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Missing refugee and migrant children in Europe

Report¹

Committee on Migration, Refugees and Displaced Persons

Rapporteur: Ms Serap YAŞAR, Turkey, Members not belonging to a Political Group

Summary

Migrant and asylum-seeking children are particularly vulnerable and are therefore in need of special protection against the multiple dangers they face along their journey: violence, sexual abuse, human trafficking and exploitation. Many forms of violence against migrant and refugee children lead to their disappearance or await those whose trace is lost, 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.

This report describes the situation with respect to missing refugee and migrant children, underlining the difficulty in knowing its actual dimensions. It examines the legal provisions which apply and makes recommendations aimed to better protect children and avoid disappearances. Member States should ensure that undocumented child migrants are registered and identified with public authorities and that an individual guardian is appointed on reception to an unaccompanied child refugee or migrant. Refugee and migrant children have the right to family reunification and should be accommodated as far as possible with their families in accordance with each child's right to live with their parents as enshrined in Article 22 of the United Nations Convention on the Rights of the Child.

1. Reference to committee: Doc. 14417, Reference 4343 of 24 November 2017.



Contents	Page
A. Draft resolution	3
B. Draft recommendation	6
C. Explanatory memorandum by Ms Serap Yaşar, rapporteur	7
1. Introduction	7
2. Categories of missing refugee and migrant children	7
2.1. Age categories	7
2.2. Accompanied and unaccompanied minors	8
2.3. Voluntary and involuntary disappearance	9
2.4. Registered and undocumented minors	9
3. National action	10
4. International action	10
4.1. United Nations	10
4.2. Interpol	10
4.3. European Union	11
4.4. Red Cross and Red Crescent	12
4.5. Non-governmental organisations	12
4.6. Council of Europe	13
5. Conclusions	14

A. Draft resolution²

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 actually gone missing or died seeking shelter in another country, but 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 by the German authorities according to which 9 000 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 the clandestine networks which remove them ever further from the protection and care to which they are entitled, firstly 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 motivations for children to disappear, either alone or in small groups, in the hope of reaching their ideal destination unassisted. These factors in turn may lead to children falling 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 children as a primary consideration, affording them all the protection and care necessary to their well-being. In this regard, member States should ensure that:

4.1. 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;

4.2. 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 accordance with each child's right to live with their parents as enshrined in Article 22 of the United Nations Convention on the Rights of the Child;

4.3. 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;

4.4. 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;

4.5. research into cases of disappearance of migrant and refugee children is supported and promoted, and serves to inform policy and practice in this area;

4.6. national and regional media, including the press, audio-visual 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;

2. Draft resolution adopted by the committee on 2 December 2019.

4.7. 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, Eurojust as well as through mutual legal assistance. Child refugees and migrants who go missing should be included in the Yellow Notices of Interpol and be the subject of a notification in the SIS;

4.8. civil society organisations helping to find missing children are supported in their work, which should not be obstructed or misused. The awareness-raising campaigns of these organisations and help-lines set up, 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.

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 registered and identified with public authorities, by registering their names, date and place of birth, parents' names, biometric facial photo, digital fingerprints and other identifying data, while taking into account the provisions of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS N° 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 and identification, including by recourse to specific safeguards;

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 with special needs, including mental and physical disabilities preventing them from expressing themselves adequately, are given special, individualised medical and psychological care as appropriate.

6. Unaccompanied child refugees and migrants are particularly vulnerable as they are outside their parental care and protection or of that of 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. 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 on reception of children and migration status procedures undertaken for them within the shortest possible timeframe;

6.3. guardians appointed to unaccompanied child refugees and migrants are provided with efficient and easily accessible mechanisms (such as hotlines) for immediately liaising 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 for the prevention of child refugees and migrants going missing should take into account intentional disappearances from host families, guardianship, schools, 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 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.

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 with their protection once found. The Assembly also invites national parliaments to establish 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.

