



AD HOC QUERY ON 2022.26 EMN Ad-Hoc Query on guidance and well-being of unaccompanied minors with co-existing problems and without residence permit

Requested by Hanna van der Linden on 12 May 2022

Compilation produced on 2 August 2022

Responses from Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Slovakia, Slovenia, Spain, Sweden (23 in Total)

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1. Background information

The Dutch government is looking for ways to match the reception, guidance and care provided to a specific group of UAMs to their specific needs. This group is composed of UAMs who have little perspective of receiving a residence permit after an asylum application or who do not apply for asylum at all and who have co-existing problems such as mental health issues, substance use/addiction, and/or pose behavioural problems inside or outside the accommodation facilities, and travel between EU-countries without residence permit.

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There are indications that they arrive with especially economic motives and/or come from safe countries of origin. The group has the following additional characteristics:

- Some do not apply for asylum, however in the Netherlands they are sheltered together with those who did apply for asylum;
- Some present themselves as minors although they might be older than 18 years old (false minors);
- There are indications (e.g. from supervisors in the accommodation facilities), that they are particularly vulnerable as they struggle with co-existing problems, such as mental health issues and/or substance use/addiction;
- Some pose behavioural problems that cause incidents ranging from (serious) breaches of the rules of the accommodation facility, (seriously) violent behaviour ranging from verbal or non-verbal aggression and violence towards other residents or employees or (threatening with) self-destructive behaviour. Such incidents may also take place in the public sphere (e.g. in the form of theft in a supermarket or causing trouble in public transportation);
- There are worries of involvement in criminal networks and/or being exploited by these networks;
- Many disappear off the radar after staying a (relatively short) period in the accommodation facilities or shortly before they become 18 years old.

Evidence shows that some move around in different EU-countries without a residence permit (nomadic UAMs).

With this query, the Dutch government would like to get insight into the experiences of other EU-countries regarding the reception and supervision of this specific group of UAMs.

This ad-hoc query has been clear with the co-chair of the ad-hoc query working group and it was decided that even though there are 12 questions (13 questions due to the structure of the template in the AHQ tool system) it will be launched as one questionnaire so there will not be two different ad-hoc queries circulating at the same time on the same subject. However, for reporting purposes it will count as **two ad-hoc queries**.

Note: if your Member State already provided an answer in a previous query (e.g. AHQ 2021.9 or 2021.63) that is applicable to a question of this query, please refer to that previous query.

2. Questions

1. Is your Member State confronted by the issue of UAMs who have little perspective of receiving a residence permit after an asylum application and/or who do not apply for asylum at all within the last three years?

Available choices: Yes, No

2. If YES, please choose one of the following options:

Available choices: confronted with UAMs with little perspective of receiving a residence permit after an asylum application, confronted with UAMs who do not apply for asylum, confronted with both groups

3. If you answered YES to Question 1, do you have indications that the UAMs who have little perspective of receiving a residence permit after an asylum application or who do not apply for asylum at all travel between EU-Member States without a residence permit?

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- 4. If you answered YES to Question 3, can you please indicate which nationalities of UAMs this mostly concerns?**
- 5. If you answered YES to Question 3, is there any information available in your Member State regarding why these UAMs arrive in your Member State and why they later leave your Member State for another?**
- 6. If you answered YES to Question 3, does your Member State have information from which Member States these UAMs arrive and to which Member State they later leave?**
- 7. If you answered YES to Question 3, can you give an indication of the size of this group (e.g. relatively large or relatively small)? (please note that this question does not ask for exact numbers but for an estimation).**
- 8. If you answered question 7, can you indicate if the size of this group increased or decreased during the last three years? (please note that this question does not ask for exact numbers but for an estimation).**
- 9. If you answered YES to Question 3, has your Member State detected mental health issues, substance use/addiction, or behavioural problems among this group?**
Available choices: Yes, No
- 10. If you answered YES to Question 9, can you please explain which mental/behavioural/addiction problems have been detected within this group?**
- 11. Does your Member State provide specific guidance (including education and vocational training) and care to the target group as defined in Question 9 (UAMs who have little perspective of receiving a residence permit after an asylum application or who do not apply for asylum at all and have mental health issues, behavioural problems, and/or substance use/addiction), both inside and outside the asylum/migration/(child) protection system? YES/NO. If YES, please explain what kind of guidance is provided to UAMs experiencing these issues. In your answer, if applicable, please differentiate between UAMs who have applied for asylum and those who have not. If available, please provide references and/or digital copies of the sources of this information, including studies in your native language(s).**
- 12. If your Member State has any information or evaluation studies available regarding the results and/or challenges of the guidance and care as explained in Question 11, please provide the source of this information, and if available provide references and/or digital copies of the sources of this information (including studies in your native language).**
- 13. Are there any indications in your Member State that the group of UAMs as defined in Question 3 (UAMs who have little perspective of receiving a residence permit after an asylum application or who do not apply for asylum at all and travel between EU Member States without a residence**

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permit) are involved in criminal networks (and possibly being exploited)? YES/NO. If YES, can you please indicate whether your Member State has taken any measures to tackle this issue (i.e. prevention measures or increased monitoring)? Please provide references of relevant sources.

We would very much appreciate your responses by **23 June 2022**.

3. Responses

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| | | Wider Dissemination ² | |
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|  | EMN NCP Austria | Yes | <p>1. In the absence of relevant statistics, this question and the follow-up questions cannot be answered.--- Source: Ministry of the Interior</p> <p>2. In the absence of relevant statistics, this question and the follow-up questions cannot be answered.--- Source: Ministry of the Interior</p> <p>3. n/a ---</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>Source: Ministry of the Interior</p> <p>4. n/a ---</p> <p>Source: Ministry of the Interior</p> <p>5. n/a ---</p> <p>Source: Ministry of the Interior</p> <p>6. n/a ---</p> <p>Source: Ministry of the Interior</p> <p>7. n/a ---</p> <p>Source: Ministry of the Interior</p> <p>8. n/a ---</p> <p>Source: Ministry of the Interior</p> <p>9.</p> <p>10. n/a ---</p> <p>Source: Ministry of the Interior</p> <p>11. n/a ---</p> <p>Source: Ministry of the Interior</p> |
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| | | | <p>12. n/a --- Source: Ministry of the Interior</p> <p>13. n/a --- Source: Ministry of the Interior</p> |
|  | EMN NCP Belgium | Yes | <p>1. Yes</p> <p>2. confronted with both groups</p> <p>3. There are many disappearances in the group of minors that does not apply for asylum. From January 2021 till May 2022, 322 minors^[1] that did not apply for asylum but were offered a place in a reception centre, disappeared. In 2020, 583 UAMs disappeared. In 2019, 1072 UAMs disappeared. In 2018, 987 UAMs disappeared. Some of them might stay in Belgium, but it is very plausible that at least an amount of them travels onwards to other countries. Please note, that on this phenomenon, the research collective Lost in Europe^[2] has provided interesting results (making use of amongst others EMN data).</p> <p>A significant amount of asylum seekers arriving in Belgium, has fingerprints from a passage in another EU member state. In 2019 45,54% of the people applying for asylum had fingerprints in another EU member state^[3], which brings us to a total of 6179 persons. It is not clear if these numbers are applicable to the minors as well, but there is no reason to assume the opposite. It is also not clear if the reason of their travels has to do with the (little) perspective of receiving a residence permit. Of the 6179 asylum seekers with an Eurodac-HIT, 782 already received protection in another EU member state.</p> <p>^[1] Numbers provided by Fedasil, the federal agency for the reception of asylum applicants. The</p> |

