



AD HOC QUERY ON 2020.71 Mechanisms to search for a migrant reported missing

Requested by COM on 24 November 2020

Responses from Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden (22 in Total)

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1. Background information

The issue of missing, separated, and deceased migrants is recognised as a humanitarian tragedy addressed in the context of humanitarian aid and protection of human rights. ICRC and EMN had agreed to engage in research focusing on EU Member States' policies and approaches to prevent migrants from going missing or becoming separated and address their needs or the needs of their families, in the context of migration policies.

The scope of the Inform would be limited to:

Migrants within the territory of EU Member States. Circumstances along migratory routes outside the EU border will only be considered in the context of measures to prevent irregular migration.

Legislation, policies and practices under the responsibilities of migration authorities.

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Based on preliminary research, input by the ICRC and the Advisory Group (AG), some areas have been identified and prioritised as being of possible interest in a cooperation with the EMN.

Family reunification and legal pathways to migrate or seek asylum were excluded as these topics are widely addressed in other EMN outputs. Likewise search and rescue operations and the issue of disappearances as a follow-up to results of search and rescue operations are likely to be very difficult to address especially in relation to cooperation with third countries which falls outside of the legal framework of the EMN and would therefore be outside the scope of this Inform. For the purpose of this AHQ, "tracing systems" should be understood as the services available to restore contact between persons who have got separated /disappeared and their family members.

This AHQ aims to collect information on the first two identified topics within this initiative, namely on:

Topic 1: Prevention measures applicable to different contexts, such as in formal reception centres and migration detention centres in the EU territory;

Topic 2: Mechanisms to search for a migrant reported missing.

We would very much appreciate your responses by 15 January 2021. Note that Due to their length both AHQ are counted as 2 for budgetary purposes.

2. Questions

- 1. Is there any difference between the procedures for searching for a missing migrant (including irregularly staying migrants, asylum seekers and generally migrants placed in detention or under alternatives to detention etc.) and those for missing persons in general? YES/NO (N.B. Please exclude unaccompanied minors as this issue was already treated in the EMN Inform on Missing UAM).**
- 2. Can you please describe the measures and/or procedures specifically applicable to searching for a migrant reported missing?**
- 3. Which authority is responsible for the search for a missing migrant?**
- 4. Are migration authorities involved in the search for a missing migrant? If yes, briefly describe their role (e.g. are migration authorities part of an interagency mechanism at national level for the search and identification of missing migrants?)**
- 5. Does your Member State allow for the participation of an external actor to cooperate with the search for a missing migrant (i.e. NGO, IOs, etc)? YES/NO. If yes, please describe.**
- 6. Can you please indicate if there are firewall mechanisms or other procedures to allow irregularly staying migrants to report a disappearance? How is such a mechanism to report a migrant who went missing made accessible?**


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We would very much appreciate your responses by **15 January 2021**.

3. Responses

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		Wider Dissemination ²	
	EMN NCP Austria	Yes	<p>1. No, in Austria, Art. 24 Security Police Act regulates the search for missing persons without distinction.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>2. See answer 1.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>3. In Austria, the security authorities are responsible for the search of missing persons (Art. 24 para 1 Security Police Act). In addition, the Missing Persons Competence Centre was established within the Criminal Intelligence Service in 2013 that deals with policy matters regarding the search for missing</p>

¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."


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			<p>persons. Its responsibilities include, among others, optimizing search measures and internal police procedures.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>4. The search for missing persons (including migrants) falls under the purview of security authorities and is therefore generally carried out by local police stations. Migration authorities may only have a supporting role in the search in certain cases, for example by submitting relevant information to police stations.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>5. The missing person case is generally processed by the police station that has local jurisdiction. Depending on the circumstances of the case, the search measures may be carried out by the criminal intelligence services in the provinces. The information provided by the reporting person serves as basis for the initial assessment of the situation. Based on this information, search measures are initiated immediately. Data on the missing person is stored in the Austrian Electronic Criminal Information System (EKIS) and the Schengen Information System (SIS) and can thus be retrieved immediately in all Schengen states. If a person under the age of 18 is reported missing, the police will take the first steps under any circumstances – even if the situation involves no particular threat – provided an authorized parent submitted such a request. From the perspective of the aliens police, the non-appearance/disappearance of an adult asylum seeker is not a reason to search for the person. In the context of large-scale search operations (for all missing persons), external actors (e.g. fire brigade, mountain rescue, water rescue, non-police search dogs, etc.) may be involved in certain cases. However, there is no ongoing systematic cooperation with external actors in the search for a missing migrant.</p>
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			<p>---</p> <p>Source: Ministry of the Interior</p> <p>6. There are no “firewall mechanisms”.</p> <p>---</p> <p>Source: Ministry of the Interior</p>
	EMN NCP Belgium	Yes	<p>1. No. From the moment a disappearance is considered ‘alarming’ (compliant with the criteria laid down in the ministerial directive), there is no difference in approach. A lot therefore depends on the specific circumstances in which the disappearance took place. When dealing with human smuggling or human trafficking, different measures and procedures apply.</p> <p>2. Each alarming disappearance needs to be reported to the local police. The local police will then inform the ‘Missing Persons Unit’ of the Belgian Federal Police. The Missing Persons Unit puts together a profile of the missing person in order to determine whether a disappearance is considered alarming. The assessment is carried out on the basis of six criteria laid down in the ministerial directive of 20 February 2002 concerning the search on missing persons. (1. Younger than 13 years old; 2. Physically or mentally disabled; 3. Depending on medication or medical treatment; 4. Based on the information available there is a suspicion that the missing person finds himself in a life threatening situation; 5. Based on the information available there is a suspicion that the missing person is in the company of a third party threatening his/her well-being or that he/she is a victim of a felony; 6. The disappearance of the person is in complete contradiction to his/her normal behaviour.)The description of all procedures and different measures in place when dealing with an alarming disappearance are laid down in the ministerial directive (amended version 26/4/2014). This directive is incorporated in the Col 12/2014 of the College of Procurators General.</p> <p>3. Federal Public Prosecutor’s Office</p>

