.

- Work closely with the child to develop a life project that provides a transparent structure, helps the child to use the time in a meaningful way and to balance different interests and aspirations. A life project helps to obtain clarity about achievements, obstacles and setbacks and how to deal with them, within the opportunities and limitations offered by the reception system in the country of arrival and in the case of transfer to another country or return.
- Consult with the child to assess the appropriate level and type of school or training and to understand what support the child needs to succeed. Make sure that the child has access to quality education that is appropriate to his or her aspirations and ensure the child receives certificates of any school years or courses completed.
- Encourage and enable children to engage in leisure time activities, sports and recreation, individually and together with peers who share similar stories as well as children, youth and adults from the host community.
- Talk to children about their needs in relation to religion and spirituality and be open-minded about the potential symbolic value of achievements, items or objects. It is important to accommodate the child's religious and spiritual needs and to respect the child's choices, with due consideration to the best interests of the child.
- Invite the child gently to recall good memories about his or her



home and about the journey and to share them with trusted persons, as they are part of the child's identity and can give a meaning to the child's current situation.

- Support the child to remain in contact and to uphold relations with his or her family and community of origin, in accordance with the best interests of the child and confidentiality rules in the asylum procedure. Seek to mediate between any possible expectations from home and the reality of the child's situation in the place of arrival with all relevant opportunities and limitations.
- Be sensitive to the role and responsibilities of the child in light of the child's migration project and the underlying decisions taken in the home community. Seek to understand the implications that these may have on the child's behaviour and decisions in the place of arrival. Engage in a dialogue with the child about these matters, be transparent and clarify any related opportunities, risks and limitations in the place of arrival.
- Inform the child about the rules and regulations concerning employment of children in the country of arrival and the relevance of age and immigration status. Talk to the child about the risks of informal labour and support the child in finding safe and legal income generating activities that do not interfere with the child's schooling, health and developmental needs. If that is not possible, consult openly with the child about the given limitations and try to find acceptable alternatives.
- Be open with the child about the changes that will occur after the child turns 18 years old. Explore together with the child, relevant professionals and support persons, what kind of support the child needs in order to succeed in the transition into adulthood and an independent life.



- Seek to solicit the child's views about return and understand the correlated risks and sources of protection. Ensure that the child's views are heard, understood and taken into account in the best interests' determination process and the identification of a durable solution. If return is considered to be in the best interests of the child, explore with the child and all relevant actors in the country of destination and origin the type of preparatory and follow-up support that the child needs to make return a positive, safe and sustainable experience. Mobilise this support from formal and informal sources with a view to enabling continuity of care and support into adulthood and an independent life. Where return is not an option, assess whether family reunification is in the best interests of the child and support the child in this regard.

Source: Centro de Estudos para a Intervenção Social (CESIS), Defence for Children International – Italy, Family and Childcare Centre (KMOP), Hors La Rue, France, see [www.resiland.org](http://www.resiland.org): Orientations for professionals and Officials working with and for children on the move.

Children should also be informed of the risks they could incur if they abscond from the protection system.

- › Carers could also propose to inform the family of the child about those risks and discuss safer alternatives to individual plans to be realised outside regular procedures.
- › Highlight that other children are going through similar experiences (through the creation of support groups) and have been in the same situation before which proved helpful.



### **Checklist: Information that could be provided to unaccompanied children as a means to prevent disappearance**

- ✓ Contact details of the guardian and role of the guardian
- ✓ Care options
- ✓ Rules and regulations of the centre where the child is taken into care
- ✓ Information about the roles of different professionals
- ✓ Geographical information about where they are
- ✓ Dublin III rules
- ✓ Family reunification procedures and possibilities
- ✓ Explanation on asylum procedure and other applicable procedures
- ✓ Procedure for victims of trafficking
- ✓ Importance of personal interview
- ✓ Right to be provided free of charge with legal and procedural information
- ✓ Right to be assisted by a legal representative
- ✓ Risks which child could incur if they leave the structure
- ✓ Rights related to reception and accommodation
- ✓ Right to healthcare services
- ✓ Right to education
- ✓ Complaint procedure
- ✓ Informing the children about the risks they face if they go missing





The person providing information to the child and building the aforementioned relationship of trust should be trained in child friendly communication.



# Training actors to be better informed

Actors – different actors from law enforcement, care as well as reception – need to be well-informed and trained in the background and situation of the target group.

- › In several countries joint trainings have been set up for example to educate professionals to recognise signs of human trafficking. Another example is the trainings on the use of voodoo in certain cultures and how it is used by traffickers to keep their victims under control. More knowledge leads in this case to a more sensitive approach in the cooperation of all actors. The development of trainings is often financed with European funds or directly by the central governments.



# Assessing the likelihood of an unaccompanied child going missing

## **Risk assessment**

The assessment of the risk that a child will go missing and risks to which he could be exposed if missing is one of the first steps to undertake in the care of an unaccompanied child. **Every decision related to reception and protection will need to take the results of this assessment into account.**



**For a correct risk assessment, it is essential to:**

- ✓ Clarify which service is always in charge of this assessment. It is suggested that either guardian or reception centre operators first in contact with the child are in charge.
- ✓ Conduct it as soon as possible, if possible during the first 24 hours after the child is placed under care
- ✓ Consult with other services, including the police and the other authorities that may have been first in contact with the child, to recognise elements that could influence this assessment.
- ✓ Create a list of standardised indicators to assess the risk against. This list needs to be created together with relevant actors (e.g. guardian services, specialised police departments, international agencies) and needs to be periodically updated. The assessment should be conducted consistently within the country.
- ✓ Train the personnel in contact with the child, especially during the first moments, on recognising indicators that could influence the assessment.



## **Elements to be taken into account when assessing the risk that a child could go missing**

Any list of indicators that could help assessing the risk that an unaccompanied child could go missing cannot be exhaustive, as the assessment needs to take into account not only the peculiarities of the child under care and of the country/region where the child is. Nevertheless, there are some indicators that could be generally used for these purposes.



### **Checklist of elements to be taken into account to evaluate the risk of disappearance**

- ☐ The child has mentioned that he or she has family or acquaintances in other countries and most likely arrived in the country with the help of smugglers
- ☐ The child seems uninterested or unsatisfied with the accommodation, the information given or the activities proposed (including going to school)
- ☐ The child seems concerned about money and asks when it will be possible to start working (and doesn't seem interested in education opportunities)
- ☐ Police reports that the child went missing before
- ☐ It is common for children of that nationality or region to go missing
- ☐ The child arrived in a group and some of them went missing already
- ☐ The child has a phone and uses it nervously
- ☐ The child was victim of trafficking/smuggling
- ☐ Indicators suggest that the child is at risk of (re)trafficking
- ☐ The child is approaching the age of 18.

Source: SUMMIT Report - Best practices and key challenges on interagency cooperation to safeguard unaccompanied children from going missing



### **Who should participate in the creation of the standard list of indicators bringing intelligence gathered and practical experience?**

- Guardianship service
- Reception services
- Police, including services specialised in missing and trafficking
- Asylum authorities
- Hotlines for missing children

### **Who should assess the risk?**

- The guardian, if appointed and in touch with the child within the first 24h
- The reception centre operator who received the child, if the guardian is not appointed and in touch with the child within the first 24h

To be consulted if needed:

- The police
- The hotline for missing children
- Specialised anti trafficking services (to be always consulted when the child has already been a victim of trafficking)



### **Promising practice - Assessing the risk of a disappearance**

In the Minor Ndako centres in Belgium, all reception centre operators are instructed to assess the risk of going missing during the first hours after the arrival of the child. All operators are giving the following guidance in case of doubt:

- Is the police involved in the case?
- Does the case involve human trafficking, smuggling or other criminal activities?
- Is the child or teenager NOT the one asking for shelter/refuge?

Is the answer to one or more of these questions is YES there is a reasonable concern for disappearance. Also ask the person(s) who referred the child and the police, about their assessment of the situation, do they think there is a risk of disappearance?

Source: Minor Ndako, Reception Centre in Belgium





## **Template of actions to be taken in case of obvious concern for or risk of disappearance**

- Take a photo of the child on arrival and collect all relevant information
- Keep the lines of communication open. Talk to the child (if necessary with the assistance of an interpreter), as soon as possible after his/her arrival
  - › Introduce yourself, the organisation and the unit they will be staying in. Make sure they know that the organisation has NO connection to law enforcement activities. Also try to explain that we will help them as much as possible
  - › Ask about his/her own desire to leave
  - › Point to the dangers and risks of carrying on in the same way, make sure they know you're concerned for his/her well being
  - › Ask whether the child feels threatened, make sure his/her know they are safe
  - › Suggest they use the time in the centre to rest, wait for more information and plan daily activities
  - › Listen to the worries and thoughts of the child, try your best to keep him/her calm and reassure him/her, try to buy as much time as you can
- Let him/her shower, eat and rest

### **Attention points**

- Passport, cash money and a mobile phone are the most important tools when traveling under the grid/in secret. If a child still has these things on him/her



- › Make a copy of all the identification papers (this will make it easier to have access to the right information when filling in forms), also write down his/her telephone number and any other information you deem important
- › Offer to keep the documents (passport etc), mobile and money in your care for safe keeping. If he/she really does not want this, give it back to the child
- › If the risk of a disappearance is really high you can contact the police department involved in placing the child to let him/her know what is going on. You may also want to let the police know that we are not authorised to confiscate any of these items from the child

Keep in mind that the **internet** is also a tool which can be used to contact others outside the centre using media such as skype, facebook, email and chat. If you judge the risk of a disappearance as high, [unsupervised] internet usage might also be a problem.

- Appoint a responsible person to monitor the situation and keep a close eye on the child. All the available and important information will have to be handed to this one person. During each shift there should be one person who is appointed especially to look after the child. This person should always (as much as possible) be aware of where the child is.