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| | | | <p>Guardianship service as well as Child Focus also keep track of disappearances among UAMs, but we have not yet received their input at the time of writing.</p> <p>[2] https://lostineurope.eu/</p> <p>[3] Jaarrapport 2020.pdf (ibz.be)</p> <p>4.</p> <p>For the first group, it concerns mainly minors of Algerian and Moroccan nationality. Belgium does not ask returns to prior countries for minors, so there are no statistics available for the group of unaccompanied minors. However, the top 5 nationalities (for adults) that has Eurodac-HITs in Belgium and for which Belgium asked for a return to a prior country have the following nationalities:</p> <ol style="list-style-type: none">1. Afghanistan2. Eritrea3. Syria4. Guinea5. Moldova <p>5. No</p> <p>6.</p> <p>There are no statistics for the UAM. Adults were in 2020 mostly arriving from the following member states (and there is no reason to assume it would be different for the UAMs):</p> <ol style="list-style-type: none">1. Germany2. France3. Italy4. Spain5. Netherlands <p>Most questions to takeover adult asylum seekers were asked the following countries (2020):</p> <ol style="list-style-type: none">1. France2. Germany |
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| | | | <p>3. UK 4. Netherlands 5. Greece</p> <p>Presumably, considering that Belgium is often a transit country on the way to the United Kingdom, many UAMs try to cross (sometimes via France) to the United Kingdom.</p> <p>7. The estimation is that about half of the UAMs has been in another Member State before their arrival in Belgium (based on the statistics available for adults).</p> <p>8. Presumably, it decreased in 2020 due to the impact of the covid measures, but overall this group seems to be rising.</p> <p>9. Yes</p> <p>10. Within the group of non-asylum seekers, the group with mostly Moroccan or Algerian nationality, we can identify an addiction problem.</p> <p>11. Before the covid pandemic and its subsequent measures, there were two projects running called 'My Future'.^[1] The projects were developed to check with UAMs which possibilities they had left and what would be the most sustainable solution for them. The UAMs sent to participate in these projects were mostly asylum seekers with a negative answer on their asylum application. In the project, they could also follow at a local school a 12 week program in certain sectors like kitchen work, care work, carpentry, etc. to build on their existing skills. At the moment, the projects are on hold.</p> <p>UAMs in an asylum procedure, experiencing mental health issues, can also enter within Solentra vzw, an organisation set up specifically to help young migrants deal with trauma.^[2]</p> |
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| | | | <p>Furthermore, see BE response on AHQ 2021.63 considering 'Time Outs' for minors.</p> <p>[1] See https://www.fedasil.be/nl/asiel-belgie/minderjarigen/niet-begeleide-minderjarige-vreemdelingen-nbmvy (3e fase) for more information on this.</p> <p>[2] https://www.solentra.be/en/</p> <p>12. /</p> <p>13. Yes. The Children's Rights Commissioner wrote a recommendation in 2020 to the Federal Parliament of Belgium. There are propositions for projects to put those recommendations into practice. It is not possible to provide references or sources since we are only in the phase of propositions. There is nothing concrete yet. Furthermore, after the research collective Lost in Europe published its findings (including about missing UAMs in Belgium) and the risks they run to fall prey to criminal networks and/or human trafficking, the State Secretary for Asylum and Migration reacted that there is a need to provide a better framework for UAMs. In the past, a taskforce was active, but to revive this taskforce and make its range of acting a bit wider, regional governments were included[1].</p> <p>[1] https://www.standaard.be/cnt/dmf20210416_97840158</p> |
|  | <p>EMN NCP Bulgaria</p> | <p>Yes</p> | <p>1. Yes</p> <p>2. confronted with both groups</p> <p>3.</p> |

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| | | | <p>Yes, Bulgaria is perceived as a transit country for unaccompanied minors. They do not have travel documents/residence permits. Their final destination is the Central and Western European countries.</p> <p>4. Afghanistan, Syria</p> <p>5. Bulgaria is perceived as a transit country for unaccompanied minors. During the interviews they say that their final destination is the Central and Western European countries, most often Germany.</p> <p>6. Most of the unaccompanied minors arrive from Afghanistan and Syria. They illegally enter the territory of Bulgaria mainly from Turkey and Greece. The main purpose is transit through Bulgaria to the Central and Western European countries. The most desired final destination is Germany.</p> <p>7. In 2021, the unaccompanied minors who sought international protection were 3172. The unaccompanied minors who came from Afghanistan were 2603, from Syria – 463, from Iraq – 39, and from Pakistan – 38. During the period 01.01.2020 – 31.12.2020, a total of 799 unaccompanied minors and under-age applied for international protection in Bulgaria. 56 of them were minors, and 743 were under-age. 789 minors were males and 10 were females. For comparison, in 2019 the number of the unaccompanied minors was 524, as the increase was nearly 53%.</p> <p>8. Over the past three years, the number of the unaccompanied minors seeking international protection has been increasing. For comparison, the number of the unaccompanied minors in 2020 was 799, and in 2021 was 3172. The increase is almost four times.</p> |
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| | | | <p>9. Yes</p> <p>10. There are cases of aggressive behavior – physical harassment towards other accommodated persons.</p> <p>11. Guidance for working with children at risk is followed. However, a serious difficulty for conducting advisory work with this group of children is the language barrier, since the languages they use are extremely rare. One of the difficulties is the limited access to interpreters/translators from rare languages (Pashto, Urdu, Farsi, etc.). Another difficulty is the conduction of consulting work through a third party – interpreters/translator.</p> <p>12. No</p> <p>13. According to the national legislation, unaccompanied minors are children at risk. Protection and support measures are applied to them, as well as to all children on the territory of the country. They have access to all services for children at risk with the support of a social worker. The essential problem here is that the majority of the unaccompanied minors run away from the reception centers during the international protection procedure or residential services for children, as they continue to seek illegal channels to reach their final destination in a Central or Western European country. Unaccompanied minors are accommodated in reception centers or in residential services for children, which are under the supervision of employees of the relevant institution, social workers, representatives of non-governmental organizations, however there is a free regime of movement which facilitates them to run away. The number and behavior of the unaccompanied minors have not created significant public problems or violations of the public order in Bulgaria. However, the risk of their involvement in criminal groups or their abuse is significant, especially after they run away from the places of accommodation, when they remain outside the supervision and care of the institutions responsible for them.</p> |
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|  | <p>EMN NCP Croatia</p> | <p>Yes</p> | <p>1. No Centers for Social Welfare act in the protection of unaccompanied children and their best interests in accordance with the laws and the Protocol on the Treatment of Unaccompanied Children. The guardian of an unaccompanied child is obliged to inform the child in a timely manner about the importance of applying for international protection. During the approval process, the child is included in the education system and is provided with adequate Accommodation. An unaccompanied child who is staying illegally in the Republic of Croatia and has not expressed an intention, and an unaccompanied child who has not been granted an application for international protection or humanitarian stay, is issued a decision on return with a deadline for voluntary departure and a ban on leaving the accommodation address. handed over to the guardian. The guardian assesses whether voluntary departure is in accordance with the child's welfare and informs the competent CSW, when he assesses that the child's welfare is endangered by the return procedure, he can express an intention or request for humanitarian stay on behalf of the unaccompanied child in case the child is not granted international protection. We do not have information on how this category of unaccompanied children can participate in criminal networks. Social welfare centers and guardians are involved in protecting the rights and interests of the child until he or she leaves the Republic of Croatia.</p> <p>2.</p> <p>3. N/A.</p> <p>4. N/A.</p> <p>5. N/A.</p> <p>6. N/A.</p> <p>7. N/A.</p> <p>8. N/A.</p> <p>9.</p> |
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| | | | <p>10. N/A.</p> <p>11. N/A.</p> <p>12. N/A.</p> <p>13. N/A.</p> |
|  | <p>EMN NCP Cyprus</p> | <p>Yes</p> | <p>1. No</p> <p>2.</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p> <p>6. N/A</p> <p>7. N/A</p> <p>8. N/A</p> <p>9.</p> <p>10. N/A</p> |

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| | | | <p>11. N/A</p> <p>12. N/A</p> <p>13. N/A</p> |
|  | <p>EMN NCP Czech Republic</p> | <p>Yes</p> | <p>1. No</p> <p>2.</p> <p>3. The Czech Republic has this type of experience, but the persons traveling outside the Czech Republic to other member states do not leave the Czech Republic because of inability to obtain a residence permit, since all unaccompanied minors are entitled to a residence permit. Therefore, they cannot be in a position of unauthorized person. These secondary movements are more likely caused by joining other family members or wider communities.</p> <p>4. This concerns mostly unaccompanied minors from Afghanistan and Syria.</p> <p>5. The Czech Republic is not a target country for these unaccompanied minors, but only a transit country. The reason for leaving the Czech Republic is in most cases that the UAMs have family or friends in other member states of the EU. Another reason for leaving the Czech Republic may also be a job arranged in another EU member state.</p> <p>6. The travels of UAMS are long-term, usually through Romania, Bulgaria and Slovakia and their target</p> |


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| | | | <p>countries are usually Germany, Austria, France or Belgium.</p> <p>7. Considering the low number of UAMs in the Czech Republic, there are generally relatively small groups.</p> <p>8. The size of this group is still pretty much same.</p> <p>9. Yes</p> <p>10. Psychological problems have been detected in many (but not all) of the unaccompanied minors. Their problems are mostly tied to the traumas the UAMs had been witnessed and faced before and on their journey to the EU. Concerning behavioural problems, aggressiveness, bullying and cyberbullying have been detected. Addiction to tobacco, alcohol, marihuana, and rarely also other types of drugs have been noticed. The unaccompanied minors, arriving in the territory of the Czech Republic, suffer from many of above-mentioned problems. Therefore, there are psychotherapists present in the Facility of Children of Foreign nationals and if necessary, services of external experts are arranged to help and prevent these problems.</p> <p>11. Unaccompanied minors who arrive at the territory of the Czech Republic are placed in a Facility for Children of Foreign Nationals. In the Facility, every UAM is provided with special care irrespective of whether he/she applies for international protection. All of them are provided legal counselling, social worker services, psychological and psychotherapeutic services or medical services. According to individual needs, it is possible to use experts directly employed by the Facility or to arrange the service of external experts.</p> <p>12. No evaluation studies have been made. The results of work with individual clients are written down in</p> |
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| | | | <p>the final report on each client after the end of the diagnostic stay and further developed is written down as a part of his individual personality development plan.</p> <p>13. YES</p> <p>If there is any suspicion of human trafficking, exploitation or connection to organized crime, the Facility for Children of Foreign Nationals closely cooperates with the Police of the Czech Republic, the Foreign Police or external experts.</p> |
|  | <p>EMN NCP Estonia</p> | <p>Yes</p> | <p>1. No</p> <p>2.</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p> <p>6. N/A</p> <p>7. N/A</p> <p>8. N/A</p> <p>9.</p> <p>10. N/A</p> |