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			<p>4. Not necessarily, although input can be asked from the Immigration Office.</p> <p>5. Yes, all partners, organisations or services who can make a useful contribution can cooperate.</p> <p>6. N/A</p>
	EMN NCP Bulgaria	Yes	<p>1. No</p> <p>2. According to the Ministry of Interior there are several categories of wanted/missing persons: fugitives from places of deprivation of liberty (PDL), persons who have not returned from leave or after an interruption of the service of a sentence of "imprisonment"; persons absconding from criminal prosecution - accused persons; fugitives from arrest, convoy and places of detention in the Ministry of Interior; persons absconding from serving an effective sentence of "imprisonment" or "probation"; Bulgarian citizens, foreigners and citizens of the European Union, of the Swiss Confederation, as well as citizens of states which are parties to the Agreement on the European Economic Area (Norway, Iceland, Liechtenstein), who are absconding in the country and who have committed crimes in other countries — at the request of the International Operational Cooperation Directorate - Mol, the Supreme Cassation Prosecutor's Office, the relevant judicial authorities and the authorities of the Ministry of Justice; persons who left a home for temporary accommodation, a corrective school, a boarding school, shelters and other specialised establishments; missing persons who have fled from clinics, dispensaries or isolators for persons with mental/contagious diseases and persons with imposed compulsory medical measures; missing persons, at the request of their relatives, citizens and other sources, when, according to the requesting person, have no reason to abscond; parents of abandoned children; minors who have left their homes;</p>


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			<p>abducted persons; soldiers who are draft evaders; persons who are witnesses or victims in criminal proceedings; illegally staying foreigners, citizens of EU member states, of the Swiss Confederation, as well as citizens of the states which are parties to the Agreement on the European Economic Area, who are subject to removal to the border of the Republic of Bulgaria or to expulsion.</p> <p>The Bulgarian Red Cross operates on the basis of individual tracing requests submitted by a family member who is anxious for the well-being and whereabouts of another / other family member / family members. The Bulgarian Red Cross can receive and submit tracing requests via the Family Links Network of the International Movement of Red Cross and Red Crescent.</p> <p>3. Ministry of Interior is responsible for searching missing people in general.</p> <p>4. No</p> <p>5. Yes, the Bulgarian Red Cross cooperates with other national societies of the Red Cross and Red Crescent as well as with the International Committee of the Red Cross.</p> <p>6. The grounds for entering data on wanted persons and unidentified corps in the system, as well as for removing them from search are the reception at the MoI authorities of primary documents, some of which represent input documents for the "Search activity"-N.SIS Automated Information System. These are:</p> <ol style="list-style-type: none">1. initiating document concerning search of persons, received at the "National Police" Directorate General, the "Combating Organised Crime" Directorate General, the "Border Police" Directorate General, the "Capital" Directorate of Interior, the "Regional" Directorates of Interior and their subordinate structures;2. initiating document concerning a found corpse or a person with unknown identity, received at the "National Police" Directorate General, the "Border Police" Directorate General, the "Capital" Directorate of Interior, the "Regional" Directorates of Interior and their subordinate structures;
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			<ol style="list-style-type: none"> 3. a motivated request or communication, accompanied by transcripts of sentences, measures of restraint "detention in custody", decrees for forced bringing by the court or the authorities of pre-trial proceedings, documents from other authorities having legal grounds to request the search of relevant categories of persons; 4. an effective act for imposition of a compulsory administrative measure (CAM) "removal to the border and expulsion" under the Law on Foreigners in the Republic of Bulgaria or an effective act for imposition of a CAM "expulsion" under the Law on Entry, Stay and Departure of Family members of EU citizens, who are not citizens of the EU, when there are no data for leaving the Bulgarian territory.
	EMN NCP Croatia	Yes	<ol style="list-style-type: none"> 1. No. 2. Once the Police receives a report of a missing person, it issues an alert for the person in the Information System of the Ministry of the Interior. The police needs the information on the missing person and the circumstances in order to assess the situation and plan a proper direction of action. Immediately after issuing the alert, the search is also automatically transferred in the Schengen Information System (for member States of the European Union and the Schengen area) with the measure "search for missing person". If there is a possibility or information that a person whose disappearance has been reported in the Republic of Croatia is in the territory of a third country national, the search is announced in the database "search for missing person" of INTERPOL (YELLOW SEARCH) 3. Ministry of the Interior. During daily briefing before taking over daily tasks, all police officers are informed about missing persons. SIRENE Bureau is designated central body for Member States and SAC to exchange any additional information necessary for issuing alerts or for taking appropriate action in cases when the missing persons entered into the SIS are found.



