

001876/EU XXIV.GP  
Eingelangt am 24/11/08

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 24.11.2008  
SEC(2008)2912 final

**COMMISSION STAFF WORKING DOCUMENT**

**Best practice for launching a cross-border child abduction alert**

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## **1. INTRODUCTION**

The Commission communication "Towards an EU Strategy on the Rights of the Child" of July 2006, and the informal Council meeting (JHA) on 1 and 2 October 2007, identified the need to develop cross-border mechanisms to combat child abduction in border areas.

This concern is shared by the European Parliament, which, in a declaration adopted on 2 September 2008, called on the Member States to put alert mechanisms in place and to conclude cooperation agreements to allow for cross-border alerts.

The purpose of this document is to draw up, based on experiences in several Member States, the key elements of a "child abduction alert" mechanism. If a "child abduction alert mechanism" is created in the Member States in accordance with these common key elements, such a mechanism could be the basis of effective cooperation between these States in the event of child abduction in border area.

## **2. KEY ELEMENTS OF A "CHILD ABDUCTION ALERT" MECHANISM**

Such a mechanism:

- is meant to answer the need for a quick response in cases of child abduction;
- should involve the public: the proposed mechanism should not call on members of the public to intervene themselves, but to help in the search by immediately providing the authorities with any information likely to help find the child and his/her abductor and therefore to help a person in danger;
- is meant to be restricted to child abductions in circumstances in which there is reason to fear for the life of the child concerned;
- is meant to be used with caution, and only in very serious cases when public information can help. The mechanism would be jeopardised if used inappropriately or too often. The public might be overwhelmed and thus no longer be inclined to respond and help;
- should be based on a clear geographical scope (that may evolve over time) defined according to indications given by the investigation;
- should be based on a single "contact point" in each Member State.

## **3. SHAPING THE ALERT MECHANISM**

The following questions need to be answered when developing a child alert mechanism:

### **3.1. Deciding to launch the alert**

Existing mechanisms display various types of lines of command, responsibilities, partners involved and target audiences.

There are two main types of decision-making:

1. Law enforcement authorities decide whether or not to launch an alert, be it the police of its own accord or the police acting under the order/authorisation of a Public Prosecutor.

2. An organisation<sup>1</sup> with official status regarding abducted children and able to provide services in cases of child abduction within the framework of a protocol signed with the national law enforcement authorities and listing the responsibilities and procedures to be followed.

### **3.2. The common criteria for launching a cross-border alert**

The added value of having alert mechanisms in all Member States is being able to launch alerts quickly and easily in border regions. The minimum common criteria for launching a cross-border alert would be that:

- the victim is a minor (i.e. under 18 years of age<sup>2</sup>);
- it is a proven abduction or there are clear elements indicating that it could be a case of abduction;
- the health or the life of the victim is at high risk;
- information is available which, once disseminated, will allow the victim to be located;
- publication of this information is not expected to add to the risk facing the victim;
- there are good reasons to believe that the perpetrator has crossed the border with the child;
- the abduction occurred in a region very close to a border (or even several borders) that can be an escape route for the perpetrator.

### **3.3. The content of an alert message**

To facilitate the launch of a cross-border alert, the Member States would have to agree on a standard message including the following common fields in a predetermined order.

The information provided would be the following: :

- day, time and location of abduction;
- first name of victim and recent picture;
- if possible, information on the person suspected of having carried out the abduction (including description, if any);
- vehicle description (if any).
- a free phone number to be called and e-mail address.

### **3.4. The format for the posting of the alert message**

Depending on the means used for dissemination, the message should be available in different formats:

- poster-style written information suitable for printed materials (posters and written press), for display on TV as info-spots and for display on websites;
- recorded vocal messages for television and radio broadcasters, public transport companies and motorways;
- podcasts for internet service providers;

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<sup>1</sup> An "organisation" is taken to be any of the following: an NGO, a public organisation or a private organisation.

<sup>2</sup> Art. 1 of the UN Convention on the Rights of the Child.

- SMS and/or MMS-compatible written messages for dissemination to mobile phones.

### 3.5. Territorial extension of the alert

Most of the Member States are of a size that would justify launching the alert at national level. However, depending on the circumstances, more locally focused alerts may be needed.

The choice between nationwide or regional/local is a decision to be taken by each Member State.