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| | | | <p>11. N/A. Estonia has not been confronted by the issue of UAMs who have little perspective of receiving a residence permit after an asylum application and/or who do not apply for asylum at all within the last three years</p> <p>12. N/A</p> <p>13. N/A. Estonia has not been confronted by the issue of UAMs who have little perspective of receiving a residence permit after an asylum application and/or who do not apply for asylum at all within the last three years</p> |
|  | EMN NCP Finland | Yes | <p>1. No</p> <p>2.</p> <p>3. N/A. Finland has not been confronted by the issue of UAMs who have little perspective of receiving a residence permit after an asylum application and/or who do not apply for asylum at all within the last three years. Most unaccompanied migrant minors apply for asylum shortly after they arrive Finland. Unaccompanied minors are usually granted international protection or residence permit on other grounds. We haven't issued any return decisions for minors (at the time of return) in 2020, 2021 or 2022. In 2019 there were two Dublin-returns. The number of absconds is also low.</p> <p>4. N/A. Cannot give this information as there have been only 2 Dublin-returns.</p> <p>5. N/A</p> <p>6. N/A.</p> <p>7. Extremely small/none.</p> |


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| | | | <p>8. N/A (decreased from two in 2019 to none)</p> <p>9.</p> <p>10. N/A</p> <p>11. Finland has not been confronted by the issue of UAMs who have little perspective of receiving a residence permit after an asylum application and/or who do not apply for asylum at all within the last three years. All minors, who are registered at reception centres, have the right to a wide range of social and other services and have the right to go to school. Effort is put into detecting vulnerabilities and if any vulnerability is detected, the minor is forwarded to relevant support services. Should there be any UAMs, who are not registered at a reception centre (and have no residence permit), then the municipality is responsible for offering guidance and services for them. However, we are not aware of such cases.</p> <p>12. N/A.</p> <p>13. Finland has not been confronted by the issue of UAMs who have little perspective of receiving a residence permit after an asylum application and/or who do not apply for asylum at all within the last three years. Finland has not issued any return decisions for minors (at the time of return) in the past three years (apart from 2 Dublin returns in 2019). Also extended permits are given to practically all minors (when they are still minors), even if they have committed crimes. Should there be heavy reasons for deportation based on the person representing a threat to public order and security, then deportation is assessed and we try to reach the parents of the UAM, in order to ensure that the minor is returned to a family member or a guardian and that the reception conditions are adequate as per Art. 10 of the Return Directive (2008/115/EC). However, extremely rarely can we get in contact with the parents/guardians, and as we cannot ensure that the reception conditions are adequate, we thus issue the extended permit. The National Assistance System for Victims of Human Trafficking has not received applications or had as clients any UAMs, who have been involved in criminal networks (or possibly being exploited).</p> |
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|  | <p>EMN NCP France</p> | <p>Yes</p> | <p>1. No No. Unaccompanied minors fall within the scope of child welfare measures as defined in Article L. 112-3 of the Code on Social Action and Families (Code de l'action sociale et des familles - CASF), which makes no distinction on the grounds of nationality but is based on the criteria of being a minor and in a dangerous situation. As regards caring for unaccompanied minors, it should be noted that French law is based on the fact that these children have the right to be protected. When a third country national has been recognised as a minor and unaccompanied, they are covered by common law on child welfare, enabling them to be cared for and provided with social, educational, and legal protection until they reach the age of 18. The protection of unaccompanied minors falls within the remit of the Child Welfare Services (Aide sociale à l'enfance - ASE) within the Departmental Councils, pursuant to Articles 112-3 and 112-4 of the Code on Social Action and Families. As minors, unaccompanied minors are not required to hold a residence permit. Before their 18th birthday, the unaccompanied minor has therefore to apply for a residence permit. Several departments informed the Mission for Unaccompanied Minors (Mission Mineurs Non Accompagnés - MMNA) that they were faced with refusals to regularise the majority of young people taken over by the Child Welfare Services. The reasons given include the fact that young people have not succeeded in obtaining original and/or authenticated civil status documents by the French authorities in order to prove their identity. Relating to asylum, UAMs may be granted international protection (refugee or subsidiary protection status), regardless of age. Few UAMs apply for asylum in France. The Mission for Unaccompanied Minors notes, in particular, a lack of knowledge of the departmental councils on the subject. Thus, young people are not always offered asylum applications, although they could be protected as such. In addition, the administrative steps to be taken are cumbersome and do not constitute a priority for young people, who are effectively protected by the Child Welfare Services as an UAM. Once they reach the age of majority, UAMs will have to hold a residence permit in order to reside legally on French territory. In that regard, in order to avoid the loss of rights when they reach the age of majority and to limit the number of UAMs without a residence permit, Article 16 of the Law of 7 February 2022 on the protection of children provides that such minors are to receive support from the child welfare services in their procedures for obtaining a residence permit by their majority or, where appropriate, with a view to applying for asylum.</p> <p>2. There is no distinction between UAMs with or without an asylum application. As minors,</p> |
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| | | | <p>unaccompanied minors are not required to hold a residence permit. Unaccompanied minors applying for asylum are in the care of the child welfare services (ASE) and are accommodated in the same facilities as other unaccompanied minors, under the child protection scheme.</p> <p>3. As minors, unaccompanied minors are not required to hold a residence permit. For a few years, young minors in errance have appeared in France, for example the 'Young Moroccans of the Goutte d'or' in the 18th arrondissement of Paris. This group is described as being very young, extremely excluded, marginalised and suffering from various addictions. Those responsible for child welfare stress how difficult it is to approach these young people, who refuse any form of protection. It is a volatile group both in France and on a European level (people may have passed through different cities in France and different European countries).</p> <p>Violent groups of young people are also reported in Rennes, Brest or Bordeaux. However, it is difficult to identify specific cities as they evolve. These minors are very mobile throughout French territory (Paris, Marseille, Lille Lyon), but also European territory (Italy, Spain, Sweden) and use many aliases making their identification particularly difficult. It seems likely that many of these young people are actually identified several times but under different identities.</p> <p>With regard to UAMs likely to go to another European country, it should be noted that under the scheme for the relocation of UAMs from Greece, the majority of young people who have fled (around forty out of 502 young people) travelled to Germany, most of the time to join their family members.</p> <p>4. Young people in errance, or even in conflict with the law, come mainly from the Maghreb countries, in particular Algeria. Although they declare themselves to be minors, after identification, where possible, a large proportion of them are in fact over 18 years old.</p> <p>5. These young people are likely to be under the control of human trafficking networks. Moreover, these young people are very mobile in order to escape criminal penalties. As regards UAMS relocated from Greece, these young people who left France for Germany were unable to obtain direct guidance from Greece to Germany and wished to join relatives residing in that other State.</p> |
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| | | | <p>6. See Q3 and Q5. UAMs which are involved in drug trafficking (mules) are returning to Belgium and the Netherlands. Young people also travel regularly between France and Spain with a view to regularising their case.</p> <p>7. See Q3 and Q5. It seems difficult to give an estimate because these young people are difficult to identify because of the aliases used. In view of the influx of UAMs, they represent a small proportion because most of the UAMs are willing to integrate.</p> <p>8. The phenomenon seems to have grown in some cities in recent years: Rennes, Lille, Toulouse, for example. By contrast, the number of UAMs in errance decreased in Bordeaux or Montpellier.</p> <p>9. Yes These minors, often without child protection care, live in squats in precarious conditions that are dangerous to their health and safety. Mostly poly addicts, their health situation is degraded. They violate public order and are themselves victims of violence and under the control of networks, forcing them to commit crimes.</p> <p>10. The vast majority of crimes committed by foreign minors or persons presenting themselves as such are not the result of UAMs in the care of the child welfare services (Aide sociale à l'enfance - ASE) — of which only 5 to 10 % are subject to criminal measures (15 % in Paris) — but rather of 'young people in errance' with a distinct sociological profile. These young people are on average older than the UAMs under the care of the ASE, with a high proportion of young people who are in fact major, and come mainly from North African countries. Most importantly, they are often not supported by the ASE and do not form part of any integration pathway. The population of young people in errance is also characterised by a marked vulnerability, including frequent addiction to illicit psychotropic substances.(Source: Senate, Information report on Unaccompanied Minors, Young people in errance: 40 proposals for a national policy, 29 September 2021). There is also an addiction to medicinal substances, often provided by THB networks to inhibit young people. These psychological disorders can lead to violent behaviour, white-weapon attacks and/or self-</p> |
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| | | | <p>aggressive violence (mostly scarifications) and suicide attempts, particularly in prison. The majority of these young people in errance are Moroccan and Algerian. They are between 10 and 17 years old. Most are boys, but this also affects girls. They do not have a known major contact point in the territory. They are subject to multiple addiction (cannabis, medicines, alcohol, tobacco, ecstasy, etc.) and some engage in crime activities intensively (mainly burglary and theft). (Source : http://contrelatraitement.org/mineurs_errance)</p> <p>In addition to this, the trafficking of cigarettes and drugs.</p> <p>Young people in errance or even conflict with the law come mainly from the Maghreb countries. Although they claim to be minors, most of them would be young adults after identification. Thanks to cooperation with the Moroccan authorities, the identification of these UAMs in errance has shown that most of the young people claiming to be Moroccan were in fact Algerian.</p> <p>11.</p> <p>In order to respond to these problems, innovative and multi-partnership schemes that are more suited to these young people in errance have been created in different regions: mobile teams made up of health and youth workers or joint experimental monitoring between the Child Welfare Services and the Judicial Protection of Young People for the reception of 'transgressors', low-threshold reception areas and street maraudes, etc.</p> <p>The note of 5 September 2018 on the care of UAMs subject to criminal proceedings aims to address three major challenges:</p> <ul style="list-style-type: none">- The appointment of a legal representative;- Better coordination between the various actors involved in child protection (joint civil and criminal monitoring);- The assessment of minority and isolation in a criminal context. <p>In response to the phenomenon of stray Moroccan UAMs, cooperation measures were launched in 2019 between the French and Moroccan Ministries of Justice and Interior. Work has been carried out on the identification of these young people and the tracing of their families in Morocco, and a procedure for taking care of Moroccan UAMs has been drawn up. This constant legal document sets out the arrangements for organising returns and placements in families or institutions which may be envisaged by the juvenile court if justified by the best interests of the child. (Source : annual report 2020, Mission for Unaccompanied Minors, Directorate for Judicial Protection of Young People, Ministry of Justice).</p> |
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| | | | <p>12. Not applicable.</p> <p>13. Yes. Although the work of the rapporteurs did not reveal a possible influence on organised international channels on young people in errance, they revealed that more experienced offenders had been held over the youngest. In Bordeaux, for example, young people in errance are identified and recruited as soon as they arrive at the station by local offenders. (Source: Senate, Information report on Unaccompanied Minors, Young people in errance: 40 proposals for a national policy, 29 September 2021)</p> <p>The judicial court in Bordeaux testifies to a genuine involvement of the judicial institution in the management of the criminal proceedings of the UAMs, in conjunction with the department's partners. Beyond the jurisdiction, in September 2019 the Bordeaux police station set up an ad hoc investigation unit dedicated to dealing with offences committed by persons who appear to be minors and unaccompanied, in order to develop expertise in identifying individuals and their operators. The Directorate for Judicial Protection of Young People, with the help of the Don Bosco Institute, is experimenting the reception in Social Children's Home (Maison d'Enfance à Caractère Social) for unaccompanied minors who are the subject of criminal proceedings in order to meet their specific needs in terms of integration and care.</p> <p>Bordeaux is not an isolated example: other jurisdictions have also mobilised to respond to this phenomenon. In Paris, an open local education service is entirely dedicated to the care of unaccompanied minors and the daily educational unit has set up projects specifically designed for these teenagers. In Lille, an experimental reception project for unaccompanied minors in conflict with the law is expected to be launched very soon.</p> |
|  | <p>EMN NCP Germany</p> | <p>Yes</p> | <p>1. No information available</p> <p>2. n/a</p> |