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			<p>NCB or INTERPOL is designated central authorities for INTERPOL Member States to exchange any additional information necessary for the issuing alerts or for taking appropriate action in cases where the persons and objects entered in the INTERPOL databases are found.</p> <p>4. Yes. Border police officers as part of the uniformed police receive notifications of missing persons during daily briefing before taking over daily tasks.</p> <p>Through the executing of their regular tasks, they also keep in mind the possibility of the eventual finding of missing persons, including migrants.</p> <p>Police officers from the Border Police Directorate (Police Directorate) are assisting the Croatian Red Cross in searching for migrants by searching available data bases.</p> <p>5. Yes. Tracing Service is one of the oldest services of the Croatian Red Cross.</p> <p>Within the framework of its activities Tracing Service: reports on the victims of armed conflicts, manages requests for tracing missing persons and facilitates restoring links between separated family members. Its work is based on the Geneva Conventions and their Additional Protocols, resolutions adopted at International Conferences of the Red Cross and Red Crescent, and Restoring Family Links Strategy for the International Red Cross.</p> <p>Services of tracing are provided for asylum seekers and other migrants as well as to the victims of human trafficking. It also traces persons who went missing in disasters and traces family members who lost contact due to migration. National Office of the Tracing Service cooperates with other Red Cross and Red Crescent National Societies, International Tracing Service.</p>
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			<p>6. Restoring Family links: familylinks.icrc.org Online community: www.tracetheface.org</p>
	EMN NCP Cyprus	Yes	<p>1. No.</p> <p>2. There is a standard procedure followed for investigating missing persons reports, and a specialized protocol is used for these purposes. Police Officers are obliged to follow this protocol for every missing person either local or immigrant, since it is part of a Police Standing Order for Missing Persons.</p> <p>3. Police is responsible for the search for a missing migrant, with the cooperation of other competent Authorities.</p> <p>4. Migration Authorities only assist the Police by providing relevant information that can contribute to the investigation process.</p> <p>5. Cyprus allows external participation to cooperate during the search for a missing migrant, only if this is deemed necessary, and under certain restrictions. Furthermore, NGOs are also involved during the investigation process, eg. Alert Notes etc.</p> <p>6. All migrants, (regular or irregular) can report a missing person, regardless of their status. Reports for missing persons have to be done in person at any Police Station or at the Divisional Crime Investigation Units. There is full accessibility to all people residing in Cyprus to all Police Stations.</p>
	EMN NCP Czech Republic	Yes	<p>1. No, there are not different procedures.</p>


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			<p>2. There are no special procedures. The Czech authorities apply the same procedures such as social network monitoring, contacting persons in place of stay of the person reported missing, GSM location etc.</p> <p>3. It is the Police of the Czech Republic and its specialised sections like Unit for targeted search of persons, Foreign Police (its regional office according to the place of stay of the missing foreign national) etc.</p> <p>4. Yes, the Department for Asylum and Migration of the Ministry of the Interior is informed in case there is a search for missing migrant imposed. The DAMP can control the state of search.</p> <p>5. No (in case of private persons) but there is a possibility to cooperate with NGOs or media.</p> <p>6. An irregularly staying migrant can use the same channels and procedures to report a disappearance.</p>
	<p>EMN NCP Estonia</p>	<p>Yes</p>	<p>1. No.</p> <p>2. There are no special procedures and/or measures applicable to the searching of a missing migrant reported missing. If a migrant is reported as missing to the Police and Border Guard Board then they will initiate and perform the person's search (i.e. the procedure is the same as for the missing persons in general in Estonia).</p> <p>3. The Police and Border Guard Board or the Estonian Internal Security Service.</p> <p>4. The Police and Border Guard Board is the migration authority in Estonia.</p> <p>5. Yes, the Estonian Red Cross could be also included in the search of a missing migrant. If the search of a missing migrant happens on the Estonian territory then the volunteers from SA Kadunud (Foundation Lost) or the Estonian Defence League could be involved.</p>


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			<p>6. The disappearance of a person can be reported by anyone at any Police and Border Guard Board's station or at phone number 112. In case of a missing child it can be reported to missing children's helpline 116000 or to child helpline's on a phone number 116111 or +372 600 4434 when abroad. In addition, the victim support helpline at number 116 006 can be contacted.</p>
	<p>EMN NCP France</p>	<p>Yes</p>	<p>1. No. In the context of a worrying disappearance on national territory, the procedures are the same regardless of nationality and status under the law of foreign nationals. The only specific resource is the tracing of family members who remain in the country of origin or the transit countries by the Red Cross Family Restoration Service.</p> <p>2. No specific measure.</p> <p>3. A missing person is reported to the police or gendarmerie in accordance with the ordinary procedure. No specific authority is responsible for the search for missing migrants on the territory.</p> <p>4. Not specifically. If an investigation is opened, the migration authorities may have to provide law enforcement authorities with the information they have, but no prior collaboration. There is no specific mechanism for the transmission of information with the migration authorities in the context of the disappearance of a migrant. However, it is possible that the OFII or the prefectures may be requested in the frame of the search, either on the occasion of a request from a body accompanying the searching family members, or following an investigation initiated by the courts.</p> <p>5. The French Red Cross Family Restoration Service is involved solely in the search for missing persons abroad. The French Red Cross does not operate in detention centres or waiting areas at the border.</p> <p>6. No, there is no specific mechanism to this effect.</p>