B. Draft recommendation³

1. Referring to its Resolution ... (2020) on missing refugee and migrant children in Europe, the Parliamentary Assembly emphasises the importance of preventing child refugees and migrants from going missing and of doing everything possible to find children who have gone missing, in order to avoid them falling victim of violence, abuse, human trafficking and organ trafficking.
2. While the Council of Europe does not have specific action for missing refugee and migrant children, some of its bodies and instruments may be of added value in preventing the disappearance of these children. Therefore, the Assembly recommends that the Committee of Ministers:
 - 2.1. invite the States parties to the Convention on Action against Trafficking in Human Beings (CETS No. 197) and the States parties to the Convention for the protection of children against sexual exploitation and sexual abuse (CETS No. 201) to share national experiences in prevention of the disappearance of child refugees and migrants in the context of human trafficking or sexual exploitation;
 - 2.2. invite the States parties to the European Convention on Mutual Assistance in Criminal Matters (ETS No. 30) to consider coordinated strategies for mutual assistance and the exchange of information concerning missing refugee and migrant children as well as unidentified dead children, for instance by making use of the Interpol Yellow and Black Notices and the Schengen Information System;
 - 2.3. recognising the work of the Congress of Local and Regional Authorities, especially its [Resolution 428](#) and [Recommendation 414 \(2018\)](#) on unaccompanied refugee children: the role and responsibilities of local and regional authorities, encourage the Congress to continue addressing this issue as well as that of migrant street children as set out in Congress [Resolution 271 \(2008\)](#) on the social reintegration of children living and/or working on the streets, especially in relation to measures to prevent children going missing;
 - 2.4. invite the Ad hoc Committee for the Rights of the Child (CAHENF) to examine policies to prevent the disappearance of migrant children in the context of its work on guardianship and its review of Recommendation CM/Rec(2007)9 of the Committee of Ministers to member States on life projects for unaccompanied migrant minors.
3. Recognising the concrete action to protect children fleeing war, violence and persecution carried out in the framework of the Council of Europe Action Plan on Protecting Refugee and Migrant Children in Europe (2017-2019), the Assembly commends the special focus given by the plan to unaccompanied children. It therefore asks the Committee of Ministers to give high priority to the evaluation and follow-up to the Action Plan, and to support the promotion and use of the tools developed in its framework. Renewed priority should be given to this area, to ensure continuity with the work already achieved.

3. Draft recommendation adopted by the committee on 2 December 2019.

C. Explanatory memorandum by Ms Serap Yaşar, rapporteur

1. Introduction

1. Children are among the most vulnerable groups of migrants and asylum seekers and are therefore particularly in need of protection against violence, sexual abuse, trafficking and exploitation. When Europol stated in 2016 that approximately 10 000 registered child migrants were missing in Europe,⁴ calls for their protection were high on the political agenda. Nevertheless, action to protect refugee and migrant children remains insufficient. It is estimated that a child goes missing in Europe nearly every two minutes⁵ and that one registered migrant child is reported missing or dead every day globally.⁶

2. These realities prompted me to table a motion for a resolution on missing refugee and migrant children in Europe in 2017 (Doc. 14417). Once designated as rapporteur on this subject, I submitted a questionnaire to the European Centre for Parliamentary Research and Documentation (ECPRD - Request n° 4067), in order to receive more information about national action. I am very grateful for the replies to this request which are summarised in document AS/Mig/Inf(2019)12 and are taken into account in this report. The high number of replies shows that national parliaments take this subject seriously, which is encouraging and has been reflected in the conclusions of this report.

3. I also appreciated that ECPRD contacts from non-member States replied. Nearly all refugees and migrants in Europe arrive from non-European countries. The plight of missing refugees and migrants has a global dimension.⁷ It is therefore useful and necessary to co-operate with non-European countries and exchange experience and information, in particular as the disappearance of refugee and migrant children often happens when they move between countries.

4. Based on my experience in my own country, I have described the situation in Turkey in document AS/Mig/Inf(2019)11. Before I began work on the present report and in the framework of a committee report on integration, empowerment and protection of migrant children through compulsory education (Doc. 14524), the committee held, in December 2017, on my proposal, a hearing with experts from Turkey on educational structures in Turkey for primary-age refugee children in Turkey. In a related context, in March 2018 I also had the opportunity to make a presentation to the committee about the situation of Rohingya refugees in Myanmar. I hope that other members will also analyse and bear witness to the situation in their respective countries, in order to better devise adequate policies and action to protect refugee and migrant children and to reduce the alarming numbers going missing.

2. Categories of missing refugee and migrant children

5. For the purpose of this report, a child is considered missing when his or her whereabouts are unknown by parents or guardians, school authorities or employers as well as public authorities competent for registering or supervising the child. When children go missing it is most likely that their rights are endangered or violated. As national parliamentarians, we cannot remain indifferent to such human tragedy, but must take positive political action in our constituencies and countries and seek synergies at European level.

6. Missing refugee and migrant children are not a homogeneous group. There may be various reasons for their disappearance as well as different vulnerabilities. This makes it very difficult to analyse this phenomenon and draw conclusions leading to concrete political and legal initiatives to protect refugee and migrant children from going missing. Depending on the circumstances, different or multiple action will be necessary. In my report I try to distinguish the main characteristics of missing refugee and migrant children which have led to their disappearance.