### **Tips**

To reassure the child, he/she needs information, that's why it is very important to give him/her as much information as possible

- Who has placed the child in our care, why and for how long?
- What is the mission and task of our centre
- It's very important to make sure the child knows you and your organisation are independent and separate from the person



or institution that has placed the child. You are in between the child and whoever placed the child in our care

- What can he/she expect at the centre?
- Make sure you explain what is not allowed in the centre in general and specifically in his/her case. Also explain who has decided that something is not allowed, the judge, police, us....
- Inform the child of the protection that an unaccompanied minor receives in Belgium: he/she will receive shelter, a legal guardian is appointed etc.
- Talk to the child about the agenda for the next couple of days or even hours

**The first 24 hours are critical.** After the first day the risk usually gradually decreases.

- Try to make mini plans to stall for time, for example washing clothes. This is nice for the child but also makes it harder to leave. When clothes are being washed or still wet, the child is less likely to leave
- Make appointments (and communicate these to the child) with different member of the team. For example: at 14 o'clock I'll introduce you to the nurse, she can have a look at that cut you have on your leg. And then at 17h we will call....
- Offer things (food, something to drink, etc) but it's up to the child to take them or not. Respect his/her choice
- Do not put yourself between the child and his/her goal (for example a child that wants to travel to his/her mother who is already in Great Britain) but advise against dangerous ways of travelling
- Answer any questions the child may have to the best of your abilities. Even if the answer is: I don't know, but I will look into it and give you an answer tomorrow. This way you show that you



value questions and encourage the child to ask more

- You have to be reliable and trustworthy, the child has to know they can trust you. Say what you do and do as you say, try to be as transparent as possible
- It's very important that everyone in the team is on the same page. Everyone should give the same information and message to the child. If there is any specific information, make sure everyone is aware of this.
- The child should be allowed to call his/her parents, but only in the presence of a translator. Let the parents know that you and the translator are listening in on the conversation from the start. Tell the parents about the centre, what kind of care their child receives and why he/she is staying here. Make sure to prepare this conversation well, be prepared for all the questions the parents may have.
- If there is an appointed guardian, let him/her come visit the child. Tell them about our experience and approach to this problem. If the guardian has no experience with these kind of problems suggest that you communicate the most important thing to the child yourself
- Only use other kids from the group as translators if there is no other possibility. They are not impartial, there is a good chance that the translation will be distorted when it's one child translating for another.

Source: Minor Ndako, Reception Centre in Belgium



# Cooperation between actors

## **Collaboration with other agencies in prevention activities**

The situation of unaccompanied children involves many actors, including asylum authorities, carers, police, potentially medical staff etc. However, research reveals that often cooperation in preventing disappearance of unaccompanied children is hindered by the lack of training and understanding of the problem of missing children. It is also often unclear who is responsible for a certain task in relation to prevention or other action that may be useful in case the child goes missing.

- > Cooperation should be based on formal procedures of cooperation and strategic planning of such activities, not on the motivation and willingness of the professionals involved. It is essential to establish clear definition of the roles of agencies involved, as well as ways in which communication is organised.

One of the main obstacles for

cooperation identified by interviewees is the lack of national databases and reference systems to store all the information collected on the child.

- > Collecting all information in one place, with due regard for confidentiality of certain information and data protection, would simplify access to information in case of need, not only in case of disappearance but also when deciding on the best care approach for the specific child, as information may be scattered as it is collected by different services at different times.
- > Law enforcement agencies can play a key role in the prevention of disappearances by providing information on migration paths, national and international patterns of trafficking and known criminal activity that could have an impact on the safety of the child. Periodic consultations between agencies could foster timely exchange of information.



## **Memorandum of understanding or protocols of cooperation**

As mentioned above, it is important that the tasks and responsibilities of each one of the actors involved in the situation of the unaccompanied child are clarified in every step taken in the protection of the child, including prevention of disappearance. For this reason, it is important to formalise the cooperation between actors working on care of unaccompanied children and actors that are involved in the missing case.

- › The signature of a Memorandum of Understanding specifically dedicated to the treatment of cases of missing unaccompanied children (or, more in general, children disappearing from alternative care) is highly recommended. The MoU should be agreed among all actors involved in the situation, including police, magistrate, guardians service, immigration office and shelters, is important to understand each other's work, to see what information is crucial for the partners, and to speed up the exchange of information and the collaboration.

See also Annex I to the Practical Guidance is the European Model Protocol of Cooperation between Law Enforcement and Civil Society Organisations in Cases of Missing Children.

### **Who is responsible?**

A tool facilitating the identification of roles and responsibilities of actors in cases of disappearance of unaccompanied children was developed in the framework of the EU co-funded project CONNECT. The tool includes suggestions on how to identify the relevant actors and how to create a table to assess the capacity and tasks of each one of them.

See more in the CONNECT tool "Who is responsible?", p. 26-18, available at [http://www.connectproject.eu/PDF/CONNECT-ITA\\_tool.pdf](http://www.connectproject.eu/PDF/CONNECT-ITA_tool.pdf)



Checklists of elements to be included in a MoU related to prevention of disappearances

- ✓ Authorities that need to be informed of the presence of the unaccompanied child on the national territory and procedures
- ✓ Authorities and other actors in charge of deciding on the accommodation of the child
- ✓ Authorities and other actors that are allowed to collect, modify and retrieve information included in the child's personal file
- ✓ Authorities and other actors in charge of monitoring the application of this section of the MoU
- ✓ Practical information and contact details of the relevant services.



# Measures available to protect the child

## Foster care and safety plan

Unaccompanied children need foster care with fully trained and knowledgeable carers that understand the needs of unaccompanied young people. Good quality support, like supervising social workers and guardians, is essential in terms of prevention of disappearance.

> The creation of safety/care plans, triggered by a thorough assessment of the risk that the child could go missing and elaborated by all of those in charge of the care of a child, taking into account indications from law enforcement and national authorities, is a successful practice in several countries.

### Who should be involved in the creation of a safety/care plan?

- reception centres or foster families,
- guardians (or similarly qualified professionals)
- NGO's experts in certain issues, for example trafficking





## **An action perspective to protect children from going missing: Supervised centers in the Netherlands**

In order to prevent more disappearances, in January 2008, the Dutch Minister of Immigration Affairs and Integration started a two-year pilot for unaccompanied children aged 13 or above, for whom it has been established, based on the experiences of the Immigration and Naturalization Service (IND), that they are greatly at risk of disappearing because of human trafficking.

Since then, such children have been received in special, small-scale protection centers (BOs). In the first weeks after arrival, they are only allowed to leave the premises with prior permission or a staff escort. The children receive intensive coaching by specialized mentors, attend a special school, and have access to specialist psychiatric care by transcultural psychiatrists.

Since the project began, the total number of disappearances from all reception facilities (including BO) of the Central Agency for the Reception of Asylum Seekers (COA) decreased.

All referrals to protected reception are made by two guardians. The moment the guardians indicate a need for a minor to stay in BO, Nidos inquires with the aliens' police and the IND if they have also seen indications to refer to BO. A feedback loop system is in place, whereby every month the BO mentors inform Nidos guardians in the Central Reception Location to what extent they believe the initial indication has been correct or not.

The placement and stay in BO cannot be qualified as a 'deprivation of liberty', as the necessary judicial review is lacking and no legal aid is provided to the child (regarding their placement in protected reception). The supervision period – in which it can be argued that a deprivation of liberty takes place – has shortened and where the children were at first uncomfortable with their position, this is currently no longer the case. A representative says: "The doors are not locked. It is true that no one can go in from the outside, but every minor who



wants to go out, can go out. We once started with a target group that you so to speak had to lock in (Nigerian girls). The last few years, however, we take care of minors who want to be protected and are very happy with the safety that is being offered (...). More and more we conclude that there are children who fit in the current reception facility perfectly. However, it also happens more often that we receive groups of minors, including the Vietnamese, who want to leave immediately. We cannot keep them inside”.

From an institutional perspective, it is important to note that many actors collectively meet each other during the so-called ‘COBO Meeting’ (Casuistic Consultation BO). Co-ordinated by Nidos, representatives from the Police, COA, Jade (contracted to run the protected reception facilities), the Co-ordination Centre for Human Trafficking (CoMensha), the Repatriation and Departure Service (DT&V), the IND, the Dutch Centre of Expertise on Human Trafficking and Migrant Smuggling (EMM), the International Organization for Migration (IOM) and the Legal Aid Board come together every eight weeks. The goal of the meeting is to share information, strengthen the network, and present other practical advice relating to the BO.

It is important to mention that these supervised centres were recently studied by the Inspectorates for Youth Care and Security and Justice. In a report published on 7 March 2016, the Inspectorates judged that the quality of the supervised reception was insufficient. The Inspectorates also found worrisome that (specific groups) of youth disappear from the protected reception<sup>1</sup>.

Source: Nidos, Dutch guardianship institution for unaccompanied minor refugees and asylum seekers.

---

1 See more at [https://www.inspectiejeugdzorg.nl/actueel/nieuws/nw\\_detail.asp?nw\\_id=491](https://www.inspectiejeugdzorg.nl/actueel/nieuws/nw_detail.asp?nw_id=491)”

## **Actions to be taken when the child is at risk of being (re)trafficked**

### **What is a National Referral Mechanism?**

A National Referral Mechanism (NRM) is a co-operative framework through which state actors fulfil their obligations to protect and promote the human rights of trafficked persons, co-ordinating their efforts in a strategic partnership with civil society. The basic aims of an NRM are to ensure that the human rights of trafficked persons are respected and to provide an effective way to refer victims of trafficking to services. In addition, NRMs can work to help improve national policy and procedures on a broad range of victim-related issues such as residence and repatriation regulations, victim compensation, and witness protection. NRMs can establish national plans of action and can set benchmarks to assess whether goals are being met.