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	<p>EMN NCP Germany</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. No, in Germany cases of missing persons among the stated categories of people are handled in the same manner as any other cases of missing persons. 2. After a person has been reported missing, a search alert is posted in the national police search and information system (INPOL) and in the SIS. The competent police compile all available ante-mortem information (e.g. description of the person concerned, photographs, dental details and, where possible, DNA material) to ensure identification of the missing person, should they be found dead. If there are any indications that the missing person may have been headed abroad, requests for cooperation in the search for the individual concerned are directed via the Interpol or Sirene channel. Where possible, attempts are made to obtain information on the missing person's possible whereabouts and relevant contacts from relatives in the country of origin. It is also clarified when relatives were last in personal contact with the missing person. 3. The police station at the place where the individual concerned was last resident is responsible for handling the corresponding missing person case. 4. No. 5. Cooperation with the German Red Cross Tracing Service (DRK-Suchdienst) has become established in individual cases in Germany. The Tracing Service of the German Red Cross (DRK Tracing Service) was commissioned by the Federal Ministry of the Interior to carry out the tasks of tracing and family reunification for various groups of persons. These include, among others, "persons who have been separated from each other or have lost contact with each other as a result of armed conflicts, comparable serious events, disasters, accidents of major proportions or in other situations in which the Tracing Service activity is required as a humanitarian measure." This includes the search for missing migrants. 6. When the German Red Cross Tracing Service receives a search request from a family member, the search operation within Germany generally begins with the retrieval of information from the Central Register of Foreigners. In Germany, the German Red Cross Tracing Services has recourse to the organisational structures of the German Red Cross. There are search service staff in all 19 federal
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			<p>state associations of the German Red Cross and at 90 district associations of the German Red Cross. This enables searches for missing migrants to be pursued at local level, where necessary. Searches for migrants who are suspected of being abroad are conducted through the international search service network of the International Red Cross and Red Crescent Movement.</p>
	EMN NCP Hungary	Yes	<p>2. In order to locate a third-country national whose whereabouts are unknown, the immigration authority may issue a warrant if the person in question:</p> <ul style="list-style-type: none"> - is subject to any immigration proceeding; - has escaped from detention or is on unauthorized absence from the place of compulsory confinement in violation of the code of conduct; - failed to comply with the definitive decision of expulsion. (Section 68 (1) Act II of 2007) <p>3. The Police are responsible.</p> <p>6. N/A</p>
	EMN NCP Ireland	Yes	<p>1. No. all persons are dealt with equally irrespective of residency status or domicile.</p> <p>2. The investigative procedures applicable are dependent on the circumstances of each case and same level of investigation is undertaken for missing persons investigations for migrants as for any other missing person investigation.</p> <p>3. Members of the Garda Síochána (national police force) are responsible for the investigation of missing person incidents in this jurisdiction. The specific area of investigation will depend on where the person was last seen. The Garda National Protective Services Bureau Missing Persons Unit provides advice, guidance and assistance to Gardaí investigating Missing Person incidents. In the course of its work, the Missing Persons Unit liaises with international police forces to develop best practice. The Unit also assists with international enquiries via Interpol.</p>

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			<p>4. This answer depends on the definition/scope of the term 'migration authorities'. If the term "migration authorities" includes the Garda National Immigration Bureau (GNIB) then, members conducting missing person investigations would usually liaise with them as part of their investigation. If the term does not include the Garda National Immigration Bureau (GNIB) the answer is No. Note: The Garda National Immigration Bureau is the unit of An Garda Síochána responsible for certain immigration matters.</p> <p>5. This is dependent on the specific situation. The Garda Síochána will accept the assistance of an external actor, e.g. Civil Defence if their involvement is necessary and provides value to the investigation.</p> <p>6. Any member of the public can report any incidents to the Garda Síochána in strict confidence. There are police reporting lines which can facilitate confidential reporting, anonymous reporting will be actioned and examined.</p>
	<p>EMN NCP Italy</p>	<p>Yes</p>	<p>1. NO, there is no difference between the procedures for searching for a missing migrant (including irregularly staying migrants, asylum seekers and generally migrants placed in detention or under alternatives to detention etc.) and those for missing persons in general.</p> <p>2. Italy does not classify missing persons according to their nationality. In 2012 was introduced in Italy the Law n.203 that defined the concept of disappearance, previously not codified: a missing person is the person who moves away, forced or voluntarily, from the place where he lives permanently or temporarily. The law establishes which are the competent Authorities for the activation of searches, formalizing a system that is articulated in a double framework: the more general one coordinated by the Prefecture; another one coordinated by the Judiciary, if it is assumed that the disappearance is related to a crime.</p>



