



Resolution 2324 (2020)¹

Missing refugee and migrant children in Europe

Parliamentary Assembly

1. The Parliamentary Assembly is deeply concerned by United Nations reports that one registered migrant child was reported dead or missing every day between 2014 and 2018 worldwide. It is aware that this figure is just the tip of the iceberg and that many more have gone missing or died seeking shelter in another country, however these disappearances have not been recorded. The Assembly refers to its [Resolution 2136 \(2016\)](#) on harmonising the protection of unaccompanied minors in Europe, which drew attention to Europol's January 2016 declaration that 10 000 migrant minors were missing in Europe, followed by a statement from the German authorities according to which 9 000 migrant minors were estimated missing in Germany alone. It does not appear that these figures have decreased substantially, and there remains a serious lack of international awareness about the situation regarding missing refugee and migrant children.

2. Children are a particularly vulnerable group of migrants and asylum seekers and are therefore in need of special protection against the multiple dangers they face along their journey, among them violence, sexual abuse, human trafficking and exploitation. Many forms of violence against migrant and refugee children lead to their disappearance, as they “vanish” into clandestine networks which remove them ever further from the protection and care to which they are entitled, first and foremost as children, then as migrants and refugees. National parliaments and governments of member States must do whatever is necessary and required in the best interests of the child to avoid the disappearance of child refugees and migrants, thereby reducing risks to their lives and their physical and mental integrity.

3. Criminal activity is, however, far from being the only cause of the disappearance of child migrants. Sub-standard reception conditions, fear of detention, summary returns or *refoulement* and lack of good guardianship, among others, are additional factors that explain why children intentionally disappear, either alone or in small groups, in the hope of reaching their ideal destination unassisted. These factors in turn may lead children into a downward spiral towards further trauma, violence and abuse.

4. The Assembly recalls that all Council of Europe member States are parties to the United Nations Convention on the Rights of the Child and therefore must uphold the best interests of the child as a primary consideration, affording children all the protection and care necessary to their well-being. In this regard, member States should ensure that:

- 4.1. the highest standard of protection is provided to all refugee and migrant children, regardless of their status;
- 4.2. reception conditions and care for child migrants and refugees fulfil basic rights and needs, taking into account the special requirements for the protection of children; on no account should children be placed in detention;
- 4.3. refugee and migrant children are accommodated as far as possible with their families; every effort should be made to reunite separated refugee and migrant families in line with Article 22 of the United Nations Convention on the Rights of the Child;

1. *Assembly debate* on 30 January 2020 (8th Sitting) (see [Doc. 15026](#), report of the Committee on Migration, Refugees and Displaced Persons, rapporteur: Ms Serap Yaşar; and [Doc. 15032](#), opinion of the Committee on Social Affairs, Health and Sustainable Development, rapporteur: Lord Don Touhig). *Text adopted by the Assembly* on 30 January 2020 (8th Sitting).

See also [Recommendation 2172 \(2020\)](#).