Effective NRMs require good co-operation between government agencies and civil society. Often, victims of trafficking are first identified by law-enforcement personnel, but it is civil society organizations that provide shelter and other services to the victims. Thus, an NRM can be an essential structure for referring trafficked persons. NRMs should develop a dynamic process to ensure participation of civil society. Internal monitoring, evaluation, and feedback should be a continuing part of NRM activities. An NRM should therefore seek to be as inclusive as possible in its membership and participation.

An NRM should incorporate:

- › Guidance on how to identify and appropriately treat trafficked persons while respecting their rights and giving them power over decisions that affect their lives;



- › A system to refer trafficked persons to specialized agencies offering shelter and protection from physical and psychological harm, as well as support services. Such shelter entails medical, social, and psychological support; legal services; and assistance in acquiring identification documents, as well as the facilitation of voluntary repatriation or resettlement;
- › The establishment of appropriate, officially binding mechanisms designed to harmonize victim assistance with investigative and crime prosecution efforts;
- › An institutional anti-trafficking framework of multidisciplinary and cross-sector participation that enables an appropriate response to the complex nature of human trafficking and allows its monitoring and evaluation.

Source: OSCE "NATIONAL REFERRAL MECHANISMS Joining Efforts to Protect the Rights of Trafficked Persons A Practical Handbook"



### **Promising Practice: The NSPCC's Child Trafficking Advice Centre (CTAC)**

CTAC is a multidisciplinary team of qualified social workers, a police officer seconded from the National Crime Agency (NCA) and a seconded immigration officer. All the team are accredited child protection trainers and have experience in both statutory and international work.

We're all accredited child protection trainers, OISE Immigration level 1 trained and have experience in both statutory and international work. The CTAC team has a range of other qualifications including international social work and refugee studies, women and child abuse, counselling skills, teaching, theology and psycho-social sciences.

CTAC:

- Delivers training to professionals who come into contact with trafficked children
- Provides professionals with up to date specialist safeguarding advice and information about child trafficking via telephone and email
- Carries out work internationally to prevent children from being trafficked
- Promotes and co-ordinates multi-agency responses with a child protection focus for children who may have been trafficked
- Advocates for foreign national children in the UK where there are trafficking or safeguarding concerns, for example through attending child protection meetings, making recommendations to child protection plans and producing child trafficking reports for courts and immigration tribunals



- Is a First Responder for child referrals to the National Referral Mechanism (a system to identify trafficking victims) – also supporting other agencies to make referrals.
- Raises awareness about child trafficking through media, influencing work and conferences
- Responds to policy consultations
- Analyses and reports on trafficking trends.

### **What happens if someone contacts CTAC with concerns for a child or young person?**

Cases are allocated to social workers and supervised by a manager. The allocated social worker advocates on behalf of the child, by referring and working with other agencies, contributing to children's services assessment, and making recommendations to child protection plans and pathway plans. They also represent the child at child protection meetings, reviews and court hearings and give expert witness reports at court as necessary.

The police officer works with the social worker when there are child protection concerns, referring and liaising with police and the NCA, contributing to child trafficking investigations, and providing intelligence to prevent trafficking, protect children and to get prosecutions.

Source: NSPCC's Child Trafficking Advice Centre (CTAC)



## 5.2 Response

**"When confronted with an increasing number of disappearances of unaccompanied children, we initiated a Memorandum of Understanding with all the relevant actors in the field: the police, the magistrate, the tutors, the immigration office and the shelters. It doesn't work miracles, but it allows the different actors to understand each other's work, to see which information is crucial for the partners and to speed up the exchange of information. It's our duty to continue to break through the indifference towards this group of children."**

---

Child Focus, running the hotline for missing children in Belgium



The disappearance of an unaccompanied child is to be treated as any other child disappearance. For this reason, it is very important that

- carers are trained on procedures related to child disappearance and tools available to report and follow up.
  - Police officers in charge and magistrates are trained on specific issues related to children in migration, trafficking and smuggling.
- > It should NEVER be assumed that an unaccompanied child left the reception centre or the foster family out of his or her own free will. It is important to assess the reasons that could be behind the disappearance and the risks in which the child could incur.

Responses and approaches to the disappearance of an unaccompanied child should be based on specific and detailed procedures, highlighting who is responsible for each step, what are the actions to be taken and who is monitoring the efficient functioning of the protection triggered. As the disappearance of a child naturally

involves several actors, it is important that all of them are trained on how the cooperation works.

Several aspects should be considered when responding to the case of disappearance of an unaccompanied child. In this handbook we will analyse a (non-exhaustive) selection of them:

- Clear ownership of the case and division of tasks is essential since the first moments
- Staff need to be well-informed and well-trained staff on procedures linked to missing
- Reporting of a disappearance needs to be timely and exhaustive
- The protection system needs an action perspective; upon a risk for the safety of the child that is assessed as high, measures need to be in place to be able to react quickly and efficiently
- Within the protection system, actors need to work together closely





# Responsibility for a case of a missing unaccompanied child

As in the case of activities aimed at preventing the disappearance of an unaccompanied child, a clear and well-understood division of tasks between each party involved is crucial to ensure an appropriate reaction to a missing case and a consistency of service.

- › It is important to provide training on 'missing' for all professionals working with unaccompanied migrant children.
- › A training on 'missing' should include a clear explanation of the procedures triggered in the case of a missing child and the steps characterising the follow up to all professionals involved in the situation of an unaccompanied child.

For this reason again, it is important to formalise the cooperation between actors working on care of unaccompanied children and actors that are involved in the missing case.

Hotlines for missing children

usually play an important role in supporting those that are responsible for a missing child case, in national and cross borders cases. However, data collected from the hotlines illustrates that they are only rarely called upon in cases of missing unaccompanied children.

- › The role of hotlines for missing children needs to be clarified for carers of unaccompanied children, as they are not often aware of the potential added value brought to the case by these organisations, in terms of expertise and resources.



### **The role of 116 000 hotlines when an unaccompanied child goes missing**

- Legal and administrative support to reception centre operators and guardians
- Direct emotional, psychological support to families in cases of separated children
- Contact point between carers who reported the case and agencies involved in the missing child case, such as the police, social services and prosecutors.
- Collection of data related to missing unaccompanied children for further analysis
- Provision of expertise and advice on procedure related to a missing child case
- In some cases, collection of testimonies or facilitation thereof (e.g. by being present at the interview with family or carers)
- If appropriate, management of the public appeals campaign
- In (suspected) cross border cases, swift activation of the European network of hotlines for missing children (see below)

You can find more information on the 116 000 hotline operated in your country at the link <http://missingchildreneurope.eu/hotline>



# Reporting of a missing unaccompanied child

The disappearance of a child should always be reported as soon as the whereabouts become unknown or there is a suspicion that the child may be at risk. In any case, it is important that the same rules applied for the disappearance of any child in the country are applied also in the case of missing unaccompanied children in alternative care. In case of lack of procedures, the disappearance shouldn't be reported later than 24h after the last time the child was accounted for.

Lengthy reporting procedures may dissuade a quick reporting of missing unaccompanied child cases, especially when human resources in social centres are limited. It is therefore important to make sure that the reporting system is created in a way not to discourage reporting.

- › Easier reporting should not lead to superficial reporting: It is important that simpler procedures still allow complete

reporting of the situation of the child and all information that could be useful to ensure a proper follow up

- › Reporting by phone or email could facilitate the process. However, this would require that the collection of information related to the unaccompanied child is already centralised, to allow a faster decision making process on the most appropriate response to the disappearance of the child.

It is highly advised to always report the disappearance of the child to the national hotline for missing children, as it is done for other cases of missing children.

- › Hotlines could play an active role in the follow up of the case and in ensuring communication between the carers and the police, similarly to what they do in other missing cases.



The creation of unique **personal files on unaccompanied children** (preferably digital, for sharing purposes) allows for a swifter cooperation in cases of missing case, as retrieval and sharing with the authorities that are competent for the follow up will be easier.

As mentioned above, the development of a **centralised systems** (e.g. databases) to register information on unaccompanied children will also simplify cooperation between authorities in charge of the protection and/or the missing case. These databases should be different from the asylum databases and managed by child protection authorities. Data should be used only in the best

The use of **standard forms** to report the missing case, in a consistent manner within the country, will also benefit a quicker and more efficient cooperation between concerned services. Ideally, the form should be included in the Memorandum of Understanding between agencies involved in the situation of unaccompanied children.

#### **Promising practice about reporting**

In Belgium, the template to report the disappearance of an unaccompanied child is already available to carers that are responsible for reporting. In case a child goes missing, the template filled in is sent via email or fax to the police and to the guardianship service.



## Template for reporting a disappearance

Document to be sent to the police via email or fax at:

.....  
(insert email address and fax number)

Document to be sent to the guardianship service via email  
or fax at: .....

(insert email address and fax number)

### 1. Date and time when the disappearance was noticed

.....

### 2. Name, organisation and position of the person reporting

.....

### 3. Information on the identity of the child

Surname:

Name:

Nickname:

Gender:

Date of birth:

Nationality:

(any number or  
reference that his  
file has in the  
national system)

Picture

### 4. Description

Size:

Eyes colour:

Colour and length of the hair:

Particularities (tattoos, scars, handicaps...):



Clothing at the moment of disappearance:  
Jewellery:  
Did he/she carry any document? If yes, specify.

**5. Information about the procedure**

**6. Information on the disappearance**

- Presumed moment of disappearance (date and time):
- Place of the disappearance:
- Circumstances disappearance:
- Presumed reason for disappearance:
- Who was the last person who saw the child , when and in which circumstances:
- Presumed place where the child is:
- Company (if any):
- Contact details of family or relevant acquaintances:
- Is the child presumed to have left the country? If yes, to go where?