2.1. Age categories

7. The United Nations Convention on the Rights of the Child defines a child in its Article 1 as “every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier”. This definition is generally applied by all member States as regards refugees and migrants. However, the UN Convention also recognises that children below eighteen years of age require different protection according to their age, maturity and capacities.

4. <https://www.ecre.org/europol-estimates-10000-underage-refugee-children-have-gone-missing/>.

5. <https://www.infomigrants.net/en/post/11779/europe-s-lost-migrant-children>.

6. <https://news.un.org/en/story/2019/06/1041521>.

7. <https://migration.iom.int/europe?type=arrivals>.

8. Article 5 of this convention stipulates, for instance, that “States Parties shall respect the responsibilities, rights and duties of parents (...) to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognised in the present Convention.” If the responsibilities, rights and duties of parents to provide appropriate direction and guidance in the exercise of children’s rights by their child is dependent on these “evolving capacities”, when children are alone, member States must provide this guidance, and adopt age-adequate approaches to refugee and migrant children. This applies to situations where children are at risk of going missing, as well as when they have been located and placed under protection.

9. Likewise, Article 12 (1) of the UN Convention on the Rights of the Child requires that “States Parties shall assure to the child, who is capable of forming his or her own views, the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.” Therefore, member States must distinguish their action affecting refugee and migrant children, depending on this “age and maturity”, and policies and action to prevent refugee and migrant children going missing should take into account the different motivations and risks related to age. Services dealing with refugee and migrant children who are found after going missing should include staff trained in care for children of different ages and with different capacities of understanding and expression.

10. Care must be taken to provide protection and support which is appropriate to the age and capacities of refugee and migrant children, as well as being specific to the gender of the children concerned, especially protecting girls from the risk of gender-based violence and abuse.

2.2. Accompanied and unaccompanied minors

11. If accompanied minors go missing, their family will generally contact the police, except in cases of family involvement in mistreatment or neglect. Unaccompanied minors are more vulnerable in this respect, as their disappearance may go unnoticed if they are not cared for within formal structures, or depends on mechanisms of alert through guardians or other designated officials in contact with the police. It is therefore important to distinguish between accompanied and unaccompanied refugee and migrant children.

12. States’ duties to respect and ensure the rights of all persons within their territory and jurisdiction include on the one hand respecting a family’s rights in relation to a dead or missing child, and on the other hand, protecting their rights in the country where they are living. The most relevant rights for families in relation to missing children (included dead children) include the right to participate in an investigation, the right to know if their child has died, the right to family and private life, including in relation to burial, the right of children to special protection, protection from inhuman or degrading treatment; and the right to reparation. These rights should apply equally, of course, in the context of migration and migrants.

13. The number of refugee and migrant children in Europe is very high. In 2017, the UN Department of Economics and Social Affairs counted 1 404 194 refugee and migrant children in Turkey, 894 851 in the United Kingdom, 797 981 in the Russian Federation, 777 919 in Germany, 717 632 in France, 648 374 in Spain and 603 806 in Italy.⁸

14. Looking at new asylum applications in the European Union between January and December 2018, UNICEF estimated⁹ that there were 191 360 child applicants, of whom 20 325 were unaccompanied and separated minors. They mostly applied in Germany (78 270 child applications), France (24 145 child applications) and Greece (21 770 child applications). However, not all minors apply for asylum, because some countries also grant them subsidiary or humanitarian protection and do not return unaccompanied minors to their countries of origin.¹⁰

15. Unaccompanied minors constitute a high percentage of all refugee and migrant children in Europe. They accounted for 83% of the children who arrived in Italy in 2018, 81% in Spain and 14% in Greece.¹¹ At a meeting of the committee in April 2019, Ms Paula Hoffmeyer-Zlotnik presented and updated her European

8. <https://www.unicef.org/eca/emergencies/latest-statistics-and-graphics-refugee-and-migrant-children>.

9. Ibid.

10. Humanitarian or subsidiary protection is provided under Article 15 of the European Union’s Directive 2011/95/EU (Recast Qualification Directive), and provides for protection to a third-country national or a stateless person who does not qualify as a refugee, but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to their country of origin, or in the case of a stateless person to their country of former habitual residence, would face a real risk of suffering serious harm. Most EU countries provide this protection, which is positive in many cases, but in countries such as Austria, Germany, Hungary or Sweden, subsidiary protection does not provide equivalent rights to refugee status, especially with respect to length of residence permits and family reunification.