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			<p>The State Police participates in both, within the framework of the provincial research plans established by the Prefects and within the framework of investigative activities.</p> <p>To coordinate the multiple competencies in the field of missing persons, at the central level, since 2007, the Government's Special Commissioner for Missing Persons was established.</p> <p>The Special Commissioner ensures stable and operational coordination between the competent administrations, monitoring their activities;</p> <ul style="list-style-type: none">- promotes the cross-comparison of national information on missing persons and unidentified corpses; and maintains relations with the relatives of missing persons and with the most representative associations at national level. <p>3. The authority responsible for the search for a missing migrant is The Italian State Police.</p> <p>4. No, they are not</p> <p>5. Although there are no protocols for searching missing migrants, there are procedures involving external actors to collect information regarding missing persons.</p> <p>The Government's Special Commissioner for Missing Persons, the Italian Red Cross and the ICRC signed in 2017 a tripartite Protocol for cooperation to overcome the limitation of access to information. The Protocol is available online: https://www.interno.gov.it/sites/default/files/allegati/protocollo_perso...</p> <p>The Central Anti-Crime Service is the contact point for the Service "116000 - Hotline for missing children". The Ministry of the Interior has entrusted the management of such hotline to "SOS Telefono Azzurro ONLUS".</p> <p>The telephone line allows you to report cases of children who are missing, in difficulty or in need of help to a multilingual switchboard, involving, if necessary, the territorial offices of the Police Forces.</p> <p>6. There is no such mechanism in place</p>
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	<p>EMN NCP Latvia</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. No 2. Information on a missing person shall be submitted to the State Police, which carries out searching activities. Detailed information on the person missing is included into information systems. The State Border Guard send information on missing migrants, especially on minors, to neighboring countries via National Coordination Centre and contact points at the internal borders of Latvia. 3. The State Police is the authority responsible for searching persons missing on the territory of Latvia. 4. No 5. Yes. External actors can provide information that can assist in searching activities of missing migrants. 6. The procedure on reporting of disappearance for the migrant is the same as for the citizen of Latvia. Mechanism to report on missing person is accessible for everyone regardless of the status of the person.
	<p>EMN NCP Lithuania</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. No. 2. There are no special procedures or measures applicable to the search of missing migrants. If a migrant is missing, the police is informed, which announces and performs the person's search (i.e. the procedure is the same as for missing Lithuanians). 3. Police. 4. No, there is no special procedures applicable.

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			<p>5. Yes, external actors can cooperate with the search. Also, Lithuanian Red Cross Society is a part of Family Links Network managed by the International Committee of the Red Cross, which is helping people to find their family members, who went missing. This activity of Lithuanian Red Cross is also carried out in detention places, i.e. in the Foreigners Registration Centre (where irregularly staying migrants are detained and where asylum seekers are accommodated), as well as, in prisons.</p> <p>6. There is no such specific mechanisms accessible, the procedure is the same as for missing Lithuanians (via Police) and reporting available for everyone. If the search is carried out through the Lithuanian Red Cross Family links network, this information is confidential and is not disclosed.</p>
	<p>EMN NCP Luxembourg</p>	<p>Yes</p>	<p>1. No.</p> <p>2. In Luxembourg, it is advisable to contact the Grand-Ducal Police without delay as soon as there are no more news of the person in question or as soon as the absence or delay of a person is inexplicable and unusual to the usual behaviour of that person and it can be suspected that he or she has disappeared.</p> <p>As soon as a person has been reported missing, the police carries out a search. The declaration of disappearance is made at a police station whether it comes from an organization or a private individual. The person who reports a missing person must be able to identify at the police station. The report will be captured electronically and sent immediately to the Direction des Relations internationales (DRI) of the Grand-Ducal Police which is responsible for the management of various alerts in the national alert file and in the Schengen Information System (SISII), including alerts in case of disappearance on Luxembourg territory. The DRI enters the alerts in the respective systems on the basis of information provided by the field units that have been warned by a person or a structure (for example a reception center for international protection applicants).</p>