**7. Elements that could reveal the existence of high risk for the child**

- Is this the first time that the child has gone missing?
- If not, how many times has the child gone missing before?
- If not, how many times before did the child go missing?
- If yes, what?
- Does the child have money or a bank card?



- If yes, what type?
- Is the child handicapped in any way?
- If yes, which kind and how serious?
- Does the child depend on a medical treatment or medicines?
- If yes, please explain what and what would happen if the child is not given the abovementioned treatment?
- Do you think that the life of the child is in danger?
- If yes, please explain
- Does the child know any person that in your opinion could put them in danger? If yes, please explain

## **8. Various**

- Have the police already intervened?
- If yes, please mention which police officer and the reference number of the case
- What measures were taken after the reporting of the disappearance?
- Was the room verified?
- If yes, please mention anything interesting that was found
- Any other element that should be considered?



## **Actions to be taken after the disappearance**

When a child goes missing, it is important that carers are aware of the procedures that need to be triggered and demand that they are put in place.

- › The carer that represents the child and monitors that decisions are taken in the best interest (e.g. the guardian) should call the national 116 000 hotline for missing children. The case managers will be able to suggest what are the steps to undertake and to inform on national procedures, and to provide support to both carer and police all along the investigation and the follow up
- › It is important that the carer demands to insert an alert in the Schengen Information System (SIS II) and the publication of an Interpol yellow notice if it is suspected that the child has left the country.





The following should be an inspiration for investigative methods in cases of missing unaccompanied migrant children:

- › Child victims of trafficking have special needs and vulnerability that should be taken into account and reflected throughout the investigation; a child friendly approach should be used and the investigator should be guided by the best interests of the child.
- › In case of a child as victim of trafficking or a victim in danger, the police have to intervene immediately.
- › Prioritise child trafficking cases, as other crimes against children. For this purpose, the files should be made clearly recognizable and flagged.
- › Every investigator and all actors involved have a clear duty to conduct a risk assessment in respect of the safety and welfare of the child victims and their families at every stage of the investigative and judicial process and beyond. The risk assessment must be started as soon as the victim comes to the police's notice.
- › Pro-active or intelligence-led investigations should be preferred, whenever possible.
- › Flagging suspects and convicted offenders can be a useful tool. The disruptive investigative method should be used only if there is no other option.
- › In the interest of an investigation it is of utmost importance to be aware of where, when, which specific information is available and can be retrieved, and through or via which obligatory channels – both on a national and cross-border level. The management of the law enforcement information is bound by national and global regulations, which need to be respected.



- › Each country should feed the national database with all child abuse related information and should in particular organize themselves in view of enhancing the international cooperation by connecting to the I 24/7 (Interpol) and sending the relevant information on child traffickers or other cross-border child related offences to Interpol. Moreover, European Member States should ensure the availability of the Europol information (TECS) and include all child trafficking and child abuse offender or suspect related information in the Information System of Europol.

See also IOM and B.M.I. Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking, 2006 <http://www.unhcr.org/4d94852b9.pdf>



### **Promising practice: The approach of the Belgian Police**

The Missing Persons Unit of the Belgian Police has developed basic principles that should apply to all missing case, including those regarding unaccompanied children:

- Every case is different: Routine kills
- The first 24 hours after a disappearance are crucial
- "Never say, never!" Tunnel vision in missing persons investigation is dangerous

The search for a missing person should be based on a logical assessment, and every decision regarding the search action should follow this assessment:

- Who is missing, what is the profile of the missing person
- Definition of whether the disappearance is worrying or not. This is also

based on the profile, circumstances of the disappearance, the place of disappearance, and is established on the basis of well-defined criteria.

A disappearance of a person, including a child, qualifies as 'worrying' when one or more of the next conditions are fulfilled:

- ☐ the missing child is under the age of 13 years old
- ☐ the missing child has a physical or mental handicap or is not autonomous
- ☐ the missing child is under medical treatment or needs to take medication that is essential to his or her health
- ☐ According to available information, the missing child may be at risk of death
- ☐ According to available information, the missing child may be with a third



person that may be a threat to his or her safety, including because he or she is a victim of a criminal act (e.g. kidnapping)

- The absence is contrary to the habitual behavior of the missing child.

In worrying cases, the local police will refer to the Missing Persons Unit, which will coordinate all search efforts and will provide support to the police service in charge of the investigation.



## Publicity

Publicity appeals of cases of missing unaccompanied children are not frequently launched and are in some cases forbidden.

- › The opportunity to give publicity to a case of a missing unaccompanied child needs to be carefully considered, as in all other cases of missing children.
- › An option could be to inform professionals rather than public about a missing person if publicity is not appropriate.

### Promising practice

Missing People, the hotline for missing children in the UK, uses a Support Partner Network of 400+ local agencies who provide a support or safeguarding role as an alternative to publicity –e.g. in cases where publicity would make a person more vulnerable. In these cases, Missing People can alert all or some of our Support Partners, send them info about the missing person and ask them to look out for them without publicising them/ putting poster up. If the person does access their service they can report the sighting to the hotline or the police, and can provide effective support knowing they are missing (which could include referring them to our 116000 hotline)”

Source: Missing People, running the hotline for missing children in UK



## Cooperation with other agencies in response to a missing unaccompanied child

The following should be an inspiration for cooperation at national level between civil society and law enforcement as well in cases of missing unaccompanied migrant children:

- › Law enforcement authorities and the judiciary should recognize the need to be assisted by and work together with experts including social service providers in relation to the sector of exploitation.
- › Cooperation should be based on the mutual commitment of law enforcement authorities and NGOs social service providers to work together (...)
- › In view of institutionalising cooperation, protocols and agreements on cooperation between the law enforcement authorities and NGOs social service providers should be developed, stating the role of each party, their responsibilities and the type of cooperation.
- › Focal points for trafficking issues should be established at a national and international level, which should be known and used by all actors within and outside the country.
- › A permanent communication strategy of multi-agency teams on child trafficking issues should be elaborated. This could be reached through periodic meetings, a network of contact persons in each organization involved, newsletters as well as common training. Multi-agency intelligence enriches police data and improves operational and strategic police analysis.



- › Integrated training seminars should be organized with people in charge from national agencies on a regular basis and from time to time with responsible officers from concerned countries (origin, transit and destination) in order to share information and good practices and strengthen dialogue among all actors involved.

See also IOM and B.M.I. Resource Book for Laws Enforcement Officers on Good Practices in Combating Child Trafficking, 2006 <http://www.unhcr.org/4d94852b9.pdf>

## Protocols of cooperation

As mentioned above when talking about the need to clarify who is responsible for each task in a missing child case, it is important to formalise roles and procedures in a multiagency protocol of cooperation or Memorandum of Understanding. The MoU could be a general text to be applied to all cases of children disappearing from alternative care, or could be specifically dedicated to the response of cases of missing unaccompanied children. The MoU should be agreed among all actors involved in the response to the disappearance, including police, magistrate, guardians' service, immigration office and shelters.

- › Hotlines for missing children can be a key player in bringing together all stakeholders that could have a role in

providing appropriate response to the disappearance of an unaccompanied child. Particularly useful are the knowledge of the matter of disappearance, the already established cooperation with law enforcement agencies and other actors (e.g. magistrates, social services) and the experience in development of multilateral protocols.

- › Periodical review of the cooperation agreement is recommended.



Checklists of elements to be included in an MoU related to responding to a disappearance

- ✓ To which authority does the disappearance need to be reported
- ✓ To which authority the missing case is assigned
- ✓ Which authority is responsible for collecting information related to the disappearance
- ✓ What are the tasks of each service after the disappearance of a child
- ✓ If there are special procedures to be triggered in specific cases, what are the criteria to trigger these procedures and who are the authorities in charge
- ✓ Who needs to be informed about the results of the investigation
- ✓ Authorities and other actors in charge of monitoring the application of this section of the MoU Practical information and contact details of the relevant services





In Belgium, the Institute for International Research on Criminal Policy (IRCP) of the Ghent University in collaboration with Child Focus, developed the European Model Protocol dealing with missing children. The model can serve as inspiration for establishing official relationships between civil society organizations and law enforcement officers. **The main goal of the protocol is to establish a functional, cooperative relationship based on reciprocity, aiming to:**

- optimise the possibility of retrieving missing children in good health;
- deal with the problem of extra-familiar sexual abuse of children and
- deal with international parental abduction.<sup>1</sup>

The Model is annexed to this handbook (Annex I)

<sup>1</sup> "Cooperation between civil society organisations and law enforcement services in the area of missing and sexually exploited children: possibilities and limits from a European legal perspective", G. Vermeulen and H. De Pauw (Ed.); Maklu 2004, pp 90-95.

Periodic multi-agency meetings to analyse data collected and intelligence developed, monitor the application of procedures and protocols and, if necessary, review them, is advised.

- › Some countries have experimented with the creation of multi-agency hubs involving, for example, police, children's services, migration services and anti-trafficking experts to support the work of grassroots professionals, to improve cooperation between services, especially in terms of information sharing, data collection and research.

In the UK, Multi-Agency Safeguarding Hubs (MASH) is a core group of professionals working collaboratively. The core group tends to include the police and children's services safeguarding leads, alongside representatives from probation and the youth offending service, and in many cases health and mental health practitioners. The core group usually has access to many other services and agencies that might be able to paint a more detailed picture of that individual's criminal, social and family history. Sometimes specialist workers may be brought in to tackle an area of concern for a local place.

Source: UK Home Office, [Multi Agency Working and Information Sharing Project Final report, 2014](#)



## Cross border cooperation

Cross border cooperation in missing unaccompanied children cases is very important, as in many of these cases it is supposed that children are moved or move across countries.