Migration Network (EMN) study on unaccompanied minors with international protection status in Germany, which showed that 90 % of the unaccompanied minors who had applied for asylum were male and between 16 and 17 years old, mostly from Afghanistan, Somalia and Guinea.¹²

2.3. Voluntary and involuntary disappearance

16. Statistical information does not really exist in this field, which makes it difficult to understand the intensity of the problem. In the framework of the preparation of the report on “Pushback policies and practice in Council of Europe member States” (Doc. 14909), my colleague Mr Domagoj Hajduković reported to the committee in March 2019, that 3500 out of 5900 applications for asylum launched since 2014 in Croatia had been withdrawn due to the disappearance of the applicants, which meant that more than two thirds of the applicants had absconded moving probably on to other EU countries.

17. In the latter cases, emergency help or hotlines would only be contacted by a child, if a voluntary action became involuntary over time. For such a process, for example, information and awareness-raising could be as vital as protection measures for victims of human trafficking. The preparation of Resolution 2280 (2019) on the situation of refugees and migrants on Greek islands by Ms Petra De Sutter¹³ drastically showed the brutal strategies used to force migrants including children into exploitation in the Reception and Identification Centre at Moria on the island of Lesbos.¹⁴

18. Taking into account the best interests of the child in cases of voluntary or involuntary disappearance, measures for the security of the child should be taken with special attention to the child’s psychology and the state’s child protection systems are activated.

19. Therefore, measures for the protection of children from going missing must take into account that a certain percentage would voluntarily initiate, or contribute to, their disappearance from a host family, guardian, school, employer or other established situation. Such a voluntary disappearance may rapidly turn into an involuntary one through exploitation and abuse.

2.4. Registered and undocumented minors

20. Undocumented or clandestine migrants are extremely vulnerable, because they live outside the law and thus without protection by the law. From 2007-2009, the EU funded the research project CLANDESTINO, which estimated between 3.8 and 1.9 million irregular foreign residents in the EU in 2008.¹⁵ The tremendous increase in arrivals of migrants and refugees in 2015 and 2016 most likely increased the number of undocumented minors in Europe.

21. When the committee heard Ms Agnès Callamard, Special Rapporteur of the UN Human Rights Council on extrajudicial, summary or arbitrary executions, in September 2018, she told the committee that statistics on dead migrants would only mirror the tip of the iceberg. Given the dangerous situation migrants had to face in most countries of transit outside Europe, it can be assumed that many more migrants perish or go missing before they are finally registered in a country in Europe. As they were often not registered before, their death or disappearance remains unnoticed. This constitutes an enormous human tragedy for the many victims and their families, but also for our human society as a whole.

22. Associated Press journalists recently estimated the numbers of deceased migrants much higher than the figures of the United Nations, by counting anonymous burials and referring to local sources.¹⁶ The ICRC held at Milan University in November 2013 a conference on the management and identification of unidentified decedents with an emphasis on dead migrants, which was followed up by subsequent seminars.¹⁷ The recommendations proposed at that time have not had a measurable impact yet. The International Organisation for Migration (IOM) of the United Nations published in 2019 an Analysis of Best Practices on the Identification of Missing Migrants.¹⁸

11. <https://www.unicef.org/eca/emergencies/latest-statistics-and-graphics-refugee-and-migrant-children>.

12. <http://www.bamf.de/SharedDocs/Anlagen/EN/Downloads/Infothek/Sonstige/praesentation-emn-studie-umf-europarat.pdf>.

13. <https://www.dw.com/en/council-of-europe-slams-greece-over-refugee-camp-conditions/a-47576477>.

14. <https://bellbirdadvocacy.files.wordpress.com/2019/06/advocacy-paper-situation-lesvos-bellbird-advocacy..pdf>.

15. <http://irregular-migration.net/index.php?id=217>.

16. <https://www.apnews.com/e509e15f8b074b1d984f97502eab6a25>.

17. <http://www.cruzroja.es/pls/portal30/url/ITEM/0706E00E04B33E05E05490E2BA533AB8>.

18. https://publications.iom.int/system/files/pdf/identification_of_missing_migrants.pdf.

3. National action

23. Through the ECPRD (see paragraph 2 above), I asked national parliamentary research departments the following three questions: (1) How many refugee and migrant children are missing in your country? (2) If a refugee or migrant child disappears, who (e.g. authority, accommodation centre, school, employer, guardian, host family) is legally obliged to notify such disappearance to the police? (3) How are refugee and migrant children registered and identified in your country?

24. The replies indicated that most countries were able to provide figures of missing refugees and migrants. Some countries had also specific action for missing refugee and migrant children. However, member States were obviously far from having mutually coordinated approaches and an effective co-operation across national borders.

25. While national authorities typically depend on cross-border co-operation and mutual legal assistance¹⁹ regarding missing refugees and migrants, it is clear that those national authorities must do their own homework at first, because they bear primary responsibility for protecting refugee and migrant children from going missing in the first place.