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			<p>If one of the following criteria also applies to the missing person, the Public Prosecutor's office and the police will classify the disappearance as 'disturbing' and intensify the search measures:</p> <ul style="list-style-type: none">- if the person is a minor under the age of 15 or an elderly person;- if the missing person is mentally or physically ill;- if the missing person is depressed;- if the missing person is under the influence of narcotics or medication, or if the missing person is under the influence of drugs or medication, respectively;- if the missing person requires urgent or regular medication or medical treatment;- if the missing person is suicidal;- if the person has disappeared in the presence of suspicious third parties;- if the disappeared person may pose a danger to the physical integrity of a third party;- if the disappeared person is not accustomed to being absent without informing his or her relatives <p>When a missing adult is found, there are two possibilities of conduct within the SIS: "Invite the person to state whether he or she consents to his or her whereabouts being communicated" or "Call the person and take him or her to the competent authority".</p> <p>3. The Grand Ducal Police and the Public Prosecutor's office are the authorities responsible for the search of a missing person.</p> <p>4. No. N/A.</p> <p>5. No. N/A.</p> <p>6. No. N/A.</p>
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	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. In general, there are no significant differences between the procedures for searching for a missing migrant and those for missing persons in general. Except for the procedure mentioned in the reply to question 2 all procedures, protocols and measures regarding missing persons are for all persons reported to be missing, including migrants.</p> <p>2. All migrants who are reported missing in accordance to the definition[1] of a missing person are reported to the Unit Foreign National's Identification and Human Trafficking (AVIM). The AVIM is the unit within the Police Force which has access to the database wherein all Foreigners are registered. Co-workers of the AVIM will prepare an advice based on any information they have on the migrant that might help to find the missing person. This advice is added to the missing person file which is registered in the police database (BVH) and which is accessible to all necessary (and authorized) law enforcement personnel.[2]</p> <p>[1] A missing person is any person who against any expectation has departed his/her normal or assumed safe surroundings. Who's whereabouts are unknown and for whom it is thought of to be of the essence that their location is reestablished. Politie.nl/themas/vermissing.html</p> <p>[2] Protocol Missing persons, website Dutch Police Academy: Kompol 4-12-2020 (Handelingskader Vermiste personen),</p> <p>3. National Police</p> <p>4. The Unit Foreign National's Identification and Human Trafficking of the National Police is the primary migration authority involved in the search and identification of missing migrants. Its role is to advise in cases in which migrants are involved and to support the identification of a migrant. To compile their advice they will contact other migration authorities like the Immigration and Naturalisation Service (IND), Central Agency for the Reception of Asylum Seekers (COA), the Repatriation and Departure Service (DT&V) and the Dutch Council for Refugees.[1]</p> <p>The COA will report missing persons to the police, if the missing person was staying at one of their locations. Employees of the COA will talk to other inhabitants of the reception center and check if they might have more information on the missing person or where they might have gone to. Also a photo of</p>
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			<p>the migrant can be shared on intranet with other Reception Centers, so they can check if the person has been seen on other COA locations. If there are suspicions of Trafficking in Human Beings or Human Smuggling a notification is given to the Royal Netherlands Marechaussee. [2]</p> <p>The COA can help with locating persons in case of tracing requests by a legal aid or a lawyer in the Netherlands. The COA information telephone number can be called for these cases. If someone outside the Netherlands is searching for a missing person who they think might stay at a COA location the tracing request is handled by the Red Cross. The COA and the Red Cross have a covenant so they can legally exchange the necessary information. [3]</p> <p>[1] Information provided by National Police on 6 January 2021 [2] Information provided by COA on 29 December 2020 [3] Information provided by COA on 7 januari 2021</p> <p>5. Yes, the Police allows participation of external actors with the search for a missing person. In the case of a missing migrant the Police can contact NGO's who are actively helping refugees and migrants to use their network to find or share relevant information. [1] The NGO Victim Support Netherlands can help the family or friends of a missing person with emotional support and in practical matters.[2]</p> <p>[1] Information provided by National Police on 6 January 2021 [2] www.slachtofferhulp.nl/gebeurtenissen/vermissing-persoon/ , checked on 8-1-2021</p> <p>6. In the Netherlands it is possible for irregularly staying migrants who are a victim or a witness of a crime to safely report the alleged crime. This policy is called 'safe reporting'. Irregularly staying migrants can freely walk into any police station and walk freely out of the police station again (except when they are registered as a suspect of a crime themselves). Though a missing person case might not be a criminal case, the same principle applies as it is a serious case that needs police attention immediately. The information about the mechanism is available via the police-website and as almost all migrants have a smartphone they can find the relevant information. The community police officer will share</p>
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			<p>information about this policy with relevant persons in his community who can pass it on to those who need to know.</p> <p>Also most migrants are in contact with lawyers, the Dutch Council for Refugees, churches and other organizations who can explain this policy or help with reporting the missing person. [1]</p> <p>[1] Information provided by National Police on 6 January 2021</p>
	<p>EMN NCP Poland</p>	<p>Yes</p>	<p>1. No - the only difference between missing migrant and persons in general are institutions involved in searching. In the case of migrants, apart from the Police and NGOs, the Border Guard is also involved in the search.</p> <p>2. In accordance with the adopted national procedure, in the event of finding a person sought as missing during border checks, who, for their own protection or in order to prevent the threats posed by them, should be transferred to the appropriate care facility or medical entity, Border Guard officers confirm that the data of the controlled person is consistent with the data of the missing person, and then:</p> <p>In the case of a missing person of legal age, Border Guard officers determine the circumstances and nature of their stay in the territory of the Republic of Poland or information on the circumstances of their travel, collect a statement about their current place of stay and possible consent to provide this information to an authorized person;</p> <p>In the case of a missing person of legal age who, for their own protection or in order to prevent threats, must be compulsorily placed with a competent medical entity as a result of a decision made by a competent authority, Border Guard officers determine the circumstances and nature of their stay in the territory of the Republic of Poland, or information on the circumstances of travel, then they immediately notify the Police and hand the person over to the appropriate Police unit;</p> <p>In the case of a missing minor, Border Guard officers determine the circumstances and nature of their stay in the territory of the Republic of Poland or information on the circumstances of travel, as well as data on the legal guardian, then immediately notify the Police and transfer the person to the appropriate Police unit;</p>

