
International/European database on missing minors

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IRCP research background

- > 1998 (96/STOP/003)
 - > systematic gathering/administration data on
 - > missing minors
 - > minor victims of THB or sexual exploitation of children
- > 2001 (2000/STOP/116)
 - > feasibility further elaboration/implementation 96/STOP/003
 - > report circulated to members EU Experts Group THB
- > conclusions both projects supported by/discussed with
 - > law enforcement specialists of various MS
 - > NGO's
 - > international organisations
 - > EU (Council/Commission, Europol), CoE, Interpol

International/European database missing persons

- > purpose/scope
- > data to be stored
- > organisation/management database
 - > criteria for inclusion data
 - > access
- > data protection
- > options
 - > SIS
 - > Interpol
- > proposed solution/strategy

Purpose/scope

- > trace/find missing persons
 - > worrying disappearances of minors and adults, which may include
 - > runaways (minors, mentally ill, ...)
 - > criminal abduction (by 3rd person)
 - > parental abduction (minors)
 - > missing unaccompanied migrant children
 - > lost, injured, otherwise missing persons
 - > could be victims of THB
- > ease/take away worries (e.g message home)
- > allow family mediation (parental abduction)
- > facilitate LE investigation/prosecution
 - > through forensic investigation
 - > links with databases unidentified corpses, child porn images, dna sexual offenders

Data to be stored

- > identity missing persons
 - > name(s), nationality, age, place of birth, gender, ...
- > additional identification items
 - > photographs (basic + age progressed)
 - > DNA, dental records, x-ray-pictures, ...
 - > medical data (medication needed, ...)
- > possible location
- > circumstances disappearance
- > action requested
 - > communication residence
 - > deliver message
 - > temporary custody in view of transfer/return
 - > ...

Organisation/management database

- > criteria for inclusion data
 - > 'worrying' disappearance
 - > international definition required
 - > no immediate notification (48h buffer)
 - > vast majority missing minors/persons recovered
- > access
 - > for operational purposes (limited)
 - > law enforcement authorities member parties
 - > Europol (analysis trafficking/child pornography)
 - > indirectly: NGO's qualifying for cooperation with LE
 - > Childscope
 - > for epidemiological exploitation (open)
 - > EU monitoring centre THB/sexual exploitation minors
 - > LE, policy-making, NGO's, research

Data protection

- > vital to respect European data protection acquis
 - > CoE Convention No 108 and R (87) 15
 - > EC Directives (95)46 ...
- > right to information, correction, deletion
 - > term for deletion (Q4): SIC 3 years too short?
- > purpose limitation principle
 - > no use of data stored for other purposes than foreseen
 - > no risk of discrimination women working in prostitution (Q 6)
- > no sensitive data but in the interest data subject
- > confidentiality? (Q7)
 - > including right (minor/+16 year) data subject to
 - > run away - not be returned home
 - > e.g. leave anonymous 'message home' to notifying NGO

Option: SIS

- > advantages
 - art. 97 SIC: notification data missing persons with aim of
 - > for adults: communicating place of residence
 - > for minors: taking into temporary custody
 - > quid minors above age of (sexual) consent?
 - > SIRPIT: transmission photographs and fingerprints?
- > disadvantages
 - > no search tool (only hit/no hit)
 - > access restricted to border/police/custom checks
 - > no transfer Schengen data to national LE databases allowed
 - > no transfer data to private organisations allowed
 - > no links with other databases possible (corpses; child porn, ...)
 - > geographical scope too narrow
 - > data (items) included insufficient
 - > SIRPIT: no storage DNA data, relying on Sirene network

Option: Interpol

- > advantages
 - > CIS – EAS – ASF - ...
 - > world-wide geographical area of distribution
 - > possibility to include all relevant data (items)
 - > possible links with
 - > database child pornographic material
 - > reference database (Interpol)
 - > analysis database (Europol, via bilateral agreement)
 - > database of unidentified corpses (Interpol)
- > disadvantage
 - > weak legal basis for data collection/protection
 - > = main problem to overcome
- > solution
 - > strength Interpol + appropriate data protection

Proposed solution/strategy

- > database located at Interpol
 - > large area of distribution
 - > links with other databases
- > Interpol mandated through CoE Convention
 - > principles of data protection legislation
 - > advantage: accession by non-Member States
 - > stepping stones (for sufficient political support)
 - > common position EU MS
 - > inter-institutional request European Commission
- > national level
 - > national central body (within LE) for administering data on missing persons and exchanging data with international database
 - > access for NGO's via national body
 - > protocol (based on international standard protocol?)
 - > comparable data registration