4. International action

4.1. United Nations

26. While there is no specific body of the United Nations dealing with missing refugee and migrant children, several specialised UN bodies pursue also action for them or related action. The UN Convention on the Rights of the Child creates obligations for States Parties. Refugee and migrant children are fully entitled to those fundamental rights. The child's best interest is generally the yard stick which measures national action concerning a child.

27. The Missing Migrants Project of the International Organization for Migration (IOM) collects statistical data on refugees and migrants who have gone missing or died.²⁰ Although those figures might be the tip of the iceberg only, this statistical information is an important indicator for policy-makers. For the purpose of this report, age categories should be identified in such data as well as other potential vulnerabilities such as gender, disabilities and health problems. In this regard, the IOM publication *Fatal Journeys Volume 4: Missing Migrant Children* is of particular interest.²¹

28. UNHCR produced in 1988 its *Guidelines on Protection of Refugee Children and Care*²² and publishes regularly data on refugee and migrant children in Europe, together with IOM and UNICEF.²³ Besides policy and advocacy work, UNICEF is running projects for Syrian refugee children, for instance in the Middle East and Turkey.²⁴

29. Created in 1995, the UN Inter-agency Working Group on Unaccompanied and Separated Children (IAWG-UASC)²⁵ produced a *Toolkit*²⁶ and a *Field Handbook*²⁷ on Unaccompanied and Separated Children, both of which provide useful guidance to international stakeholders as well as national authorities alike.

4.2. Interpol

30. On 6 September 2019, Mr Cyril Gout, Assistant Director of Forensics and Police Data Management of Interpol informed the committee about Interpol's "Yellow Notices" which are global police alerts for missing persons which are published for victims of parental abductions, criminal abductions or unexplained disappearances.²⁸ They can be made public via the Interpol website, where 7207 public Yellow Notices are

19. <https://www.coe.int/en/web/transnational-criminal-justice-pcoc/mutual-legal-assistance>.

20. <https://missingmigrants.iom.int/>.

21. <https://missingmigrants.iom.int/fatal-journeys-volume-4-missing-migrant-children>.

22. <http://www.unhcr.org/protection/children/3b84c6c67/refugee-children-guidelines-protection-care.html>.

23. <https://data2.unhcr.org/en/documents/download/60348>.

24. <https://www.unicef.org/appeals/syrianrefugees.html>.

25. Members are the International Committee of the Red Cross, International Organization for Migration, International Rescue Committee, Save the Children, United Nations Children's Fund, United Nations High Commissioner for Refugees and World Vision International.

26. <https://www.iom.int/sites/default/files/TOOLS-WEB-2017-0322.pdf>.

27. <https://www.iom.int/sites/default/files/HANDBOOK-WEB-2017-0322.pdf>.

28. <https://www.interpol.int/en/How-we-work/Notices/Yellow-Notices>.

currently in circulation.²⁹ This tool is not specific for migrants or refugees, but obviously of significance in finding those missing. In addition, Interpol publishes Black Notices with the data of unidentified corpses. Such notices can help clarifying the fate of missing persons. This work is carried out in accordance with the data processing policy on refugees adopted by the Interpol General Assembly in 2017.³⁰ Finally, the database of Stolen and Lost Travel Documents may be of help in identifying missing child migrants.

4.3. European Union

31. The European Union's Fundamental Rights Agency (FRA) produced the publication "Guardianship for children deprived of parental care – A handbook to reinforce guardianship systems to cater for the specific needs of child victims of trafficking".³¹ The EU's Frontex published the "VEGA Handbook: Children at airports, Children at risk on the move – Guidelines for border guards".³² Data on migrants within the EU are produced by the EU's Eurostat.³³

32. FRA also provides monthly overviews of the fundamental rights situation (including missing children) of people arriving in those Member States that have been particularly affected by large migration movements and has issued opinions on the respect of children's rights in the context of migration and legislative proposals.³⁴

33. The problem of missing unaccompanied migrant children was identified as a priority in the EU Action Plan on Unaccompanied minors (2010-2014),³⁵ which triggered various legislative initiatives (including the reform of the EU asylum package) and funding being made available to support EU agencies and other organisations dealing with this issue. As of 2017, with the support of the European Commission and the EU agencies, the member States are encouraged to: a) collect and exchange comparable data to facilitate the cross-border tracing of missing children and the verification of family links; b) apply child-friendly and gender-sensitive approaches when collecting fingerprints and biometric data; c) ensure that a person responsible for child protection is present at an early stage of the identification and registration phase and that child protection officers are appointed in each hotspot; d) put in place the necessary procedures and protocols to systematically report and respond to all instances of unaccompanied children going missing.

