

Missing Children and the European Union

A key objective of the European Union (EU) is to protect and promote children's rights. With increased freedom of movement and the reduction of border controls within mainland Europe, the issue of missing children requires a European wide approach to ensure that provisions are in place to help safeguard them from harm.

The EU's approach to children's rights

The EU uses the [UN Convention of the Rights of the Child \(UNCRC\)](#) – which all EU Member States have ratified – as a framework through which to approach law and policy relating to children. It also has additional tools to help the European Commission further “protect, promote and fulfil the rights of the child” (EC, 2012). This includes the Charter of the Fundamental Rights of the EU (2009) which states a child's right to protection, and makes a child's best interest a key focus of state authorities.

The EU and missing children

The EU defines vulnerable children as those who lack opportunities, access to services or experience violence and abuse. Missing children are one group which falls under this category; others that are linked to the issue of 'missing' include victims of child sexual exploitation (CSE) and trafficking, child refugees and unaccompanied children. The health, well-being and lives of these children can be at risk.

There are a number of relevant EU treaties, charters, directives and policies which look at missing children. The EU Agenda for the Rights of the Child (2011) ensures that future policies are “designed, implemented and monitored taking into account the principle of the best interests of the child” (2011:13), and highlights two aims of the EU relating to missing children: the pan European number for missing children and the child alert mechanism. There are further provisions that look at particular aspects of the 'missing' issue, including trafficking and CSE.

116 000 – pan-European hotline for missing children

116 000 is the European-wide hotline number for parents to call when a child is missing. The hotline is one outcome of the European Commission decision (2007/116/EC) to reserve numbers starting with 116 for services of 'social value'. The purpose of this is to provide a set of common, free hotlines available across the EU for people in need.

Launched on International Missing Children's Day 2009, the 116 000 hotline so far operates in 22 European countries, providing support through linking families to a national specialised organisation; Missing People provides this service in the UK. It is a priority of the EU to support the implementation of the hotline across all Member States.

Child alert mechanism

The child alert mechanism rapidly broadcasts information to the public about children who have gone missing in worrying circumstances and child abductions, by way of seeking assistance in resolving these cases. This information is provided through available electronic mediums, including media channels, electronic advertising, emails and SMS.

The EU's aim is to establish the alert mechanism across all Member States (it is currently operational in 11 member countries, including the UK), with cross-border interoperability, to help find missing children and to make it easier to resolve cases where missing or abducted children cross borders.

The Treaty of Lisbon (2007) – Trafficking

Human trafficking is a criminal activity within the EU and is closely linked with the missing issue, as victims of trafficking can be seen as missing by those they leave behind, or can be at risk of going missing once trafficked. This area is considered by the Treaty of Lisbon, which introduced the protection of children's rights as a key obligation of the EU; Article 2 states the EU "shall promote...the protection of the rights of the child" within the Union and in its relationship with the wider world (2007:11).

Article 63 of the Treaty states the EU shall aim to combat trafficking, particularly of children, through the development of a common immigration policy which will ensure "the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings" (2007: 62). Article 69b states the need for judicial and police cooperation across Europe in cases of serious, cross border crimes such as trafficking and sexual exploitation of children.

Directive 2011/92/EU on combating the sexual abuse and sexual exploitation of children and child pornography

Child sexual exploitation (CSE) can be defined as "exploitative situations, contexts and relationships where young people...receive something...as a result of...sexual activities." The perpetrator has power over the child or young person "by virtue of their age, gender, intellect, physical strength and/or economic or other resources" and violence and coercion are common (DoSFC, 2009:9). Research has shown that both children experiencing sexual exploitation are at a greater risk of going missing, and CSE is a risk factor children face when they are missing (Sharp, 2012).

EU Directive 2011/92/EU looks to establish minimum standards for Member States in addressing this area. It criminalises the specific act of soliciting a child for sexual purposes – also known as grooming – (Article 6), ensures criminal investigations and proceedings of CSE protects victims (Article 20), and aims to prevent child sex tourism by extending jurisdiction so EU perpetrators of CSE face prosecution where ever their crime may take place (Article 17).

References

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