The following recommendations were presented in the aforementioned IOM Resource Book and could be an inspiration for cross border cooperation between civil society and law enforcement as well in cases of missing unaccompanied migrant children:

- › Member States should promote police cooperation between special units to combat human trafficking in the Member States and countries of origin, in line with EU standards. The development of common projects to set up and enhance the capacity of special units in countries of origin is encouraged. It is necessary for NGOs social service providers in countries of origin, transit and destination to establish and formalize relationships and cooperation to ensure input into counter trafficking prevention activities, criminal investigations, return assessments and reintegration initiatives.
- › Increased use should be made of provisions to establish joint investigation teams made up of personnel from the specialist units in the countries of origin and destination in order to conduct properly funded and equipped investigations in appropriate cases.

See also IOM and B.M.I. Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking, 2006 <http://www.unhcr.org/4d94852b9.pdf>



It is important that all actors are aware of the tools and procedures available in case a missing unaccompanied child is suspected to have crossed the border.

- › As mentioned above, in these cases it is important that the carer demands to insert an alert in the Schengen Information System (SIS II) and the publication of an Interpol yellow notice

Several networks of professionals and expert organisations have been developed to support the work of authorities in the protection of unaccompanied children across borders.

- › The European network of 116 000 hotlines for missing children (see below)
- › The **Separated Children in Europe Programme (SCEP)** seeks to improve the situation of separated children through research, policy analysis and advocacy at the national and regional levels. SCEP developed a European NGO network, comprising of at least one NGO member from each country, aiming at becoming a key platform in the protection and promotion of the rights of

separated children. The network enables the exchange of information, expertise and good practices and supports grassroots professionals working with children<sup>1</sup>.

- › The **European Network of Guardianship Institutions (ENGI)**

is a network that aim to improve services for unaccompanied children in the member states of the European Union through guardianship development and assistance to practitioners and their organizations. Among other activities, ENGI has worked towards the improvement of the service of guardians in Dublin procedures, in particular family reunification. A helpdesk was created to assist guardians on several elements of the reunification under Dublin<sup>2</sup>:

- Making the best interests of the child concrete;
- Aid with getting insight in the factors that are important in a reunification process;

---

<sup>1</sup> For more information, see <http://www.scepnetwork.org/>

<sup>2</sup> For more information, see <http://engi.eu/projects/dublin-support-for-guardians/>



- Providing contact details;
- Information about the process in any EU country;
- Positioning of the guardian in the legal Dublin procedures.

### **The European network of hotlines for missing children**

Hotlines for missing children have solid expertise in cross-border cases of missing children. Well-established and efficient internal cooperation procedures for cooperation and exchange of information within the network have been developed and used in multiple occasions. The founding imperatives of the working methods of hotlines for missing children are complementarity and collaboration with authorities, in the full respect of the Convention on the rights of the Child and child protection principles, including the best interest of the child.



## **Cooperation within the European network of hotlines for missing children in general missing unaccompanied children cases<sup>1</sup>**

### **When?**

116 000 hotlines are requested to share information about a case when there is clear indication that there is an added value in informing counterparts abroad.

- > Examples of circumstances, inter alia: when the child disappears close to (up to 100 km) a border within the Schengen area; when one of the parents of the missing child is believed to be in another country; when the child is reportedly a victim of (re-)trafficking; etc.
- > In all cases, the information will be passed on after consultation with and approval from competent national authorities, in accordance to the cooperation agreement.

---

<sup>1</sup> "Cooperation between civil society organisations and law enforcement services in the area of missing and sexually exploited children: possibilities and limits from a European legal perspective", G. Vermeulen and H. De Pauw (Ed.); Maklu 2004, pp 90-95.



### Who to inform?

Once the country(ies) where the child could be have been identified, a contact with the 116 000 hotline of that country will be established. Contact details from all the 116 000 hotlines are available in the Missing Children Europe's contact booklet and emergency list.

- › All information exchange are also sent to 116000@missingchildreneurope.eu, email address created for the Missing Children Europe General Secretariat, in charge of monitoring cross border cooperation among NGOs.

### How to inform?

Any information exchange occurs in a systematic and standardised way, according to a well-defined and clear procedure. In this way, information is better understood, and the cooperation among organisations is easier and more effective. To this end, the European network of hotlines for missing children uses a cross-border cooperation template (see below)





## Cross-border cooperation template

This document is the tool that a hotline for missing children will use in case of a cross-border disappearance to send key information about the missing child to another NGO running the hotline in a foreign country, and if necessary ask for action. A copy of the template is sent to the Missing Children Europe Secretariat through the following address: 116000@missingchildreneurope.eu.

### Requesting organisation:

Country:  
Date:  
Contact details responsible  
case manager:  
Name:  
Direct phone:  
E-mail address:

### To - contacted organisation:

Country:  
Date:

### Purpose of contact:

**Information exchange:** please tick the relevant box

- ☐ the case involves a national from the country of the contacted organisation
- ☐ there is a clear indication for added value in informing the counterpart abroad
- ☐ following the launch of a Child Alert
- ☐ other, please specify





You are submitting this information after consultation with and approval from competent national authorities

☐ yes   ☐ no

You are submitting this information after consultation with and approval from person with parental authority

☐ yes   ☐ no

**Request for action:** several options are possible

- ☐ establish a contact with national police
- ☐ establish a contact with other relevant authorities
- ☐ establish a contact with parent/family of the child living in the country
- ☐ help with translation/interpretation
- ☐ other, please specify

**Information about the child:**

---

Name and surname  
of the child :  
Nickname (if any):  
Nationality:  
Passport number:  
Date of birth :  
Description (height, weight, eye  
colour, hair colour, particular  
signs etc):  
  
Need for medical treatment:

Name and surname of par-  
ents/legal representatives<sup>1</sup>:

Mother:  
Phone n°:

Father:  
Phone n°:

Other:  
Phone n°:

---

<sup>1</sup> In case of an unaccompanied child, please provide details about the child's guardian and legal situation (e.g. the child is placed under a relative's care, in foster care or in an institution).



### Information regarding the disappearance:

---

Date and place:

Disappearance reported to the police in requesting organisation's country:

☐ yes ☐ no

Case reference number:  
Contact police officer in charge:

Dossier forwarded to Interpol by the police:

☐ yes ☐ no ☐ not known

Type:

- ☐ Runaways
- ☐ Parental abduction
- ☐ Criminal abduction
- ☐ Lost, injured or otherwise missing
- ☐ Missing unaccompanied migrant minors
- ☐ Not clear

### Description of the situation:

---

Please refer to the questions of the tools contained in the "Practical guide for hotline operators" in order to give specific information about the disappearance (the guide contains different examples for each kind of disappearance).

### Attached:

---

Picture of the child

☐ yes ☐ no

Proof of police acknowledgement<sup>1</sup>

☐ yes ☐ no

Court order

☐ yes ☐ no

Other, please specify:

---

<sup>1</sup> A document proving that the case is a real case of disappearance, and that the police are aware of the information exchange.



## Cooperation in cases when a child is trying to locate the family and vice versa – ‘matching’

Through the European Network, hotlines for missing children can provide support in matching unaccompanied migrant children and members of the family that are looking for them, and viceversa.

> Hotlines are invited to disseminate child-friendly information on their services, ideally in the main languages spoken by unaccompanied migrant children, i.a. Arabic. Flyers can be made available in reception / accommodation centres, as well as on websites, at police stations, hotspots, etc. An example was developed by The Smile of the Child.



**www.hamogelo.gr**  
**116000**  
European hotline for missing children

**Are you a refugee or a migrant who has just arrived to Greece?**  
**Have you lost your child?**  
**Have you lost your parents?**  
**Call 116000**

All around the clock, you can call with no charge from a telephone, mobile telephone or public telephone booth WITHOUT USING ANY COINS OR TELEPHONE CARD.

We will talk to you in your language and immediately start the procedures in Greece or abroad for tracking the persons that you are looking for.

Any citizen or organization who has found an unaccompanied child can call 116000





**Είσαι πρόσφυγας ή μετανάστης και μόλις έφτασες στην Ελλάδα?**  
**Έχεις χάσει το παιδί σου?**  
**Έχεις χάσει τους γονείς σου?**  
**Κάλεσε στη Γραμμή 116000**

ΟΛΟ ΤΟ 24ΩΡΟ, ΔΩΡΕΑΝ από κινητό, σταθερό ή οποιοδήποτε δημόσιο τηλεφωνικό θάλαμο ΧΩΡΙΣ ΤΗ ΧΡΗΣΗ ΚΕΡΜΑΤΟΣ ή ΤΗΛΕΚΑΡΤΑΣ

Θα σου μιλήσουν στη Γλώσσα σου και αμέσως θα ξεκινήσουν οι διαδικασίες στην Ελλάδα και το εξωτερικό για τον εντοπισμό των προσώπων που αναζητείς

Στη Γραμμή 116000 μπορεί να καλέσει και ο κάθε πολίτης ή φορέας που έχει εντοπίσει ένα ασυνόδευτο παιδί



**Êtes vous réfugié(e) ou immigré(e) qui vient d'arriver en Grèce?**  
**Avez-vous perdu votre enfant?**  
**Avez-vous perdu vos parents?**  
**Appelez 116000**

pendant 24 heures sur 24, GRATUITEMENT par téléphone fixe ou portable, ou par une cabine téléphonique sans l'usage de pièces de monnaie ou de carte téléphonique.

Nous vous parlerons en votre langue et tout de suite nous initierons la procédure nécessaire pour trouver les personnes que vous cherchez.