34. The EU co-funded and launched in 2014 together with Missing Children Europe the project SUMMIT (Safeguarding Unaccompanied Migrant Minors from going Missing by Identifying Best Practices and Training Actors on Interagency Cooperation), which is trying to identify best practices in member States to prevent disappearances.³⁶ Among the results of the SUMMIT project were guidelines for professionals dealing with migrant children, as well as, for instance, a publication entitled "Lost in Migration: Working together to protect children from disappearances, from European priorities to local realities",³⁷ which brings together good practices from different European cities aimed to avoid children going missing, including policies for early integration, support extending beyond the age of 18, involvement of civil society, etc.³⁸

35. Through the EU Schengen Information System (SIS), an alert on a missing person is made available to police officers and border guards in all EU and Schengen countries participating in SIS.³⁹ The NGO Amber Alert advocated including preventive alerts (for children who are at risk of abduction or are particularly in danger of being harmed if they go missing) in the SIS for missing children.⁴⁰

36. The European Parliament addressed the disappearance of migrant children in several resolutions in 2014 and 2016.⁴¹ The texts called twice on the European Commission to ensure that unaccompanied minors do not disappear, and to design a strategy for that purpose and for finding the whereabouts of missing children. Key recurring oral questions have related to measures to be taken to prevent children from going

29. <https://www.interpol.int/en/How-we-work/Notices/View-Yellow-Notices>.

30. <https://www.interpol.int/en/News-and-Events/News/2017/INTERPOL-General-Assembly-adopts-data-processing-policy-on-refugees>.

31. <http://fra.europa.eu/en/publication/2014/guardianship-children-deprived-parental-care-handbook-reinforce-guardianship>.

32. https://frontex.europa.eu/assets/Publications/Training/VEGA_Children_Handbook.pdf.

33. <http://ec.europa.eu/eurostat/web/asylum-and-managed-migration/data/database>.

34. <https://fra.europa.eu/en/theme/asylum-migration-borders/overviews>.

35. https://ec.europa.eu/anti-trafficking/eu-policy/action-plan-unaccompanied-minors-2010-2014_en.

36. <http://missingchildreneurope.eu/summit>.

37. <http://missingchildreneurope.eu/catalog/categoryid/9/documentid/469>.

38. See other outputs of the SUMMIT project at: <http://missingchildreneurope.eu/summit>.

39. https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/schengen-information-system/alerts-and-data-in-the-sis_en.

40. <https://www.amberalert.eu/preventive-alerts-eu-borders-save-missing-children/>.

missing from the asylum system, to improve the reporting of child disappearances, and how it supports member States in relocating more children from Greece and Italy. In November 2017, the Civil Liberties, Justice and Home Affairs Committee of the European Parliament voted to include preventive alerts for children at high risk of going missing in the SIS system.

4.4. Red Cross and Red Crescent

37. The International Committee of the Red Cross (ICRC) has a long tradition of reuniting missing and separated persons. Its action ranges from practical action, such as helping unaccompanied child refugees reunite with their families in Nigeria,⁴² to policy recommendations.⁴³ In May 2019, the ICRC contributed to a specific session of the Hellenic Parliament on humanitarian and legal issues concerning the fate of the missing migrants.⁴⁴ Through the Red Cross and Red Crescent societies and movements, the ICRC can help in many countries when refugee and migrant children are missing.

38. The Turkish Red Crescent Restoring Family Links (RFL)⁴⁵ Programme is organised by the International Red Cross and Red Crescent Movement and implemented by Red Cross and Red Crescent national societies in co-operation with the International Committee of the Red Cross (ICRC). Its vocation is to trace missing people and reunite separated families. The ICRC and national societies form the global Family Links Network, which coordinates the tracing of missing people, communication of family messages, family reunification as well as co-operation with the relevant authorities and institutions. In Turkey, the Red Crescent has established national mechanisms and frameworks in co-operation with the Ministry of the Interior, the Ministry of Defence and other stakeholders to regulate and facilitate the collective and coordinated work on solving individual applications and referrals submitted by partners. The RFL has observed a sharp increase in situations of natural disasters or emergencies resulting in mass population movements over the last years which does not show signs of improvement.

4.5. Non-governmental organisations

39. Among the non-governmental organisations helping to find missing children, Missing Children Europe has done specific work on missing refugee and migrant children. Missing Children Europe defines missing refugee and migrant children as ‘minors that are registered with state authorities and go missing from the reception centres provided for them after their registration’.⁴⁶ They may be unaccompanied or separated, but also children in families.