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			<p>Each time, in the case of finding a person entered into the SIS pursuant to Art. 32 of the SIS II Decision, the duty service of the Border Guard office notifies the SIRENE bureau by phone about the finding and sends an appropriate form.</p> <p>3. The Border Guard is involved in the search for missing persons as part of the implementation of entries made to the Schengen Information System pursuant to Art. 32 of Council Decision 2007/533 / JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information System (SIS II). Data on missing persons shall be entered into the SIS II upon request by the competent authority of the issuing Member State. In Poland, such entries are made by the Police. Otherwise, the Police and NGOs are responsible for search for persons in general.</p> <p>4. As it is described in point 3, the Border Guard is involved in the search for missing persons as part of the implementation of entries made to the Schengen Information System (SIS II).</p> <p>5. The main NGO responsible for searching of missing persons in Poland is Itaka Foundation. The goal of the Foundation is to provide all assistance to people affected by the problem of disappearance, in particular missing persons, their families and relatives, and people at risk of disappearance, including in cases of disappearances related to parental kidnappings. Employees and volunteers of the ITAKA Foundation are ready to talk 7 days a week in the event of somebody's missing. They help by: providing phone for missing child and teenager; psychological support; legal assistance; social counseling; providing point of direct support for the families of missing persons; providing support groups and providing database of Persons with Indeterminate Identity (NN). Detective agencies also offer assistance in looking for missing migrants.</p> <p>6. No.</p>
	<p>EMN NCP Portugal</p>	<p>Yes</p>	<p>1. No. The answer to the other questions will be an extrapolation of procedures concerning missing persons communicated to the national authorities.</p>


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			<p>2. The Portuguese Criminal Police (Policía Judiciária), set online, at https://www.policiajudiciaria.pt/alerta-ao-cidadao-criancas-e-menores-de... the related guidelines to support missing people (either migrant, National, or European citizens) cases' investigation:</p> <p>«The closest people should be aware of the missing person's changes in behavior and break of routines;</p> <p>The reporting of the disappearance to the authorities should be made immediately after attempts to locate based on personal routines have been frustrated, either at frequented places or at usual timeframes;</p> <p>Deliver, when reporting the disappearance, a photograph of the missing person, as up to date as possible and highlight in the participation any and all particular signs as detailed as possible, namely:</p> <ul style="list-style-type: none">a) Close friends;b) Probable causes of the disappearance;c) Favorite resting or leisure places;d) Favorite hobbies;e) Personal interests;f) Any previous appearance of some of the changes listed in item 1;g) Clothing that s/he probably wore and other clothing that has also disappeared;h) Means of transport preferably used. <p>4. In the course of the investigation, any supervening information that comes to the knowledge of the participant must be immediately communicated to the Police, regardless of the degree of relevance that s/he attributes to him. It should also be borne in mind that: - A "disappearance" does not constitute a crime, so whenever there is a well-founded suspicion that such a situation is a consequence of the practice of a criminal act, the specific case is classified according to the crime presumably committed and in such a scope investigated; - Since the disappearance is not a crime, it is obviously not subject to the statute of limitations for criminal proceedings, so that until it is definitively resolved, any investigation of the disappearance can be dealt with, regardless of the time that has elapsed since the event, being correct the statement of that "a disappearance is never filed". Finally: It is appealed to all communicators of disappearance cases that, being the missing person found by an institution or person other than the Criminal Police, this event should be communicated to same</p>
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			<p>Criminal Police in the shortest possible time, thus allowing human resources to be allocated without delay, and materials hitherto committed to solving this case, to others yet to be concluded.»</p> <p>3. The Portuguese Criminal Police (Polícia Judiciária), https://www.policiajudiciaria.pt/english/</p> <p>4. Yes. Disappearances are reported by the Portuguese Criminal Police (Polícia Judiciária - PJ) to the Portuguese Immigration and Borders Service (Serviço de Estrangeiros e Fronteiras – SEF), as well as to other police authorities, inscribing in the information systems the elements that tend to enable the detection of missing persons by any police authority.</p> <p>5. Yes. NGOs and individuals can initiate single measures to search for missing persons.</p> <p>6. Disappearance communications may be made:</p> <ul style="list-style-type: none"> • on site to any police authority; • through e-government portals: <ul style="list-style-type: none"> ○ Criminal Police’s electronic complaint system- https://qe.pj.pt/login; ○ Ministry of Home Affairs electronic complaint system - https://queixaselectronicas.mai.gov.pt/; • telephonically, through the national emergency number (112)
	<p>EMN NCP Slovakia</p>	<p>Yes</p>	<p>1. No.</p> <p>2. In case the apprehended person attempts to abscond from the facility, the Police forces from the detention facility consisting of duty officers apply all the measures to prevent the detainee from absconding. If they fail to do so and the detainee absconds, a search for a person shall be immediately declared through the operations centre of the Police Force. A person is searched for in cooperation with other district or regional territorial units.</p> <p>In case the detainee attempts to abscond during the escorts outside of the detention facility, the escorting police officers shall try to apprehend the person. If the detainee absconds, the commander of</p>