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| | | | <p>3. n/a</p> <p>4. n/a</p> <p>5. n/a</p> <p>6. n/a</p> <p>7. n/a</p> <p>8. n/a</p> <p>9. n/a</p> <p>10. n/a</p> <p>11. no information available</p> <p>12. There are no studies matching precisely the above described characteristics. However, there are studies - especially by Scherr and Breit (see below for more details) - that deal with the specific risks of young refugees with self-harming and other-damaging behaviour (psychological problems) and give recommendations for action to improve integration opportunities. The EMN Study on UAM provides general information on the procedures concerning UAMs and is available here: https://www.bamf.de/SharedDocs/Anlagen/DE/EMN/Studien/wp80-unbegleitete-minderjaehrige.pdf?__blob=publicationFile&v=18 The researchers Thomas/Sauer/Zalewski look at social spaces of everyday life of UAM. Although they examine UAM in general and not in the scope of the question. They discuss the circumstances and consequences for UAM in the current youth welfare system (https://doi.org/10.14361/9783839443842).</p> <ul style="list-style-type: none"> • Scherr, Albrecht/Breit, Helen (2021): Junge Geflüchtete gesellschaftlich integrieren. |
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| | | | <p>Konzeptionelle Anforderungen an Unterstützungsmaßnahmen. In: Sozial Extra 1, S. 53–59-</p> <ul style="list-style-type: none"> Scherr, Albrecht/Breit, Helen (2021): Gescheiterte junge Flüchtlinge? Abschlussbericht des Forschungsprojekts zu Problemlagen und zum Unterstützungsbedarf junger männlicher Geflüchteter in Baden-Württemberg. Pädagogische Hochschule Freiburg. <p>Other sources of interest could be.</p> <ul style="list-style-type: none"> Annual report on UAM for 2020, prepared by the Federal Ministry for Women, Elderly, Family and Youth, published in July 2021. Scholaske, Laura & Kronenbitter, Lara (2021): Subjektive Perspektiven und Lebenslagen von unbegleiteten Minderjährigen Geflüchteten und jungen Volljährigen in Deutschland. DeZIM. cdr_uma-bericht-2020-bmfsfj.pdf <p>13. no information available</p> |
|  | <p>EMN NCP Greece</p> | <p>Yes</p> | <p>1. Yes clarification_to_question_1.docx</p> <p>2. confronted with UAMs with little perspective of receiving a residence permit after an asylum application</p> <p>3. There are no official indications or data that could give an overview of those categories. Some indirect conclusions on the profile of all unaccompanied minors could be extracted from the data provided in the reply to question nr. 4.</p> <p>4. According to the data provided by the Greek Asylum Service, the majority of all unaccompanied minors registered during the past 3 years (period May 2019- May 2022) by the Greek Asylum Service come from Afghanistan, Pakistan, Bangladesh, Syria, Egypt, Somalia, Democratic Republic of the Congo and Iraq. Among the unaccompanied minors who applied for international protection, it emerges that most of</p> |