40. Its president, Ms Maud De Boer-Buquicchio, Special Rapporteur of the UN Human Rights Council on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, addressed the committee in June 2018. She outlined the need to increase international co-operation, because refugee and migrant children were particularly inclined to cross borders also within Europe. In addition, it was necessary to provide them with easily reachable helplines and protection, which they could use in confidence without fear of being exposed to perceived risks to them, for instance regarding their migration status. Missing Children Europe established 19 hotlines across Europe.⁴⁷

41. Missing Children Europe initiated in May 2017 the project AMINA (Safeguarding Migrant Children across Europe). Amina in Arabic means the “safe one”. The project aims to close the protection gaps that lead to the disappearance and exploitation of children in migration in Europe. It provides children with access to information on the rights they are entitled to and on the opportunities and services they can access in different countries in the EU, for instance through the development of “MINIILA”, a smartphone application, which providing useful information (hostels, support centres, services, etc.) to migrant and refugee children in the European Union.⁴⁸ The project involves 12 organisations from 7 different EU countries, including The Smile of

41. European Parliament Resolution of 27 November 2014 on the 25th anniversary of the UN Convention on the Rights of the Child (2014/2919(RSP); European Parliament Resolution of 14 December 2016 on the Annual Report on human rights and democracy in the world and the European Union's policy on the matter 2015 (2016/2219(INI)), European Parliament Resolution of 13 December 2016 on the situation of fundamental rights in the European Union in 2015 (2016/2009(INI))

42. <https://www.icrc.org/en/document/nigeria-refugees-children-chad>.

43. https://www.icrc.org/sites/default/files/document/file_list/missing-migrants-families.pdf.

44. <https://www.icrc.org/en/document/hellenic-parliament-icrc-address-humanitarian-needs-missing-migrants-families>.

45. <http://www.kizilaytoplummerkezleri.org/en/restoring-family-links-rfl>; <https://familylinks.icrc.org/en/Pages/Countries/Turkey.aspx>.

46. ‘Lost in Migration: working together in protecting children from disappearance’. Conference Conclusions, Missing Children Europe, 2017. Available at: http://lostinmigration.eu/Conclusions_Lost_in_Migration_Conference.pdf.

47. <http://missingchildreneurope.eu/hotline>.

the Child (Greece), Missing People (UK), Centre Français de Protection de l'Enfance and La Mouette (France), Child Focus and Médecins du Monde (Belgium and France). Its aim is to improve procedures for managing cases of disappearance, trafficking and exploitation of minors at both cross-border and horizontal levels.⁴⁹

42. Child Rescue⁵⁰ is a pilot project that aims at raising awareness and is exploring two different projects in Greece, which is coordinated by Smile of the Child, and in Belgium, coordinated by Child Focus. Together with Missing Children Europe and the ICRC, these organisations launched an application and platform managed by the Red Cross to inform publicly about the search for missing children.⁵¹

43. Following an European Commission decision of February 2007, the 116 000 European hotline for missing children⁵² was established, operating through local grassroots organisations in 31 countries in Europe, under the coordination of Missing Children Europe. It provides free and immediate emotional, psychological, social, legal and administrative support 24/7. It includes unaccompanied missing children of third-country origin in certain countries.

44. AMBER Alert Europe is an international NGO with 22 members (law enforcement, ministries and NGOs) in 16 countries. Its police network consists of over 35 experts representing law enforcement from 12 EU countries. Although the network is designed to search for all missing children, its international network lends itself to seeking missing migrant children and its results appear encouraging.⁵³

45. Also in other parts of the world, migrant children are at risk. For instance, a publication by Save the Children addresses child refugees in South East Asia.⁵⁴ Europe may learn from those examples.

4.6. Council of Europe

46. Two Council of Europe legal treaties are particularly relevant in this context: the Convention on Action against Trafficking in Human Beings of 2005 (CETS No. 197) as well as the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse of 2007 (CETS No. 201). Both conventions have set up intergovernmental committees for monitoring the respective obligations by their parties. The Directorate General of Democracy of the Council of Europe serves both conventional committees and pursues projects for assisting member States in this respect.

47. Through the adoption of [Resolution 2136 \(2016\)](#) on harmonising the protection of unaccompanied minors in Europe, the Assembly urged member States in particular to:

- ensure that national police forces co-operate to constitute reliable, comprehensive and regularly updated databases on unaccompanied children who go missing, involving Europol and Frontex in investigations against criminal groups that might harm and exploit unaccompanied children;
- fully co-operate in efforts to track missing children and to support the further development of the Schengen Information System (SIS);
- assure protection of children from trafficking and criminal activities to which they are particularly vulnerable and step up co-operation with the countries of origin and transit in this area;
- prevent unaccompanied migrant children from going missing, ensuring that responsibilities are transferred seamlessly during the different stages of the procedure, from reception to integration of migrant minors, in order to minimise the risk of unaccompanied minors “slipping through the gaps” in protection and absconding.