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			<p>the escorts, through the operations centre of the Police Force, asks for assistance to search for an absconder through units operating within the regional or district territorial jurisdiction. In any other situation, the same procedure shall apply.</p> <p>3. The process of searching for persons is the activity of units of the Police Force and other units for the purpose of tracing persons. The so-called 'mechanism for searching for missing migrants' or the search mechanism for all missing persons in the territory of the Slovak Republic is implemented as follows: The search for missing persons starts with the receipt of the notification about the missing person at any Police Force Unit. On the basis of the notification received, a nationwide and international search is immediately declared by entering data on the missing person into the relevant Police Force information system, which is currently the search for persons and the identity of found corpses - PATROS. It also informs all police patrols in the field of the notification received, provides checks on the missing person within their family, friends and acquaintances, in the facilities where the person could appear (bus and railway station, hospital, school facilities, catering facilities, etc.). If the person has a mobile phone, traffic and location data are collected from individual mobile operators. If necessary to search for a larger field, search actions are carried out in the presence of more police officers, service dogs, special techniques. The search for a person is also published in mass media (Crimi newspapers, state TV search session, Facebook, regional press). The organisation, coordination and control of the execution of the search within their territorial scope are carried out by the relevant criminal police departments of the District Directorate of the Police Force or of the Criminal Police Department of the Regional Police Directorate.</p> <p>4. See the response in Q.2. Moreover, the Foreign Police is also engaged through the search in the information system.</p> <p>5. Yes. The Police Force of the Slovak Republic may cooperate with various civil associations, other rescue services and citizens when searching for missing persons for the purpose of tracing them, using all forms and means of search. The decision on the invitation to participate in the search shall be taken by the commander of the search action or by a person authorised by the commander.</p>
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			<p>6. The missing person, regardless of whether the person is a minor or an adult, can be reported by any citizen, at any of the basic units of the Police Force, or at the emergency telephone number 158, where the citizen is instructed on how to proceed. The mechanism for reporting a missing person consists, in particular, in the immediate communication of all facts about the missing and related facts to the nearest Police Force Unit. When reporting the missing person, the reporting person is sufficiently and comprehensibly informed about the further procedures and actions in which he/she could assist in tracing the missing person. The content of the procedures and actions depends on the assessment of the current situation, with an emphasis on the assessment of the risk to the life and health of the missing person. The procedure for reporting a missing person, particularly with regard to the missing of children, is published on the website of the Ministry of the Interior of the Slovak Republic and also published through the press or television programmes.</p> <p>Therefore, as mentioned above, any Slovak citizen or a foreign national, a national of a Member State who is a third-country national, may lodge a notification of the disappearance of a person. However, it should be noted that an offence may be committed by a foreign national, in particular if he/she is staying in the territory of the Slovak Republic irregularly, has irregularly crossed the external border, or has committed a crime mentioned in the Penal Code, or a misdemeanor.</p>
	<p>EMN NCP Slovenia</p>	<p>Yes</p>	<p>1. No.</p> <p>2. The search for missing persons in Slovenia is regulated by the Police Tasks and Powers Act. Pursuant to the provisions of Article 4 of the Police Tasks and Powers Act, the Police is entrusted with the general task of protecting the life and personal safety of people and finding persons who are not necessarily connected with a criminal offense. Article 43 of this Act sets out powers of the Police in the event of a report of a missing person.</p> <p>Under this law, the police may publish photographs of missing/wanted persons in the media. The basic information about the missing person, the general circumstances of the missing person and the photo of the missing person are also published by the Police on the missing persons website.</p>


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			<p>The search is regulated by the Instructions on issuing warrants and searching for persons and the Guidelines for the Work of the Police in the Field of Searching for Persons.</p> <p>3. Police.</p> <p>4. Police is the migration authority in Slovenia.</p> <p>5. Slovenian Red Cross Tracing Service is also authorized to conduct inquiries about missing relatives.</p> <p>6. The disappearance of a person can be reported by anyone at any Police station, at phone number 113 or at the toll-free anonymous telephone number, regardless of whether the applicant comes from a family, work or wider sociological environment of the missing person.</p>
	EMN NCP Spain	Yes	<p>1. No. For missing persons, no distinction is made regarding their migratory situation.</p> <p>2. For any person reported missing, procedures established by the State Secretariat for Security are applicable, including insertion in national, EU (SIS) and Interpol databases. For high risk cases they may involve activating a protocol for public communication, and specifically Alert Amber for minors. The National Missing Persons Centre (CNDES) coordinates these actions.</p> <p>3. All Spanish police authorities. Other authorities cooperate as well.</p> <p>4. All authorities cooperate. The migratory database is managed by the National Police, which is an authority directly responsible for the search of missing persons.</p> <p>5. YES. All external actors, including the public in general, are allowed to participate. The web page of the CNDES presents the open cases. Obviously, data protection rules do not allow making all information available public.</p>

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			6. Disappearances can be reported at any police station.
	EMN NCP Sweden	Yes	<p>1. No. However, if a migrant has no registered address, domicile or network in Sweden, it can obviously be harder or impossible for other people or public authorities to learn about / receive information that the migrant is missing.</p> <p>2. Not applicable.</p> <p>3. Primarily Swedish Police Authority. If needed, the Police can require assistance by other authorities, such as the Swedish Armed Forces.</p> <p>4. No.</p> <p>5. This is decided on a case by case basis. NGOs like "Missing People" can be involved if a physical search is conducted.</p> <p>6. No. But information on missing persons can be given anonymously.</p>