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| | | | <p>the <u>first instance decisions</u> issued during the period May 2019- May 2022 for unaccompanied minors were positive decisions granting refugee status (963 positive decisions out of a total of 1323 decisions).</p> <p>Moreover, among the 360 negative decisions issued during May 2019- May 2022, the majority of rejections concerned unaccompanied minors from Afghanistan, Democratic Republic of the Congo, Egypt, Guinea, Ghana, Somalia, Pakistan, Iraq and Syria. While minors from Afghanistan, Somalia, Syria, Democratic Republic of the Congo, Iraq, Palestinian National Authority, Guinea, Mali, Egypt and Gambia are, also, among the ones with the majority of positive decisions. Unfortunately, there are no available data on the reason for rejection or the granting of status. However, it could be observed that unaccompanied minors from Afghanistan, Democratic Republic of Congo, Egypt and Somalia could be granted status but could also receive a rejection on first instance on eligibility.</p> <p>It should be noted down that the majority among all unaccompanied minors whose application is declared inadmissible during the last 3 years as per the safe third country concept are unaccompanied minors from Pakistan. As far as second instance decisions are concerned, UAM from Pakistan are in the first place in rejections during the last 3 years, as well, based on the safe third country or safe country of origin concepts. The same applies for UAM from Pakistan for second instance decisions on eligibility in general.</p> <p>5. N/A</p> <p>6. N/A</p> <p>7. There are cases of UAMs for whom an interruption act is issued when the applicant doesn't show up on the date of the interview or the renewal date. The majority of interruption acts issued for cases of UAM concerns minors from Afghanistan, then Pakistan, Egypt, Syria, and Bangladesh.</p> <p>8. As per available data provided by the Greek Asylum Service (GAS) between May 2019-May 2022, 2059 withdrawals (interruption acts, archived, withdrawals) of applications for international protection - in total- lodged by UAMS have been recorded.</p> |
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| | | | <p>9. N/A clarification_to_question_9.docx</p> <p>10. N/A</p> <p>11. All UAMs are treated as minors first and foremost. According to the national legal framework (L. 4939/2022), all registered and identified unaccompanied minors are entitled to special treatment and care, such as accommodation, representation, legal & psychosocial support, educational activities, access to public education system and free access to national healthcare system. This protection framework with the support services is initiated during the reception and identification procedure and is continued while a minor is under the care of the national accommodation system for unaccompanied children until reaching the age of majority, regardless of his or her legal status. Therefore, all the minors enjoy the same services irrespective of their legal status and regardless their country of origin, until they reach adulthood. Even if the minors are from so-called safe-countries and/or their asylum claim is rejected and/or they are issued a return order, they still receive all the services of the national protection system as long as their return order is suspended and they stay legally in the country. While the implementation of the return order is postponed and until reaching the age of adulthood, the minor can be accommodated as mentioned above through the national accommodation scheme enjoying the child- appropriate special care and treatment suitable to his/ her protection needs and vulnerabilities. At this point it should be noted that the development of specialized rehabilitation and reintegration services for unaccompanied children with specific vulnerabilities, are included in the national strategy and plan (National Strategy for the Protection of Unaccompanied Minors). With regard to unaccompanied minors found to be victims of maltreatment, exploitation or torture, special reception conditions and assistance are foreseen already, and they are referred to special services. Also, the National Identification and Referral System for Victims of Trafficking is immediately notified when a trafficking victim is identified.</p> <p><u>Education</u> According to the national legislation, all minors, third country nationals or stateless persons have free access to public education. Asylum-seeking children are required by law to attend primary and</p> |
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| | | | <p>secondary school under the public education system under similar conditions as Greek nationals. Moreover, facilitations are foreseen to ensure their enrolment in school in case of incomplete documentation. Regulations about the teaching of the Greek language through Reception Classes and intercultural education were introduced, in order to safeguard the right of children to an education without discrimination and exclusion that promotes human rights and harmonious coexistence of all cultural groups. At the same time, the Integration and Support for Unaccompanied Minors Unit which is operating within the Special Secretariat, is coordinating various actions, some of the most significant being the support of all UAMs to have access to formal and non-formal education by facilitating their registration to school in coordination with the Ministry of Education and by providing online remedial education classes to children residing in accommodation facilities. Additionally, the Integration Unit is providing capacity building services and trainings to the educators of the accommodation facilities for them to efficiently support children's homework and provide consistency and assistance with the school's subjects. Furthermore, the Unit is working with the local communities and stakeholders in order to promote the engagement of minors in extra curriculum activities with their Greek peers that are taking place in each region, contributing to their smooth integration in the community. Finally, the Integration Unit created a platform recording children's enrolment and attendance to school in order to monitor the situation and provide support according to the needs and challenges that arise.</p> <p><u>Healthcare</u></p> <p>In case of emergency treatment, free access is provided to national health services and pharmaceutical treatment for persons without social insurance and vulnerable social groups, including all the minors. Minors with legal residence permit (temporary or permanent) are able to access health services either by having a Social Security Number (children with an international protection status) or by having a provisional social security and health care number (PAAYPA; for minors asylum applicants). Minors with whose asylum case has been rejected by the Greek authorities, and thus lack a legal status, still have access to full health care coverage for as long as they are minors and remain in the country (as their temporary social security number (PAAYPA) remains valid until their adulthood). Unregistered unaccompanied minors are granted a provisional security number exclusively for access to Covid 19 vaccination scheme, valid until their registration before the asylum service. At the same time, the Secretary Special for the Protection of Unaccompanied Minors is also collaborating closely with the Asylum Service to ensure that all unaccompanied minors who have not yet lodged their asylum claim before the Asylum Service are prioritized and thus are provided with the</p> |
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| | | | <p>provisional security number for asylum applicants (PAAYPE number) along with their asylum card. Finally, aiming to address mental health issues of unaccompanied children, the Secretary Special has developed a pilot project called “Mental Health Hub” which is providing support to professionals working in the accommodation facilities for minors, through counseling and trainings on psychosocial matters and psychosocial support to minors through trauma-focused interventions, resilience-building techniques, and stress relief activities. The project includes three levels of intervention that create a holistic approach to the mental health development of children exposed to trauma all of which are related and complementary to each other: mental health promotion, prevention, and treatment. Moreover, in what regards, the UAMs’ s access to international protection, the Greek Asylum Service has established and applies SOPs for the processing of international protection applications which include references for unaccompanied minors, specifying further the national legislation (Law no. 4939/2022, O.G.G. A’ 111/10-06-2022).</p> <p>In particular, unaccompanied minors above 15 years old have the right to submit an application for international protection on his/her behalf (art. 69 para. 12 Law 4939/2022) while unaccompanied minors below 15 years old lodge the application only through a guardian or representative (art. 69 para. 13 and 14, art. 80 Law 4939/2022). In case a guardian or representative has not been appointed at a previous stage, GAS (Greek Asylum Service) informs the Public Prosecutor for Minors or the closest Public Prosecutor’s Office of the appointment of a representative or guardian in writing. The UAM’s representative or guardian represents and assists the child in all judicial and administrative procedures and shall be informed by the competent authorities throughout the asylum procedure. In general, the responsible authority for initiating the procedure of appointing a guardian or representative to the unaccompanied minor and ensuring that his or her best interests are met at all times is the Special Secretariat for the Protection of Unaccompanied Minors of Ministry of Migration and Asylum (articles 64-66 Law 4939/2022). Also, the law provides a best interest of the child determination procedure and the principle of family unity (i.e. reception procedures, guardianship/representation, Dublin procedure, family reunification). The above-described procedure and the following analysis applies also to a child who is left unaccompanied after they have entered the Greek territory.</p> <p>Applications of UAMs below the age of 15 years old shall be examined according to the regular procedure. Exceptionally, applications of UAMs above 15 years old fall under the scope of the</p> |
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| | | | <p>accelerated and the fast-track border procedure.</p> <p>The Asylum Service is required by law to give applicants belonging to a vulnerable group (including minors in general and victims of trafficking) a reasonable amount of time to properly prepare and consult a legal or other counselor to assist them during the procedure, if the interview is scheduled in a short period of time (15 days from the lodging of the application).</p> <p>The Asylum Service should also take special care of providing an interpreter in the language requested by the applicant and, in particular in the case of presumed victims of trafficking, that both the caseworker and the interpreter belong to the gender of the applicant's choice. (e.g. female caseworker and interpreter for female applicant).</p> <p>According to the SOPs of the Asylum Service, before the beginning of the interview, the caseworker should ask the applicant if he / she feels physically and psychologically ready for the procedure. If the answer is no, the caseworker should investigate, with questions, the issue and consider postponing the interview or delaying its start or interviewing with frequent breaks.</p> <p>The GAS's officers responsible for the examination of the international protection application of an unaccompanied minor must have or receive appropriate training based on minors' needs, in line with their age and maturity, giving primary consideration to the best interests of the child.</p> <p>When the decision rejecting the application of international protection concerns an unaccompanied minor, the Foreigner's Temporary Insurance and Health Coverage Number (P.A.Y.P.A.) remains activated until the execution of the return decision or the coming of age of the unaccompanied minor (art. 59 para. 2 Law 4939/2022).</p> <p>It is noted that for unaccompanied minors outside the international protection procedure the competent authorities, i.e. Special Secretariat for the Protection of Unaccompanied Minors, Hellenic Police, Migration Office, should be consulted.</p> <p>12.</p> |
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| | | | <p>The Greek Asylum Service has not conducted any specialized research regarding unaccompanied minors. However, relevant information and reports can be found by other institutions/agencies:</p> <ul style="list-style-type: none">• National Referral Mechanism (NRM) for the Protection of Victims of Human Trafficking, Annual Report 2021, available at https://ekka.org.gr/images/KOINONIKON-PAREMBASEON/%CE%95%CE%9C%CE%91/NRM_REPORT_2021_eng.pdf• UNICEF in collaboration with the Greek National Centre for Social Solidarity (NCSS) publish periodical updated reports on the situation of Unaccompanied Children in Greece based on accommodation referrals sent to the Service for the Management for Accommodation Requests of Unaccompanied Minors, available at: https://ekka.org.gr/index.php/en/rolos-skopos-tou-ekka-en/statistika-en <p>13.</p> <p>Asylum case officers can detect minors who are presumed victims of trafficking in human beings or who are working for criminal networks during the performance of their duties.</p> <p>According to the SOPs of the Asylum Service, if there are indicators that the international protection applicant is a victim of trafficking, irrespective of his/her wish to make a complaint at that time, the caseworker <u>informs the applicant</u> that he / she can contact the National Referral Mechanism and the competent department of the Hellenic Police and / or Line 1109 which operates 24/7, and it is able to manage calls in almost all languages (https://1109.gr/) in order to submit the relevant complaint and receive protection.</p> <p>Additionally, the caseworkers of the Greek Asylum Service, in case there are indicators that the applicant is a victim of trafficking, either during the interview or at any stage of the international protection process, <u>fill in the National Referral Mechanism Report Form</u> and send it to the Focal Point of the Asylum Service for trafficking in human beings' issues (which is the Director of the Asylum Processes and Education Department).</p> <p>Then, irrespective of the applicant's wish to make a complaint, the caseworker <u>informs in writing the Head of RAO/ AU (Regional Asylum Office/ Asylum Unit)</u>, in accordance with the Regulation of the Asylum Service, in order to judge whether the Prosecutor should be informed about the commission of criminal acts. In case the applicant is a minor, a special effort must be made by the caseworker in order to file a complaint and accept the provision of protection. In any case a minor applicant is detected as a presumed victim of trafficking or involved in criminal networks, the Prosecutor for Minors</p> |
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| | | | <p>is informed to give his/ her consent and proceed with further actions, as well as the competent public services for the fight against trafficking in human beings.</p> <p><u>In case there are indicators that the applicant is a victim of trafficking and wishes to make a complaint, the caseworker immediately informs the Head of RAO/ AU or their Team Leader. Then, the Head of RAO/AU or the Team Leader inform the Focal Point of the Asylum Service for trafficking in si competent police authorities for the fight against trafficking in human beings (Department for Combating Trafficking in Human Beings of Attica Security Directorate or Thessaloniki Security Directorate or one of the 12 Anti-trafficking Units, which cover all the country in the Security Directorates of Arcadia, Achaia, Heraklion, Ioannina, Corfu, Serres, Kozani, Cyclades , Larissa, Lesvos, Rodopi and Fthiotida), as well as with organizations for the support of victims of trafficking in human beings: PRAKSIS (http://www.praksis.gr/el/) for Athens and A21 (http://www.a21.gr/) for Thessaloniki. After consultation with the above and depending on the most effective management of each case, representatives of both the competent services and the competent NGOs arrive at the Asylum Service to investigate the case and the will of the victim to file a complaint or to seek support.</u></p> <p>As far as the international protection procedure is concerned, caseworkers are being trained to be able to respond to both interviewing and assessing cases of minors as victims of trafficking in human beings or minors involved in criminal networks. There are, also, specific question and decision templates and guidelines to assist caseworkers in investigating such complicated cases, in conjunction with country-of-origin information (COI) support. Involvement in criminal networks could raise exclusion grounds while trafficking in human beings may, on a case-by-case basis, be the reason for prosecution / risk of serious harm. The personal circumstances will be investigated through the interview to check whether they lead to the granting of international protection status or not. However, according to the Greek law, Asylum Service is not the competent authority to recognize an applicant as a victim of trafficking in human beings or victim and/or witness of other criminal acts.</p> |
|  | <p>EMN NCP Hungary</p> | <p>Yes</p> | <p>1.</p> |