En Grèce ou à l'étranger. Tous citoyens ou organisations qui trouvent des enfants non accompagnés peuvent s'adresser à 116000



**هل أنت لاجئ أو نازح وصلت للتو إلى اليونان؟**  
**هل فقدت ولدك؟**  
**هل فقدت أمك؟**

اتصل على الرقم التالي ١١٦.٠٠٠ مجاناً ولمدة ٢٤ ساعة من الهاتف الجوال أو الثابت أو من أي هاتف عام دون التزويد لاستعمال النقود البطاقة الهاتفية سوف يردون عليك بلغتك و على الفور سوف تبدأ الإجراءات اللازمة للعثور على الأشخاص المفقودة سواء في اليونان أو في الخارج.

على الرقم ١١٦.٠٠٠ يستطيع أيضاً أي مواطن أو أية جهة معينة أخرى الاتصال في حال العثور على أي طفل بدون مراقب

**آیا شما یک پناهنده یا مهاجر هستید**  
**و تازه در یونان رسیده اید؟**  
**شما فرزند (پچه) خود را گم کرده اید؟**  
**یا اینکه پدر و مادر خود را گم کرده اید؟**  
**به شماره تلفن ١١٦٠٠٠ زنگ بزنید ٢٤ ساعته، بصورت مجانی از موبایل و تلفن خطی ثابت و یا هرگونه تلفن عمومی روی جاده بدون ضرورت به سکه یا کارت تلفن گفتگو به زبان خود شما صورت گرفته و مراحل جستجوی و ایستادن شما چه در یونان و چه در خارج از یونان فوراً آغاز میگردد.**



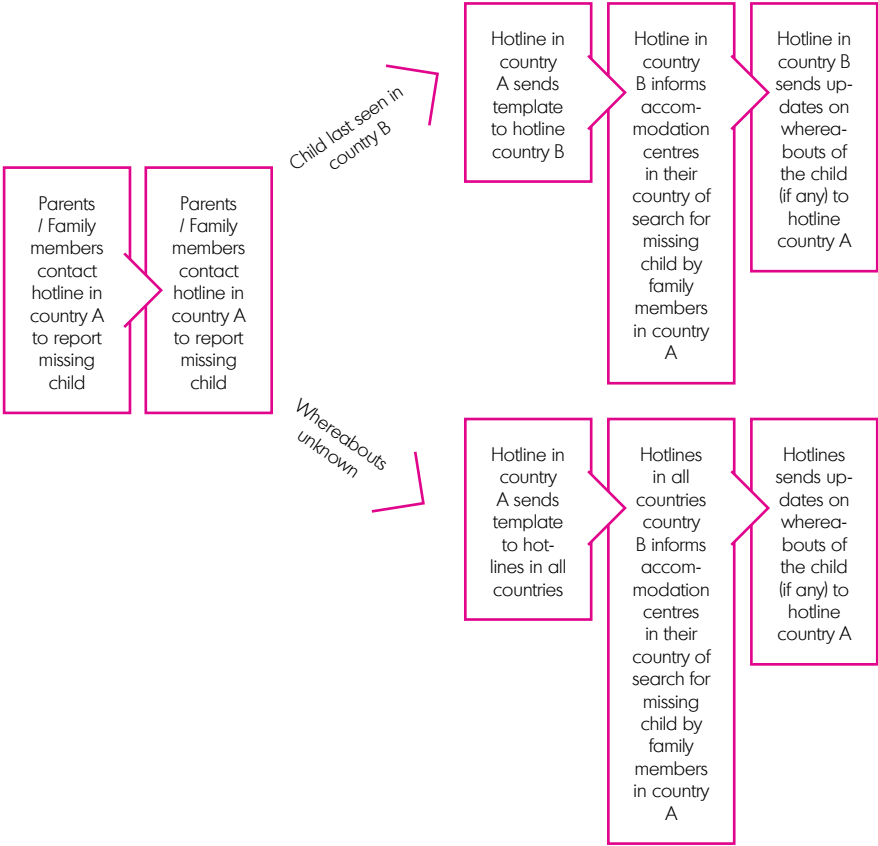
### **General principles:**

1. Hotlines which have information about a missing family member, should immediately contact all hotlines or the hotline in the specific country concerned. The national hotlines should immediately make contact with the national accommodation centers.
2. When matching is successful, information on the family members should be shared only if all parties involved agree. Without this agreement, the results of the matching should not be shared with the parties involved.
3. Matching is a procedure that should be triggered only by the genuine willingness of the family member to be reunited with other member of the family. Matching should not be triggered by the request of an authority, or serve asylum or return procedures (e.g. Dublin procedures). In addition, the content of the forms should not be shared with authorities without the consent of the parties involved. Parties may decide to give approval only on some of the information provided.
4. Every matching procedure should be initiated or conducted in close cooperation with the guardian of the unaccompanied child, in order to guarantee that the best interest of the child is respected.
5. A risk assessment is necessary to prevent trafficking: if a child says that his parents / family members are missing, due diligence / scrutiny is needed to assure family members / parents are legitimate. The assessment should be conducted together with the guardian and the centre where the child lives. Cooperation with law enforcement when assessing this risk should be considered. If the safety of the child is considered at risk, DNA investigation can in some cases be applicable.

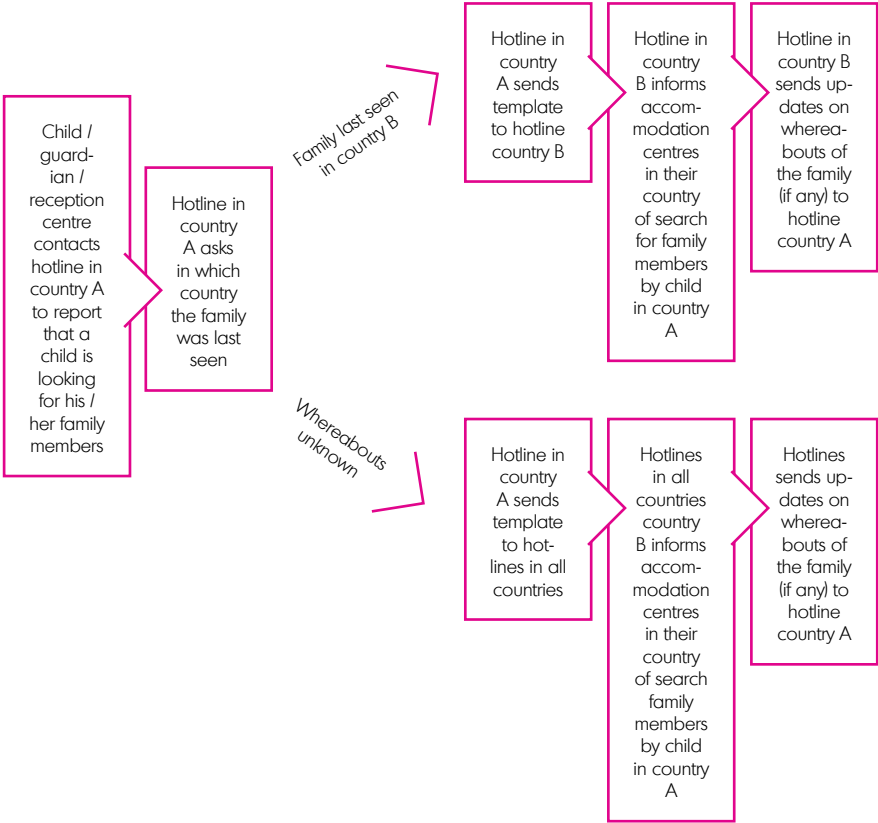


**Examples of implementation of procedure:**

**A. Parents searching for missing child**



**B. Child searching for parents**





## Template for child(ren) seeking parents / family members

This document is the tool you will use in case to send key information about the missing child / family member(s) to another NGO running the hotline in a foreign country, and if necessary ask for action. Remember to copy the Secretariat and the Board Member in charge of the 116 000 in all the email exchange you have about a cross-border case, through the following address: 116000@missingchildreneurope.eu, which was created to best serve this purpose.

### Requesting organisation:

Country:  
Date:  
Contact details responsible case manager:  
Name:  
Direct phone:  
E-mail address:

### To - contacted organisation:

Country:  
Date:

### Purpose of contact:

---

**Information exchange:** please tick the relevant box

- ☐ unaccompanied child looking for family members in other country
- ☐ family members looking for missing child in other country
- ☐ other, please specify

You are submitting this information after consultation with and approval from competent national authorities



☐ yes   ☐ no

You are submitting this information after consultation with and approval from person with parental authority (in case of unaccompanied child: guardian appointed to the child or legal representative - if applicable)

☐ yes   ☐ no

**Request for action:**

- ☐ establish a contact with accommodation / reception centres to locate missing child
- ☐ establish a contact with accommodation / reception centres to locate family members
- ☐ other, please specify:







## Template for child(ren) seeking parents / family members

### Information about a child seeking his / her parents:

---

Name(s) and surname(s) of the child:

Nickname (if any):

Nationality:

Identification documents available  
(if any – please provide number):

Contact details (tel nr if available):

Child's date of birth:

Reception / accommodation centre  
where child is residing (if applicable):

Migration path of the child (known countries travelled:  
journey from country of origin to current place of residence):

Description of the child (height, weight, eye colour, hair colour,  
particular signs etc):

Need for medical treatment:

Asylum application ongoing:

☐ yes ☐ no

Contact with official body (Red  
Cross, ...) established for  
re-unification:

☐ yes ☐ no

Possible contact persons:

☐ Guardian

Name:

Telephone  
number:

☐ Legal

representative

Name:

Telephone  
number:

☐ Other

contact person

Name:

Telephone  
number:



### Information about missing family members:

---

☐ Mother

Name(s) and surname(s):

Nickname (if any):

Nationality:

☐ Father

Name(s) and surname(s):