- 4.4. parents, family members and friends are given the necessary information and means to contact child protection services or the police when a child refugee or migrant goes missing; child refugees and migrants should also be given the necessary information and means to contact a child protection agency or the police where they are in a position to do so. The police and child protection agencies must be adequately trained in addressing the cases of missing child refugees and migrants;
 - 4.5. schools, reception centres and those responsible for accommodating and caring for the needs of child refugees and migrants immediately inform child protection agencies and the police if a child goes missing;
 - 4.6. research into cases of disappearance of migrant and refugee children is supported and promoted, and serves to inform policy and practice in this area;
 - 4.7. feedback from refugees and migrants, including children, on the responses to the problem of missing refugee and migrant children is taken into consideration, in ways that are appropriate, useful and safe, in particular with the help of national human rights institutions and civil society organisations active in this area. This should not delay, impede or prejudice migration and refugee status procedures;
 - 4.8. national and regional media, including the press, audiovisual and social networks, are alerted to the situation concerning the disappearance of refugee and migrant children and launch appropriate action to raise awareness about disappearances and help find missing children, while ensuring that information circulated does not interfere with police procedures or with the individual right to privacy. The Parliamentary Assembly should set an example by publishing, through its various media resources, a database of good practices for preventing disappearances and searching for missing children with a view to reunification with their families;
 - 4.9. international co-operation between the police and judicial authorities is stepped up to avoid the disappearance of child refugees and migrants, through Interpol, the Schengen Information System (SIS), Europol and Eurojust as well as through mutual legal assistance. Child refugees and migrants who go missing should be included in Interpol's Yellow Notices and be the subject of a notification in the SIS;
 - 4.10. civil society organisations helping to find missing children are supported in their work, which should not be obstructed or misused. Awareness-raising campaigns by these organisations and helplines, such as that of Missing Children Europe should be supported by financial and human resources. Provisions facilitating the activities of non-governmental organisations working in the field of missing refugee and migrant children should be stipulated in the national legislation of member states.
 - 4.11. adequate financial resources are made available for the prevention of the disappearance of refugee and migrant children.
5. Undocumented child migrants are extremely vulnerable as they are deprived of the protection of the law. In order to prevent child migrants from becoming or remaining undocumented, member States should make sure that:
 - 5.1. undocumented child migrants are identified and registered with public authorities, by recording their names, their date and place of birth, their parents' names, their biometric facial photograph, their digital fingerprints and other identifying data, in conformity with the provisions of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108) as amended. Due attention should be devoted to the protection of the human rights of children and the best interests of the child during registration, while recording biometric data and identification, including by recourse to specific safeguards. The children concerned should be duly informed about how this data will be used. On no account should physical or psychological force be used to obtain fingerprints;
 - 5.2. once registration and identification data on undocumented child migrants has been gathered, it is shared via networks such as Interpol, the SIS, Frontex and bilateral agreements; this will help to reduce the likelihood of child migrants being considered as missing in one country when they are actually registered in another;
 - 5.3. lost identification documents are registered in Interpol's database of Stolen and Lost Travel Documents;
 - 5.4. undocumented migrant children in particular those who have special needs, because of mental and physical disabilities, for example, which prevent them from expressing themselves adequately, are given special, individualised medical and psychological care as appropriate.

6. Unaccompanied and separated child refugees and migrants are particularly vulnerable as they do not have the care and protection of their parents or close family members. In this regard, member States should ensure that:

6.1. for the purpose of reuniting refugee and migrant families, active research is carried out to find parents or other members of the family. Co-operation with the Office of the United Nations High Commissioner for Refugees (UNHCR) should be stepped up, in order to facilitate family reunification across Europe and to ensure more efficient family reunification processes in accordance with human rights;

6.2. an adequately trained, individual guardian is appointed as early as possible, on reception of children; migration status procedures are undertaken for refugee and migrant children within the shortest possible time frame, and with due respect to the right to a fair procedure and the right to an effective remedy;

6.3. guardians appointed to unaccompanied child refugees and migrants are provided with efficient and easily accessible mechanisms (such as hotlines) in order to immediately liaise with child protection services and the police when a child goes missing;

6.4. accelerated and humane relocation programmes to other European countries of particularly vulnerable refugee and migrant children (such as unaccompanied children) are implemented, where living conditions are sub-standard, do not ensure sufficient care for children and their best interests, and where improvements are not effective or foreseen.

7. Measures to prevent child refugees and migrants from going missing should take into account intentional disappearances from host families, guardianship, school, accommodation facilities or other structures. In this regard, member States should ensure that:

7.1. reception facilities are protected and open and are provided with the necessary resources to meet at least basic health and safety standards, and that professional staff is adequately trained in the care of child refugees and migrants, who are often deeply traumatised and have special needs;

7.2. child migrants receive added protection and counselling where their asylum application is likely to be refused, especially when official notice of rejection of international protection status is approaching, in order to prevent them from absconding. Any return to their country of origin or to a safe third country must be carried out with appropriate assistance adapted to children, and child-friendly information must be communicated at all stages of the procedure. Particular attention should be given to the protection of girls at risk of absconding, as they are highly vulnerable to trafficking and sexual abuse;

7.3. gender-sensitive policies are developed, and gender-sensitive facilities, such as separate and secure housing, are made available to child refugees and migrants.

8. Welcoming the Missing Migrants Project of the International Organization for Migration (IOM), the Assembly recognises that the issue of missing child refugees and migrants requires more attention and effort by national authorities. International, national and regional media should be encouraged to raise awareness of the scale and importance of the problem of missing migrant and refugee children, and help with locating them and protecting them once found. The Assembly also invites national parliaments to appoint a parliamentary commissioner or general rapporteur on missing refugees and migrants, with a particular focus on children.

9. Aware that countries hosting high numbers of migrants and refugees might not have the means to effectively prevent children from going missing, the Assembly calls on the European Union and the United Nations to provide technical and financial assistance to avoid their disappearance as far as possible, and to facilitate family reunification of separated refugee and migrant families.