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| | | | <p>2.</p> <p>3. There is no practice in Hungary on this issue.</p> <p>4. There is no practice in Hungary on this issue.</p> <p>5. There is no practice in Hungary on this issue.</p> <p>6. There is no practice in Hungary on this issue.</p> <p>7. There is no practice in Hungary on this issue.</p> <p>8. There is no practice in Hungary on this issue.</p> <p>9.</p> <p>10. There is no practice in Hungary on this issue.</p> <p>11. There is no practice in Hungary on this issue.</p> <p>12. There is no practice in Hungary on this issue.</p> <p>13. There is no practice in Hungary on this issue.</p> |
|  | <p>EMN NCP Italy</p> | <p>Yes</p> | <p>1. Yes In Italy, pursuant to Article 1 L. 47/2017, UAMs are entitled to rights in the field of child protection on an equal footing with minors of Italian or European Union citizenship. When an unaccompanied foreign minor does not formalise an application for international protection, he/she is still entitled to receive a residence permit for minor age or family reasons (art 10 L. 47/2017). Moreover, all</p> |

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| | | | <p>unaccompanied foreign minors, regardless of whether they apply for international protection, are entitled to reception.</p> <p>2. confronted with both groups</p> <p>3. The phenomenon of the removal of UAMs from the reception centres that host them is also observed in Italy. The Ministry of Labour and Social Policies, responsible for the census and monitoring of the presence of UAMs, in its Monitoring Report for the second half of 2021 notes the figure of 5,273 reports of removal of unaccompanied foreign minors.</p> <p>4. The Ministry of Labour and Social Policies, responsible for the census and monitoring of the presence of UAMs, in its Monitoring Report for the second half of 2021, notes that 97.3% of the minors who left during 2021 are male, 76.4% of them over the age of 16. The citizenships most represented among the minors removed during 2021 are Tunisian (1,179 minors), Afghan (677 minors), Egyptian (473 minors), Bengali (430 minors) Guinean (416 minors), Ivorian (364 minors), Eritrean (313 minors) and Pakistani (305 minors). It should be noted that during the year there was no correspondence between the citizenships most involved in cases of removal and those most involved in landing events.</p> <p>5. For UAMs leaving the reception centres hosting them to reach other countries, Italy is often only the country of first entry and transit to their destination. Some UAM leave the facility within a few days, others after weeks or even months of waiting, in connection with the desire to reach relatives and acquaintances in other European countries or in search of a job that will allow them to start repaying the debt contracted for the journey, sometimes suffering strong psychological pressure from family members remaining in the country of origin. The urgent need to be supportive of their family means that minors do not have a clear perception of their working condition as exploitative. This lack of awareness makes UAMs particularly exposed to abuse and little inclined to denounce it, especially in those regions where they are recruited by virtue of dynamics that can be traced back to organised crime, as in the case of minors who are victims of 'caporalato' (forced labour), others who are trafficking victims, exploited for work or, even worse, in the prostitution circuit.</p> |
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| | | | <p>6. N.A.</p> <p>7. The Ministry of Labour and Social Policies, which is responsible for census and monitoring the presence of UAMs, in its Monitoring Report for the second half of 2021 notes the figure of 5,273 reports of removal of unaccompanied foreign minors.</p> <p>8. The 2020 half-yearly report of the Ministry of Labour and Social Policies shows the removal of 3,099 UAMs. In line with the trend of entries, in the first months of the year and until the minimum value was reached in April, there was a tendency to decrease in the number of reports of removal. The reasons for this decrease seem to be attributable to the context and the specific effects of the measures instituted at the beginning of the year to counter the health emergency caused by the spread of the COVID-19 pandemic. During 2021, on the other hand, the removal of 5,273 UAMs was recorded, showing, in line with the increase in admissions, an upward trend starting in February until the peak reached in July, and then decreasing again until December 2021.</p> <p>9. Yes</p> <p>10. Some of the UAMs arriving in Italy are sometimes vulnerable in terms of physical disability, and or mental or behavioural disorders.</p> <p>11. All UAMs are entitled to access the national health system and the education system. In addition, they are entitled to free legal aid at all stages and levels of legal proceedings. In the framework of the second reception in the Reception and Integration System (Sistema di Accoglienza e Integrazione, SAI), UAMs are included in an individualised project aimed at autonomy.</p> |
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| | | | <p>In addition, there are projects dedicated to persons with specific vulnerabilities.</p> <p>12. N.A</p> <p>13. Yes, some of them are. The problem is monitored at a local level by the competent authorities, with the involvement of the social services of the territory and the Juvenile Judicial Authority. In some specific territorial realities, measures have been adopted to intensify the checks on the requests for conversion of residence permits into work permits and on the existence and/or effectiveness of the employer, enhancing the activity carried out by the State Police with the Offices and Labour Inspectorates in order to protect minors from the risk of being involved in non-legal circuits aimed at their exploitation.</p> |
|  | EMN NCP Latvia | Yes | <p>1. No</p> <p>2.</p> <p>3. N/a</p> <p>4. N/a</p> <p>5. N/a</p> <p>6. N/a</p> <p>7. N/a</p> <p>8. N/a</p> |

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| | | | <p>9.</p> <p>10. N/a</p> <p>11. There is a guidelines "For the representation of third country national minors and unaccompanied asylum seekers and the co - operation of the involved authorities" issued by State Border Guard and State Inspectorate for Protection of Children's Rights. The purpose of the guidelines is to establish an effective system for the protection of unaccompanied minors and to develop practical co-operation between authorities conducting proceedings of the minors and authorities representing the minors.</p> <p>12. Due to small number of cases, there was no need for evaluation. Each case is evaluated on case by case basis.</p> <p>13. In last five years there is no indications or any records of involved institutions that UAMs are involved in criminal networks. Before there was one case, when UAM was convicted as a smuggler of migrants (he was 17 years old).</p> |
|  | <p>EMN NCP Lithuania</p> | <p>Yes</p> | <p>1. No</p> <p>Lithuania has not been confronted with such issues, in part due to the legal regulation of the conditions of stay of unaccompanied minors. According to the Law on the Legal Status of Foreigners, unaccompanied minors must be immediately appointed a legal representative and must be placed under temporary custody regardless of the legality of their presence on the territory of Lithuania. Regardless of their status, all minors have the same rights (including access to education). Unaccompanied minors whose entry to or stay in Lithuania is illegal can be returned to a foreign state only provided that the minor would receive proper care in the receiving state and taking into account the minor's needs, age and maturity. When an unaccompanied minor is not returned to a foreign state, the minors is issued a temporary residence permit for one year. New temporary residence</p> |


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| | | | <p>permits that are valid for one year are issued every year, unless the circumstances change.</p> <p>2.</p> <p>3. Lithuania has encountered the problem of unaccompanied minors leaving the place of accommodation and Lithuania without permission before a decision is reached in their asylum applications. There have also been instances when unaccompanied minors do not submit an asylum application and abscond before the procedure is completed.</p> <p>4. In 2021 – nationals of Iraq and various African states (Congo, Ivory Coast, Guinea, Mali, and others).</p> <p>5. The foreigners referred to in Q3 appear to be using Lithuania as a transit state in an attempt to reach Western European or Scandinavian countries.</p> <p>6. They leave for Western European and Scandinavian countries, most likely by way of Poland.</p> <p>7. Small groups or single individuals.</p> <p>8. The size of this groups remained the same - small groups or single individuals.</p> <p>9. No</p> <p>10. N/A</p> <p>11. The Law on the Legal Status of Foreigners provides that unaccompanied minors, regardless of their legal status, have the right to study at pre-schools, primary schools, secondary schools, and vocational training schools. The right to enroll in educational programs at such schools must be ensured no later than within 3 months from the detection of the arrival of an unaccompanied minor to Lithuania. Beyond this general provision, however, there is no specific guidance to the target group as defined in Question 9.</p> |
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| | | | <p>12. N/A</p> <p>13. There is no evidence in Lithuania that the group of UAMs as defined in Question 3 are involved in criminal networks. In assessing whether a foreigner was exploited or trafficked, responsible officials follow the <u>Recommendations for the Identification of Victims of Trafficking in Human Beings, Pretrial Investigation and Interinstitutional Cooperation</u>. The Recommendations were approved by the Prosecutor General, the Minister of the Interior and the Minister of Social Security and Labor in 2015. They describe the signs of potential victims, the criteria of identification, the determination of criminal activity and the cooperation between institutions in providing support for the victims of trafficking in human beings.</p> |
|  | <p>EMN NCP Luxembourg</p> | <p>Yes</p> | <p>1. No. It is very seldom to have an UAM who does not apply for asylum in Luxembourg. Furthermore, in recent years in Luxembourg there have been almost no minors who make an application for international protection and then do not lodge it. Moreover, the minors who apply for international protection come mainly from countries such as Eritrea, Syria or Afghanistan, so they have a chance of being allowed to stay. For those who receive a rejection of their application for international protection, the best interests of the child in the context of return are examined by an advisory commission, and if it turns out that it is not in the minor's interest to return, then he or she may be granted a residence permit on humanitarian grounds.</p> <p>2.</p> <p>3. N/A.</p> <p>4. N/A.</p> |