Nickname (if any):

Nationality:

☐ Sibling:

Name(s) and surname(s):

Nickname (if any):

Nationality:

Gender:

☐ Uncle / Aunt (please specify):

Name(s) and surname(s):

Nickname (if any):

Nationality:

☐ Grandparent

Name(s) and surname(s):

Nickname (if any):

Nationality:

Gender:

☐ Other (please explain):

Name(s) and surname(s):

Nickname (if any):

Nationality:

Gender:

### Information on country / place last seen:

---

Information on circumstances of the separation / situation of last contact:

Description of missing family members (height, weight, eye colour, hair colour, particular signs etc):

☐ Mother:

☐ Father:

☐ Sibling:

☐ Uncle / Aunt (please specify):

☐ Grandparent:

☐ Other (please explain):



## **Template for parents / family members seeking a child**

### **Information about a family members seeking a child:**

---

☐ Mother of the missing child  
Name(s) and surname(s):  
Nickname (if any):  
Nationality:

☐ Father of the missing child  
Name(s) and surname(s):  
Nickname (if any):  
Nationality:

☐ Sibling of the missing child  
Name(s) and surname(s):  
Nickname (if any):  
Nationality:  
Gender:

☐ Uncle/Aunt (please specify):  
Name(s) and surname(s):  
Nickname (if any):  
Nationality:

☐ Grandparent of the missing child  
Name(s) and surname(s):  
Nickname (if any):  
Nationality:  
Gender:

☐ Other (please explain):  
Name(s) and surname(s):  
Nickname (if any):  
Nationality:  
Gender:

Reception / accommodation centre requesting family member(s) is/ are residing (if applicable):

Migration path of requesting family member(s) (known countries travelled: journey from country of origin to current place of residence):

Contact details of requesting family member(s) (tel nr if available):

Asylum application ongoing:

☐ yes   ☐ no

Contact with official body (Red Cross, ...) established for re-unification:

☐ yes, please specify:  
☐ no

---

**Information about missing child:**

Name(s) and surname(s):

Nickname (if any):

Nationality:

Information on country / place last seen:

Information on separation / situation of last contact:

Description of missing child (height, weight, eye colour, hair colour, particular signs etc):

---

**Other relevant details on the case:**

---

**Attached:**

Picture of the child

☐ yes   ☐ no

Picture of family members

☐ yes   ☐ no

Proof of police acknowledgement

☐ yes   ☐ no

Other, please specify:



## 5.3 Aftercare

**"Young people do not often disclose much and will often not say where they've been, where they've gone – it would be hard to get any information about them, as to where they've been. I think perhaps it should not be a one-off event but a series of questions that can be answered over a few months to explore that issue. You're not going to get anything at one meeting. Just keeping some questions on the back-burner to bring up again and explore or again continue to talk about safety planning for the future. A lot of our young people wouldn't necessarily disclose where they've been and what happened during that episode."**

---

Social worker, UK



When a missing child is found, in the same country or in another country, it is important that he is immediately put in touch with carers. They will proceed with an assessment of the child's short-medium-long term needs.

- › Contact with the guardian and/or other carers that have previously worked with the child is essential in this assessment, as they may have gathered information or developed an expert opinion on the situation of the child that is essential to identify the needs.

In the Netherlands, all unaccompanied minors are brought to one centre where all intakes take place. In the centre all relevant actors are present; police, immigration services, guardians and the reception organisation. Going through the intake, seeing all relevant actors, the information of the minor is taken in. At the same time the risk of the minor being a victim of trafficking or being specifically vulnerable – both could indicate an increased risk of going missing – is assessed by all actors, who received specific training. When other actors than the guardian see a specific risk, the guardian is informed. Upon information from those other actors or upon its own observations unaccompanied minors with increased risk are placed in protected reception – reception specialized in increased protection, set up and run in close cooperation between reception, guardians and police.

Source: Nidos



It is very important to take measures to avoid that the child will go missing again. Please apply what has been described in the section related to prevention.

- › Carers and law enforcement need to cooperate on the case of a found child: Information owned by the police may be important to take decisions on the care and the future of the child, while information that the child reveals to the carer could be a source of intelligence in combating criminal organisations.

When children are found in specific contexts that suggest that they have been engaged in criminal activity, they should be primarily considered victims and not perpetrators.

- › A thorough analysis of the reasons why the child is involved needs to be conducted without delay together with child protection authorities and the responsible carers – if possible, including the carers who were responsible for the child before going missing.



### **Checklist of immediate actions to be taken when a child is found after going missing**

- ☐ Identify who is responsible for them
- ☐ Identify who was responsible for them and inform them about the fact that the child is safe
- ☐ Assessment of physical/medical needs
  - Identifying whether they have injuries
  - Identifying whether they suffered from abuse
  - Identifying whether they are malnourished
  - Identifying whether they suffer from addiction
- ☐ Assessment of psychological needs
  - Identifying whether they suffered trauma
  - Identifying whether they suffer from PTSD, depression, etc.
  - Considering whether they are being listened to
  - Receiving information about what will happen to them
  - Ensuring that they are put in a nurturing environment
  - Enabling them to be able to trust someone
  - Identifying whether they suffered trauma
  - Identifying whether they suffer from PTSD, depression, etc.
  - Considering whether they are being listened to
  - Receiving information about what will happen to them
  - Ensuring that they are put in a nurturing environment





## **Taking the views of the child into account**

If an unaccompanied child went missing after being placed into care, it is possible that the care plan previously in place to ensure his/her safety was not appropriate to the child, or not trusted by the child. It is very important to make sure that the child's views are properly taken into account when taking the next decisions.

- › Refer to the aforementioned "Resiland approach" (see pg. 51-56) in order to find guidance on how to involve the child, listen to the views and needs and take the best decisions together.

A thorough interview with trained professional is important to collect the necessary information for the development of an appropriate care plan for the child, also in terms of preventing the child from going missing again. It needs to be followed up with tailored support base on child's needs – e.g. independent advocate.



In cases where a child should be interviewed, a phased approach should be taken. This approach consists of four main phases:

- › Introduction/Rapport including presentation of people present as well as their role vis-à-vis the child, asking the child how he/she likes to be called (if not known), including interviewer, translator if applicable, ... This should be followed by a moment to engage the child in conversation around neutral topics in order to help settle the child as well as the interviewer.
- › Free narrative where the child is invited to respond to open questions ("Tell me...", "Explain to me..." "Describe to me...") helping the child to recount his / her account in his/her own words and at his/her own pace.
- › Clarification if necessary, using short and simple questions to clarify issues that were unclear, ideally still starting with open questions.
- › Closing, including a moment to give the child a chance to correct any misunderstandings. This phase should also include an opportunity for the child to raise a question, and importantly a moment to thank the child.

See also IOM and B.M.I. Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking, 2006 <http://www.unhcr.org/4d94852b9.pdf>

### **Promising practice for return interview with runaways – also to be considered for missing unaccompanied children**

The Department for Education (DfE) describes return interviews as in-depth discussions and their purpose is to 'identify and deal with any harm the child has suffered... understand and try to address the reasons why the child or young person ran away, help the child feel safe and understand that they have options to prevent repeat instances of them running away [and] provide them with information on how to stay safe if they run away again, including helpline numbers'. Local authorities are responsible for ensuring protocols are in place to enable return interviews to be undertaken, and the guidance states that it is advantageous for these to be conducted by an 'independent person'; that is, someone not directly involved in the care of the child or young person.

- **When:** Return interviews should take place within 72 hours of a child or young person being found or returning from running away or going missing, according to statutory guidance.
- **Who:** statutory guidance suggests that it is advantageous for an independent person (that is, someone who is not involved in caring for the child or young person) to conduct the return interview.

Source: Missing People Information Sheet: Return Interviews



## **5.4 Summary template on ownership, complementarity and coordination between different agencies involved.**

The following overview provides suggestions for possible roles in prevention, response and after-care for missing unaccompanied children. It foresees a list of actions, including some that could be taken jointly between two actors, and for which the lead is to be defined by the stakeholders involved. How roles are defined will eventually depend on the specific situation at national level. The template can serve as a basis for discussion around how to build a process responding to the national realities and needs of children. It is recommended that the cooperation established be formalized in a formal cooperation agreement, and be reviewed periodically. It is also

suggested that actors would be trained jointly to fulfill their respective roles. The template does not aim to provide a comprehensive and exhaustive list of the roles and actions needed for the protection and care of the child.