48. In the field of child protection, the Assembly actively follows and supports or even initiates action by the Council of Europe, such as the Parliamentary Campaign to End Immigration Detention of Children, which ended in June 2019 and had contributed to the Global Campaign to End Child Detention.⁵⁵

48. <https://www.youtube.com/watch?v=sO9SQgMit6s>.

49. <http://aminameanssafe.eu/>.

50. <https://www.childrescue.eu/demonstrators/>.

51. <https://www.hamogelo.gr/gr/en/ta-nea-mas/enarksi-dokimon-apo-to-chamogelo-tou-paidiou-tis-efarmogis-gia-kinita-childrescue-pou-tha-enimeronei-tous-polites-gia-tin-anazitisi-anilikon-pou-echoun-eksafanistei/>.

52. <https://ec.europa.eu/digital-single-market/en/news/116000-single-eu-hotline-number-missing-children>.

53. <https://www.amberalert.eu/>.

54. <https://bettercarenetwork.org/sites/default/files/thejourney.pdf>.

55. <https://endchilddetention.org/who-we-are/>.

49. In addition, the Assembly addressed clandestine migration in [Recommendation 1211 \(1993\)](#) on “clandestine migration: traffickers and employers of clandestine migrants”, which recommended to the Committee of Ministers to “draw up a convention designed to combat clandestine immigration in all its forms, with provision for penalties for traffickers and employers of illegal immigrants, and drawing upon the provisions of [Resolution 1983/30](#) of the United Nations Economic and Social Council on the suppression of the traffic in persons and of the exploitation of the prostitution of others and [Resolution 1991/35](#) on the suppression of the traffic in persons.”

50. Together with the Fundamental Rights Agency of the EU, the Council of Europe published a Handbook on European law relating to the rights of the child⁵⁶ and a Handbook on European law relating to asylum, borders and immigration.⁵⁷

5. Conclusions

51. The registration and identification of refugee and migrant children, whether they are in possession of identity documents or not, are a necessary condition for guaranteeing the capacity to take note of their disappearance and initiate searches. This is particularly important in the case of migrant street children, who are even more exposed to exploitation and mistreatment than those residing in organised accommodation.

52. Improving the conditions for registered refugee and migrant children will help avoiding that they go intentionally missing. This includes adequate guardianship, housing, healthcare, schooling or employment as well as assistance in finding their family members.

53. Like most refugees and migrants, children make use of smugglers in order to reach safe countries of destination. This fact exposes them to organised crime and the related risks. The high sums to be paid to smugglers have to be generated by those smuggled. Children normally have little financial resources and, as child labour is prohibited, they are generally excluded from earning such high sums through other means than illegal employment, prostitution or criminal activities such as drug dealing. Missing children thus become perpetrators of crime as well as victims. The latter activities seem to favour an undocumented or clandestine status.

54. The identification of deceased persons including children serves at least two important purposes: to inform the family of the deceased, and to inform the public about the deadly risks of such persons in order to prevent similar cases from occurring in the future again.

55. Given the importance and urgency of this subject, a multitude of political recommendations might spring to mind. However, this report shall focus on those where the Council of Europe can be of added value due to its existing work. In addition, the parliamentary dimension of relevant work should be increased, in order to have a greater impact at national and European levels. Given the importance and urgency of this subject, the issue of missing migrant and refugee children in Europe should be turned into a parliamentary campaign.

56. There are many actions and projects which are helpful for protecting refugee and migrant children from going missing. Several stakeholders are contributing through own projects. Most of them have a specific focus and are not necessarily coordinated at European level. National parliaments could be instrumental in supporting such activities and hereby creating synergies and coordination.

57. Legal assistance and cross-border co-operation between relevant national and regional authorities, including the police, is a key element of any effective strategy to prevent refugee and migrant children from going missing. The Council of Europe has a long experience in facilitating such co-operation in Europe and creating the necessary foundation for it under international law. As parliamentarians working under the roof of the Council of Europe, we should use its unique experience to establish a basis for co-operation on the issue of missing migrant and refugee children, for whom it is presently not even possible to determine figures.

58. Practical support for such co-operation is for instance provided by technical agencies such as Interpol, Europol, Frontex, Red Crescent and Red Cross as well as by non-governmental organisations. Political guidance and support by the Assembly may be beneficial in this respect.

59. The tools of Europol, Interpol and Frontex for finding missing children should be strengthened and their effectiveness increased by providing financial, technical and personnel support.

56. https://www.echr.coe.int/Documents/Handbook_rights_child_ENG.PDF.

57. https://www.echr.coe.int/Documents/Handbook_asylum_ENG.pdf.