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| | | | <p>5. N/A.</p> <p>6. N/A.</p> <p>7. N/A.</p> <p>8. N/A.</p> <p>9.</p> <p>10. N/A.</p> <p>11. N/A.</p> <p>12. N/A.</p> <p>13. N/A.</p> |
|  | EMN NCP Malta | Yes | <p>1. No</p> <p>2.</p> <p>3.</p> <p>4.</p> <p>5.</p> <p>6.</p> |

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| | | | <p>7.</p> <p>8.</p> <p>9.</p> <p>10.</p> <p>11.</p> <p>12.</p> <p>13.</p> |
|  | <p>EMN NCP Netherlands</p> | <p>Yes</p> | <p>1. Yes</p> <p>2. confronted with both groups</p> <p>3. Yes. In 2019 the Analyse Proeftuin Migratieketen (APM), which is a department of the Ministry of Justice and Security analysing and researching political and societal themes concerning migration, conducted a study on UAMs who left the accommodation facilities (between 2015-2018) with so-called unknown destination[1]. The study did not necessarily focus on those UAMs with little perspective of receiving a residence permit or who did not apply for asylum. However, it showed that around 50% of the group of UAMs do not await the decision of their asylum application before leaving the accommodation facility. Statistics are included on the number of previous registrations in other EU-countries as well as Dublin claim-ins received from other EU-countries after these UAMs left the accommodation facilities, which could be regarded as an indication of moving around within the EU. Of the UAMs who went off the radar, 64% were previously registered in another EU-country, and for</p> |

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| | | | <p>24% of the group a Dublin claim-in was received from other countries. The research concludes that the findings provide 'a strong impression that a large part of the analysed group moves around within the EU'[2].</p> <p>In addition, in 2021 the Inspectorate of Justice and Security[3] did research (document study, observation, interviews) on the specific group of UAMs who have little perspective of receiving a residence permit or do not apply for asylum at all, and who have behavioural problems and cause incidents in and around the accommodation facilities. The study showed that these UAMs are travelling around different EU-countries.</p> <p>[1] Analyse Proeftuin Migratieketen (2019). APM Analyse: Alleenstaande minderjarige vreemdelingen die met onbekende bestemming vertrekken. Ministerie van Justitie en Veiligheid. [2] Analyse Proeftuin Migratieketen (2019). APM Analyse: Alleenstaande minderjarige vreemdelingen die met onbekende bestemming vertrekken. Ministerie van Justitie en Veiligheid. (page 3) [3] Inspectie Justitie en Veiligheid (2021). Vervolgonderzoek naar de aanpak van overlastgevende asielzoekers. Ministerie van Justitie en Veiligheid.</p> <p>4. There is no data available on the exact group of UAMs as defined in Question 2. However, the statistics provided by APM (2019) give some insight. The top-3 nationalities of UAMs previously registered in other EU-countries are Morocco, Eritrea, and Afghanistan and Algeria (equal numbers). The top-3 nationalities of Dublin claim-ins received from other EU-countries are Morocco, Afghanistan (same number) and Algeria. Similarly, a recent study from APM[1] shows that the Moroccan and Algerian nationalities are the most common in the statistics on UAMs leaving with unknown destination.</p> <p>In their 2021 study, the Inspectorate of Justice and Security[2] reports that the group of UAMs they researched predominantly comes from North-African countries such as Morocco, Algeria, Libya and Tunisia.</p> <p>[1] Analyse Proeftuin Migratieketen (2021). MOB-analyse. Data analyse naar vertrek met onbekende bestemming uit de COA opvang 2015 t/m 2020. Ministerie van Justitie en Veiligheid. [2] Inspectie Justitie en Veiligheid (2021). Vervolgonderzoek naar de aanpak van overlastgevende</p> |
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| | | | <p>asielzoekers. Ministerie van Justitie en Veiligheid.</p> <p>5. Yes. There are some indications from the study of the Inspectorate of Justice and Security[1] that in general, asylum seekers, irrespective of their age, come back to the Netherlands to have shelter during the winter period, after which they will again leave the accommodation facilities. Regarding the reasons for moving to other EU-countries, research[2] shows that many of the UAMs who resided in that accommodation facility considered moving to other EU-countries such as Spain, France, Belgium, Italy and mainly England, where they think life as an undocumented person will be easier and where more possibilities for obtaining work in the informal economy (are perceived to) exist.</p> <p>[1] Inspectie Justitie en Veiligheid (2021). Vervolgonderzoek naar de aanpak van overlastgevende asielzoekers. Ministerie van Justitie en Veiligheid. [2] Wijk, J. van (2020). Evaluatie Perspectief Opvang Nidos (PON). Pilot overlastgevende amv's. Hoopoe Migration Research.</p> <p>6. Yes, APM[1] found that most UAMs were previously registered in Germany, Greece and Italy. Also see answer to Question 5.</p> <p>[1] Analyse Proeftuin Migratieketen (2019). APM Analyse: Alleenstaande minderjarige vreemdelingen die met onbekende bestemming vertrekken. Ministerie van Justitie en Veiligheid.</p> <p>7. No, it is not possible to give an estimation. The WODC study as mentioned in the introduction, which is currently being conducted, aims to gain more insight into the size of this group of UAMs.</p> <p>8. No, it is not possible to give an estimation. The WODC study as mentioned in the introduction, which is currently being conducted, aims to gain more insight into the size of this group of UAMs.</p> <p>9. Yes</p> <p>10. As can be read in the answer of the Netherlands to question 4 in AHQ 2019.9, the Netherlands has identified the following as one of the challenges faced in taking measures against disruptive and</p> |
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| | | | <p>transgressive behaviour caused by asylum seekers: 'the existence of multiple problems, for example the lack of future perspective/perspective to stay (often accompanied by a lack of incentive to behave) together with drug addiction. This is especially the case for unaccompanied minors from safe countries of origin, as their chance to receive an asylum permit is relatively low and they are vulnerable to face drug related problems.'</p> <p>Similarly, the Inspection of Justice and Security[1] brings forward that the UAMs who exhibit behavioural problems in- and outside of accommodation facilities and travel between EU-Member States are often addicted to alcohol, drugs, or medication (i.a. Rivotril). They also relatively often have severe mental health issues, such as psychosis and suicidal tendencies.[2]</p> <p>In addition, mental health, addiction and behavioural problems were identified by Staring and Bouabid[3] in the general population of UAMs residing in accommodation facilities between 1990 and 2018.</p> <p>[1] Inspectie Justitie en Veiligheid (2021). Vervolgonderzoek naar de aanpak van overlastgevende asielzoekers. Ministerie van Justitie en Veiligheid.</p> <p>[2] Wijk, J. van (2020). Evaluatie Perspectief Opvang Nidos (PON). Pilot overlastgevende amv's. Hoopoe Migration Research.</p> <p>[3] Staring, R. & Bouabid, A. (2019). Sectorstudie Geweld in de opvang van alleenstaande minderjarige vreemdelingen (1990-2018). In Sector- en themastudies. Commissie Onderzoek naar Geweld in de Jeugdzorg (p. 277-314).</p> <p>11. Yes. As can be read in the answer of the Netherlands to question 4 in AHQ 2021.63, UAMs who display behavioural problems and cause incidents can be temporarily placed in the so-called Enforcement and Supervision Location (Handhaving- en Toezichtlocatie – HTL). UAMs 'can [also] be temporarily placed in a special reception centre by Nidos (the Dutch national guardianship institution for unaccompanied and separated children in the Netherlands) called Perspective Reception Center (Perspectief Opvang Nidos – PON)'. This specialized facility offers targeted guidance to UAMs who have little perspective of receiving a residence permit (because they mainly come from so-called safe countries of origin) and who cause serious incidents at the regular accommodation facility and/or in public space, and for whom the regular guidance is insufficient to deal with this behaviour (Van Wijk,</p> |
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| | | | <p>2020). The goal of placement in the PON-facility is to re-establish peace and safety in the regular accommodation facility, to reduce the UAMs' behavioural problems, and to create a future perspective for the UAMs inside or outside the Netherlands.</p> <p>The PON-facility is of small-scale and offers place to a maximum of twelve UAMs. The guidance they receive is intensive and tailor-made to their needs. The supervisors working at the PON-facility preferably have experience with the specific target group of UAMs and also have a migration background themselves, so that they are able to communicate with the UAMs in a culturally-sensitive way and develop a relationship of trust, which is deemed to be important for the guidance to succeed. Moreover, UAMs are supervised by the same supervisors (a legal guardian, mentor, and a behavioural scientist) throughout their stay at the PON-facility as much as possible. Supervisors also try to contact family members of the UAMs, in order to involve them in the creation of a future perspective for the UAMs.</p> <p>12. During its pilot phase, the PON-facility was evaluated.[1] These evaluation studies show that there are strong indications that the guidance at the PON-facility helps to reduce the transgressive behaviour. Success factors that are identified are the very small scale of the facility and the intensive, intercultural and tailor-made guidance. Supervisors are able to build a relationship of trust with the UAMs, involve their families, and have conversations about future plans and perspective. Although the UAMs who stayed at the PON-facility during the evaluation period were quite diverse in their backgrounds, a more general picture can be drawn of the North-African UAMs, who are mostly very vulnerable and troubled youngsters who struggle with co-existing problems, such as severe mental health issues and substance use and addiction, next to displaying transgressive behaviour. An important bottleneck that is identified is the access to regular youth care, whereas the underlying mental health and addiction issues need to be treated in order to offer a real future perspective to these UAMs.[2]</p> <p>It concerns the following evaluation studies:</p> <p>Wijk, J. van (2020). Evaluatie Perspectief Opgang Nidos (PON). Pilot overlastgevende amv's. Hoopoe Migration Research.</p> <p>Wijk, J. van (2021). 2e Evaluatie Perspectief Opgang Nidos (PON). Hoopoe Migration Research. These evaluation studies are not publicly accessible.</p> |
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| | | | <p>[1] Wijk, J. van (2020). Evaluatie Perspectief Opvang Nidos (PON). Pilot overlastgevende amv's. Hoopoe Migration Research.</p> <p>Wijk, J. van (2021). 2e Evaluatie Perspectief Opvang Nidos (PON). Hoopoe Migration Research.</p> <p>[2] Wijk, J. van (2020). Evaluatie Perspectief Opvang Nidos (PON). Pilot overlastgevende amv's. Hoopoe Migration Research.</p> <p>13. No, there are no indications that the group of UAMs as defined in question 3 are involved in criminal networks. No research has been conducted into involvement of UAMs in criminal networks as defined in the question. However, the Expert Center Human Trafficking and Human Smuggling (Expertisecentrum Mensenhandel en Mensensmokkel, EMM) is conducting research into the nature and size of criminal exploitation of North-African UAMs and young adults who were registered in the Netherlands between 1 January 2019 until 31 July 2021. The methods of the study are interviews, literature research and data analysis, thereby giving attention to the characteristics of the UAMs, the criminal offences committed in the Netherlands and to what extent indications of control or force by others exists.</p> |
|  | EMN NCP Poland | No | |
|  | EMN NCP Slovakia | Yes | <p>1. In case that a minor child came to the Slovak Republic unaccompanied by a legal representative or another relative or close person (unaccompanied minor- UAM), the child is placed in the Center for Children and Families (CCF), which provides comprehensive care for the child. At the same time, the court appoints a guardian for the child, the relevant Office of Labour, Social Affairs and Family, who represents the child, especially in cases of legalization of the child's residence in the Slovak Republic (tolerated stay). Care for the UAMs is provided in the CCF, regardless of the (non)submission of the application for international protection or type of residence. If the UAM would fulfil the conditions for</p> |