- Build trust with the child and respond to immediate needs, including the provision of adequate housing

- Safeguard the child's best interest
- Promote the child's safety and well being as well as his / her participation
- Act as link between the child and others

- Collect information on the child > see template for collection of information on an unaccompanied child pages 43-47

- Assess risk of missing > see checklist page 63

- Provide information on procedures in age and gender appropriate and culturally sensitive ways > see checklist: information to unaccompanied children as means to prevent disappearance page 57

- Support the child in maintaining family links

- Discuss alternatives to unsafe migration, including the proposal to discuss risks for unsafe migration with the child's family

- Highlight that other children have gone through similar experiences and establish the contact

- Assist in identifying a durable solution in the child's best interest

- Foresee provision of healthcare, education and training

- Provide child friendly information on services available across the 116 000 network

- Inform guardians and carers of the role of hotlines and functioning of the European network

- Work with law enforcement to make sure general missing children responses are also provided in cases of missing unaccompanied children

- Inform partners of known risks / specific target groups related to trafficking / smuggling rights operating in the country

- Take action in case of identified risk > see template of actions in case of obvious concern pages 66-69

- Specific care in preparing the child to pass from childhood to adulthood

## Response

### Reception centre:

### Guardian:

### Hotline for missing persons

### Law enforcement

- Immediately alert law enforcement and provide information on the child > see template for reporting a disappearance, pages 86-88
- Request that the case is entered in SIS II and if applicable Interpol yellow notice if the child is suspected to have left the country
- Inform hotline for missing children 116000

- Consider informing members of the ENGI network in countries concerned by the case of the child if child is assumed to have left the country

- Provide legal and administrative support to reception centre operators and guardians
- Act as contact point between carers who reported the disappearance and agencies involved in the missing child's case, such as police, social services & prosecutors
- Provide actors expertise on procedures related to missing children's cases
- Activate the network of hotlines for missing children (if appropriate / relevant) > see Cross-border cooperation template, pages 105-107
- Collect data for further analysis

- Collect testimonies (if appropriate / relevant)
- Manage public appeals (if appropriate / relevant)

- Periodically inform partners of development of the investigation

- Support efforts in family tracing / matching for separated children, in cooperation with ICRC, see pages 112-117
- Provide emotional, psychological support to families in cases of separated children – where possible in coordination with SCEP member active in the country
- Monitor advancement of investigation and use of rules and procedures for missing children in specific case

Reception centre:	Guardian:	Hotline for missing persons	Law enforcement
<ul style="list-style-type: none"><li>· Immediately identify who is responsible for the child's protection and care and inform hotline</li><li>· Identify who was responsible for the child previously and inform them of the situation</li><li>· Assess the child's physical / medical needs</li><li>· Assess the child's psychological needs</li></ul>	<ul style="list-style-type: none"><li>· Contribute to providing appropriate follow-up, to prevent the child's repeat disappearance (back to beginning: prevention of disappearance)</li></ul>	<ul style="list-style-type: none"><li>· In case the child is found in another country; maintain open line / exchange of information on the child's case with hotlines from other country concerned</li></ul>	<ul style="list-style-type: none"><li>· Share relevant information with guardians and carers in charge of the case, to make sure elements of risks receive due consideration in new care arrangements</li></ul>
		<ul style="list-style-type: none"><li>· See to it that a return interview is conducted within 72h, see page 124</li></ul>	
		<ul style="list-style-type: none"><li>· See to it that relevant information on the child is shared with those in charge of his / her care</li></ul>	<ul style="list-style-type: none"><li>· In necessary, undertake investigative action regarding trafficking / smuggling &gt; see guidance on page 90</li></ul>

# Annex I - European Model Protocol of Cooperation between Law Enforcement and Civil Society Organisations in Cases of Missing Children<sup>1</sup>

Preamble

Chapter I - General Provisions

Chapter II - Description of responsibilities

Chapter III - Exchange of data and Protection of personal data

Chapter III - Other forms of cooperation

Chapter IV - Final Provisions

## **PREAMBLE**

[name of the civil society organisation] represented by [name of the legal representative of the organisation]

and

[name of the law enforcement unit] represented by [name of the legal representative of law enforcement]

Hereinafter referred to as 'the Parties',

Aware of the increasing number of cases of missing children,

---

<sup>1</sup> "Cooperation between civil society organisations and law enforcement services in the area of missing and sexually exploited children: possibilities and limits from a European legal perspective", G. Vermeulen and H. De Pauw (Ed.); Maklu 2004, pp 90-95.





Aware of the need for an efficient cooperation between them in order to enhance the fight against the phenomenon of missing children,

Deeming it useful to be able to share their expertise and experience in the field of missing children,

Considering the Council Resolution on the contribution of civil society in finding missing or sexually exploited children ( 2001/C 283/01),

Bearing in mind the provisions of the UN Convention on the Rights of the Child and of the Charter of Fundamental Rights of the European Union<sup>2</sup>,

The mission(s) of [name of the civil society organisation] being [description of missions]

HAVE AGREED AS FOLLOWS:

Note: these provisions are suggested as guidelines and may be changed substantially to the wishes of the Parties concerned.

## **Chapter I – General provisions**

### **Article 1**

The Parties hereby establish an agreement of cooperation in cases of missing children.

Note: one or more types of missing children depending on the activities of each Party may replace the term missing children.

### **Article 2**

In general, the Parties shall respect human rights and the rights of the child in particular. Pursuant to article 3 of the UN Convention on the Rights of the Child and to Article 24 (2) of the Charter of Fundamental

---

<sup>2</sup> This reference may not be operational in the UK and in Poland



Rights of the European Union<sup>3</sup> the Parties shall act exclusively in the best interest of the child.

### **Article 3**

For the purpose of this agreement “missing children” includes cases of:

- runaways
- criminal abduction of children
- parental abduction
- lost, injured or otherwise missing
- missing unaccompanied migrant children

Note: The Parties may add the definition of each type of missing children according to the national legislation.

### **Article 4**

1. [name of the civil society organisation] shall ensure that all members of their staff working with victims have the required qualifications and licences..

2. [name of the civil society organisation] shall take all possible steps to screen their staff in order to prevent persons convicted of sexual abuse or exploitation or abduction of children from working in their organisation.

### **Article 5**

To achieve these goals, privileged contacts will be established between both Parties, which will be based on mutual respect between the Parties and their members.

---

<sup>3</sup> Same remark as under footnote 2.



## **Article 6**

1. Efficient cooperation requires knowledge of and respect for the specificity of the tasks and responsibilities of the respective Parties. A clear distinction must be made between the investigative and compliance tasks of law enforcement and the preventive, assistance and support tasks of civil society organisations. The [run on]respective tasks and responsibilities of each Party in cases of missing children must be determined and defined in a clear and transparent way and outlined in a written document.

2. Criminal investigations shall be the exclusive competence of the law enforcement authorities.

## **Article 7**

Each Party shall take note of and respect the codes of conduct and the rules of confidentiality of the other Party, as defined in the documents attached (please attach relevant documents).

## **Article 8**

1. Parties shall give sufficient and appropriate attention to each case of missing children, regardless of the specific circumstances and taking into consideration the very vulnerable position of the missing child and his family. Each Party shall undertake immediate action following a request for help by the other Party.

2. Both Parties shall ensure that the activities and services offered by them are not contrary to domestic law.

## **Article 9**

In order to prevent uncoordinated activities, which might harm the common aim each Party shall consult the other Party before taking action.

Note: these provisions are suggested as guidelines and may be changed according to the wishes of each Party and according to the national legislation.



## **Chapter II – Description of responsibilities**

### **Article 10**

Taking into account article 6.1 of this agreement, [name of the civil society organisation] shall [description of specific responsibilities and tasks of the organisation in cases of missing children]

### **Article 11**

Taking into account article 6.1 of this agreement, [name of law enforcement unit] shall [description of specific responsibilities and tasks of law enforcement in cases of missing children]

## **Chapter III – Information-related cooperation**

### **Article 12**

The Parties shall respect the data protection principles and in particular the provisions of the Recommendation No R (87) 15 of the Council of Europe regulating the use of personal data in the police sector, the Council of Europe Convention of 28 January 1981 for the Protection of Individuals with regard to Automatic Processing of Personal Data, Article 8 of the Charter of Fundamental Rights of the European Union, Article 16 of the Treaty on the Functioning of the European Union, and Council Framework Decision 2008/977/JHA of 27 November 2008 on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters.

### **Article 13**

[name of the civil society organisation] shall take any steps needed to ensure an adequate level of data protection

### **Article 14**

[name of the civil society organisation] expresses its willingness to [description of each way of cooperation with [name of law enforcement



unit] in concrete cases of missing children aimed at]

Note: the content of this article 14 can be inspired and determined on the basis of the practical checklist. It is recommended to subdivide the aforementioned article depending on the kind of cooperation in view. It has to be noted that national legislation needs to be taken into account

### **Article 15**

[name of law enforcement unit] expresses its willingness to [description of each way of cooperation with [name of civil society organisation] in concrete cases of missing children aimed at]

Note: the content of this article 15 can be inspired and determined on the basis of the practical checklist. It is recommended to subdivide the aforementioned article depending on the kind of cooperation in view. It has to be noted that national legislation needs to be taken into account

## **Chapter IV – Operational cooperation**

### **Article 16**

The Parties shall respect the privacy of the persons concerned in accordance with the provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms, the Council of Europe Convention of 28 January 1981 for the Protection of Individuals with regard to Automatic Processing of Personal Data, Article 7 of the Charter of Fundamental Rights of the European Union, and Council Framework Decision 2008/977/JHA of 27 November 2008 on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters.

### **Article 17**

[name of the civil society organisation] expresses its willingness to [description of each way of cooperation with [name of law enforcement unit] in concrete cases of missing children aimed at]



Note: the content of this article 17 can be inspired and determined on the basis of the practical checklist. It is recommended to subdivide the aforementioned article depending on the kind of cooperation in view. It has to be noted that national legislation needs to be taken into account.

#### **Article 18**

[name of law enforcement unit] expresses its willingness to [description of each way of cooperation with [name of civil society organisation] in concrete cases of missing children aimed at]

Note: the content of this article 18 can be inspired and determined on the basis of the practical checklist. It is recommended to subdivide the aforementioned article depending on the kind of cooperation in view. It has to be noted that national legislation needs to be taken into account.

### **Chapter V – Final Provisions**

#### **Article 19**

The present Protocol of cooperation shall enter into force upon signature by the duly authorised representatives of the Parties.

#### **Article 20**

The present Protocol may only be amended with mutual consent expressed in written agreement of both Parties.

#### **Article 21**

Any disputes or disagreements between the Parties with respect to the interpretation or implementation of this Protocol shall be resolved by good faith negotiations between the Parties.



## **Article 22**

The Parties are prepared to evaluate the implementation of this Protocol 1 year after its entry into force and from that moment on every 2 years.

## **Article 23**

Either Party may terminate this Protocol by delivering a written request for termination to the other Party. The termination shall be effective 6 weeks after the delivery to the receiving Party.

