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**Udlændinge- og  
Integrationsministeriet**

### Missing refugee and migrant children in Europe

Below please find The Danish Ministry of Integration and Immigration's answers to questions from the Council of Europe regarding missing refugee and migrant children in Europe.

Please note, that the term 'refugee and migrant children' has been considered to be children, who currently have an application of asylum under consideration, who have waived their application for asylum or whose asylum application has been rejected, and who are unaccompanied. It is not possible to withdraw statistical information regarding children, who are accompanied by a parent or another adult.

#### **1. How many refugee and migrant children are missing in your country?**

The Danish National Police has drawn up data based on the police case management system (POLCAS) as of 1 May 2019 in table 1 as shown below.

The table includes the accumulated number of unaccompanied children, who, as of 1 May 2019 were registered as missing, distributed by the following categories; Rejected asylum seekers, asylum seekers, Dublin return, persons who have waived their application for asylum, illegal stay, and persons who have had their application for asylum rejected based upon section 29 b of the Danish Aliens Act on grounds of already having been granted asylum elsewhere.

**Table 1:**

	Reject- ed asylum seekers	Asylum seekers	Dublin Return	Waivered application for asylum	Illegal stay	Section 29 b of the Danish Aliens Act	Total
Unaccompanied children	19	450	1	1	112		583

The data is subject to some uncertainty, as POLCAS is a case management system rather than a statistical system. In this regard, it is noted that the numbers are dynamic and therefore can be subject to alterations, primarily due to post-regulations.

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When a child is accompanied by an adult (a parent or another adult), a missing person's report will be issued only with regard to the adult, in cases where the adult and the child go missing together. This means that a child accompanied by an adult will not directly be registered as missing. Thus, there are no statistics regarding children accompanied by an adult, who go missing.

If a foreigner registered as missing is not met by the police within 3 years, the registration is withdrawn, as the foreigner is regarded as having left the country in compliance with his or her duty to do so.

However, in such instances the police will manually go through the case to analyse whether the missing person's report should be cancelled, or if certain special circumstances dictate that the missing person's report shall be maintained for a duration lasting longer than 3 years. For example, it is relevant to maintain the missing person's report if the missing foreigner is residing in Denmark on so-called "tolerated stay"<sup>1</sup>.

***2. If a refugee or migrant child disappears, who (e.g. authority, accommodation centre, school, employer, guardian, host family) is legally obliged to notify such disappearance to the police?***

The Danish Immigration Service has stated that if an unaccompanied minor residing in an accommodation centre disappears, the centre is obliged to notify the police. If the minor is under 15 years of age, police notification must be made within 12 hours. If the minor is 15-17 years old, police notification must be made within 24 hours.

***3. How are refugee and migrant children registered and identified in your country?***

According to the Danish National Police the registration and identification procedure is at large the same for foreigners without legal stay and asylum seekers.

However, as described below, there are some differences depending on whether the registration and identification concerns an asylum seeker or a foreigner without legal stay.

The differences include, whether or not the police stores photos and fingerprints in the police's systems and records biometrical data on behalf of the Danish Immigration Service.

During the initial contact with the police, the foreigner's nationality, age, and language is identified. If the foreigner is an asylum seeker this will be registered alongside with any information regarding statelessness. The identification is based on information from the applicant, i.e. documents regarding the applicant, cf.

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<sup>1</sup> Aliens on tolerated stay are aliens who due to criminality, national security concerns or other relevant reasons are excluded from residence permit as refugees, but who cannot be returned to their country of origin due to the principle of non-refoulement (risk of ill-treatment etc.).

section 48 e of the Danish Aliens Act. Most often identification is carried out with a translator being available via telephone.

If the foreigner informs the police of being an unaccompanied child, the Danish Red Cross will offer the assistance of a counsellor, to assist the foreigner during the process of registration and identification.

In connection hereto, the police records a photo of the applicant, and – if the applicant is 14 years of age or older – fingerprints. The recording of photos and fingerprints is carried out in accordance with sections 40 a, paragraph 1 and 2, and 40 b, paragraph 1 and 2, of the Danish Aliens Act.

Fingerprints taken pursuant to subsection (1) or (2) may be registered in a special data register kept by the National Commissioner of Police. The police and the Danish Immigration Service may use the register in connection with the examination of immigration cases. The national Commissioner of Police is the authority responsible for the register and its data.

The police forward the fingerprints to the Danish National Police, National Forensic Centre (NKC), with the purpose of handling the fingerprint in the central EU-RODAC-system, cf. section 58 i, paragraph 1, of the Danish Aliens Act.

When registering a foreigner, the police will – if necessary – conduct a search and seizure of the person's luggage with the purpose of obtaining any documents or other items that can contribute to determining the identity of the person or any affiliation to other countries, cf. section 40, paragraph 10, of the Danish Aliens Act with reference to chapter 72 (body searches), chapter 73 (search), and chapter 74 (solely regarding seizure) of the Danish Administration of Justice Act.

When conducting a body search and seizure with the purpose of obtaining any documents/items to determining the identity of an unaccompanied child, the unaccompanied child will be assisted by a counsellor from the Danish Red Cross during the process of conduction of a search and seizure of the person's luggage. Furthermore, foreigners, who are not deprived of liberty, can be submitted to accommodation duty and reporting duty by the police. The accommodation duty requires the alien to stay at a return centre, meaning that the alien has to be accommodated at the centre. The reporting duty is a duty to report regularly to the police, and the notification duty requires the alien to notify the Danish authorities, if he/she stays outside the return centre between 11 pm and 6 am.

Additionally, the police will issue photo-id to the foreigner, and the person will be checked in at the reception centre.

Additionally, the police records biometrical information (photo, fingerprint, and signature) of all adult asylum seekers for future use by the Danish Immigration Service, cf. the Danish Aliens Act section 40 a, paragraph 11 and 12, and section 40 b, paragraph 11 and 12. Biometrical information is not recorded for children

accompanying an adult. For unaccompanied children, biometrical information (photo, fingerprints and signature) is recorded if the child is estimated to be at least 6 years old. The police forward the biometrical information to the Danish Immigration Service, who then uses the biometrical information in any later procedure regarding the issuing of residence cards.