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| | | | <p>obtaining residence in the international protection granting procedure or during the study at the request of the guardian of such a child, the police would grant the residence.</p> <p>2. The care in the CCF is provided to the child regardless of the (non) application for international protection (i.e. without distinction). UAMs who have not applied for asylum are granted tolerated stay in the Slovak Republic, for a period of 6 months and, if the conditions are met (i.e. the child is still in the CCF), it is being extended until the age of 18. Consequently, when reaching adulthood, the Ministry of Interior can grant them permanent residence (Article 45 paragraph 1 c)) – special provisions on the permanent residence.</p> <p>3. UAMs who leave the facility and leave to an unknown place are in search until they reach adulthood. Unless they are tracked down by the police, their whereabouts are unknown to the Office of Labour, Social Affairs and Family or the CCF.</p> <p>4. Afghanistan, Syria, Morocco</p> <p>5. Slovakia is only an transit country for UAMs, they continue in their journey to other European countries, where they have contacts to either their relatives or friends.</p> <p>6. Most UAMs come from Afghanistan (more than 74%), Syria and Morocco. Greece, Hungary, Bulgaria and Romania are stated as the last countries on their migratory route. It is not known to which Member State they are leaving, but they mostly state that they would like to reach relatives or friends in Germany, Austria or the Nordic countries.</p> <p>7. Relatively large.</p> <p>8. Due to the increasing number of UAMs (2019-49, 2020-79, 2021-182), the size of the group has</p> |
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| | | | <p>increased over the last three years.</p> <p>9. Yes Yes - behavior problems (cultural differences). Everyone is provided with psychological assistance by psychologist who is part of the CCF's professional team and also cooperates with external clinical psychologists in setting diagnoses or providing professional assistance. This means that if any of these problems occur, such a child would be provided with professional help.</p> <p>10. UAMs refuse to respect the rules of CCF facility, they do not respect the authorities, they repeatedly escape from the CCF facility - they want to continue in their journey to other European countries, irritability, aggression, verbal attacks on employees and clients, any problems of a different nature were not recorded yet.</p> <p>11. Measures of social legal protection of children and social guardianship are performed for a child who has a permanent residence in the Slovak Republic, temporary residence, temporary residence permit, permanent residence permit, has a tolerated residence permit (hereinafter "usual residence"), or for a child, for whom usual residence cannot be determined. The CCF provides the child with a safe environment, which temporarily replaces his natural family environment. Child care is based on an individual and integrative approach, so that the rights and views of the child are respected with the aim of its gradual integration, for all children to the same extent. The CCF employs a professional team consisting of a social worker, a psychologist and a special pedagogue, and professional staff who provide professional help and care directly to the group, of which at least two are educators. Education is based on strengthening and activating the child's strengths and meeting his needs depending on the current life situation and his physical and mental condition. The CCF provides social work (including social counseling), professional diagnostics, crisis management assistance, special social counseling, psychological care and education. Part of the education is the provision of education and vocational training, including the creation of conditions for education in the Slovak language. Through systematic and consistent planning in the child's individual development plan, which also includes an educational plan, the child's future is directed towards his independence, self-development, identity and his active participation in the co-decision process and in matters concerning</p> |
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| | | | <p>his life. Social protection authorities for children and social guardianship, as well as CCF, ensure communication in a language that children understand, of course with the availability of interpretation services.</p> <p>12. As already mentioned, care and counseling is provided to all equally, taking into account the specific individual needs of each UAM. We do not have information on such evaluation studies. However, in the field of UAMs care, the Institute for Work and Family Research carried out a separate research study "Identification of the causes of escapes / disappearances of unaccompanied minors", which deals with issues of UAMs integration and causes of escapes. Research work is available at https://www.ceit.sk/IVPR/images/IVPR/vyskum/2017/Fico/ivpr_mbs_interna_verzia2_net.pdf</p> <p>13. No.</p> |
|  | <p>EMN NCP Slovenia</p> | <p>Yes</p> | <p>1. No</p> <p>2.</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p> <p>6. N/A</p> <p>7. N/A</p> |

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| | | | <p>8. N/A</p> <p>9.</p> <p>10. N/A</p> <p>11. N/A</p> <p>12. N/A</p> <p>13. N/A</p> |
|  | EMN NCP Spain | No | |
|  | EMN NCP Sweden | Yes | <p>1. Yes</p> <p>2. confronted with both groups</p> <p>3. There are always a group of UAMs that has had their application for residence permit rejected and who do not want to be returned. There has been examples where for example Afghan UAM with a rejected application has left the country traveling to for example France with the hope of getting a residence permit there. There is also information from the police and from municipalities that there are some UAMs in the country that do not apply for asylum and has no intention of doing so as long as they are not</p> |

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| | | | <p>discovered by the authorities. This means that they are staying in Sweden unknown to the authorities until discovered.</p> <p>4. One example can be Afghan</p> <p>5. Please see answer to question 3.</p> <p>6. The only information available is on the individual level if the UAM apply for asylum and leave that information during the asylum procedure or via Eurodac. There is no compiled statistics. If the UAM does not apply there is no information at all since then he/she is unknown to the authorities.</p> <p>7. Depends on what you compare with and has differed over time.</p> <p>8. There are some statistics available concerning UAM that abscond from reception centres but that is only for those that has applied for asylum. That statistic show that in recent years (up until 2020) the number that abscond has decreased but the proportion has increased. There is no information regarding those UAM that do not apply for asylum.</p> <p>9. Yes</p> <p>10. There are only information on individual basis and no compiled national statistics on this issue.</p> <p>11. Yes – all minors regardless of their legal status has the same right to health care as any other minor living in Sweden. They also have the right to go to school, but in reality, this can be hard if you have not applied for asylum.</p> <p>12. No information available on a national basis.</p> <p>13. Yes. There are indications of criminal behaviour among unaccompanied minors. The measures to tackle this is police work and information is not publicly available.</p> |
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AD HOC QUERY ON 2022.26 EMN Ad-Hoc Query on guidance and well-being of unaccompanied minors with co-existing problems and without residence permit

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