### 3.6. Length of the alert

Alerts of this kind should be short and highly focused by definition. The length of the alert is to be decided by each Member State (the countries operating such a mechanism employ different practices in this respect, with alerts lasting from three hours to one week). Account would need to be taken of the frequency of display/broadcast/posting of the information, which is wide enough to allow the public to be reached.

The end of the alert would have to be broadcasted as widely as the alert itself, so as to avoid confusion among the public (is the child still missing?) and to avoid overburdening investigating officers with outdated information. Withdrawal of the alert message is essential in order to avoid secondary victimisation of the victim.

### 3.7. Dissemination of the alert

The following have proven to be efficient in relaying and disseminating information:

Stakeholders	Type of message	Suggested duration and frequency (*)	Termination of alert
Press agencies	Poster-style <sup>3</sup> to be relayed to newspapers	Publication the following morning	Poster-style message "found" <sup>4</sup>
TV broadcasters (public and private)	Poster-style to be displayed as info-spots Or rolling titles at the bottom of the screen during any programme	Or every 15'' during any programme	As above
Radio broadcasters (public and private)	Vocal message	Every 15''	Vocal message "Found"
Traffic managers	<i>"Alert – please listen to radio"</i> displayed on electronic road signs	Permanently if the traffic situation permits or as often as possible in between traffic-related information.	<i>"Alert – found / end"</i> displayed
Transport companies (public and private train, bus and taxi companies as well)	Poster-style to be displayed on electronic screens (train stations, bus stations, airports, harbours) Paper posters to be affixed in	As often as traffic permits	Poster-style message "found"

<sup>3</sup> Poster-style means a picture plus text as defined in point 6, with no possibility of addition or subtraction.

<sup>4</sup> Same as above but with "Found" clearly marked on it.

as airports and harbour authorities when needed)	train and bus stations, airports and harbours		Paper posters removal within 24 hours.
Internet service providers	Poster-style or rolling titles or pop-up displays to be relayed to websites that have subscribed.	To be negotiated but preferably permanently or on first access to the website	Poster-style or rolling titles or pop-up display message "found"
Mobile phones companies	SMS/MMS-pre-formatted messages sent to all (or sections of) subscribers <sup>5</sup> to the service	Sent once, as soon as received	SMS/MMS-pre-formatted message "found"
Banks	Message to be displayed on cash-point screens	During "waiting" period	"Alert - found / end" displayed

(\*) All these messages should be disseminated for 12 or, possibly, 24 hours, depending on when the first message is sent (late at night or in the morning, etc.) or as soon as the victim is found.

### 3.8. Collection of information

Investigating officers (police and prosecuting authorities) need to receive the information collected as soon as possible. The way this information is collected, stored, and transferred depends on the decision-making process established for the alert mechanism in each Member State.

Should the decision-making process involve the law enforcement authorities, a specific 24/7 telephone line would need to be established within their services, which, in turn, must convey the information to the investigating officers as quickly as possible.

### 3.9. How is the mechanism formalised between stakeholders?

Stakeholders are:

- authorities responsible for justice, police, transport, media or telecommunications matters (and others, depending on each national situation);
- organisations officially appointed by the national authorities to handle cases of child abduction;
- public or private companies, press agencies, TV and radio broadcasters, internet service providers, traffic managers, transport companies, airport and harbour authorities, mobile phone companies, etc.

Cooperation between the various parties involved would require a close partnership between public and private entities.

## 4. PROPOSAL FOR THE RULES ON LAUNCHING A CROSS-BORDER ALERT

Cross-border cases call for agreement on common minimum standards that respect the internal organisational or constitutional rules of the Member States.

<sup>5</sup> "Subscribers" refers to people who have officially registered, in writing or on-line, acknowledging that they are willing to receive such messages.

A possible scenario for such an event might be as follows:

- Issue of a "pre-alert" as soon as possible after a cross-border alert is envisaged, i.e. contact to be made with the Member State authorities concerned.
- Upon request from investigating officers, the national law enforcement authority sends a request to (an) other Member State(s) authorities with the standardised message allowing the information to be assimilated quickly by the Member States concerned.
- The central police services of the Member States concerned establish a communication channel.
- The Member State(s) launches(launch) a (local or national) alert using its(their) own (similar) system.
- Information received from the public (via the Member States' own mechanism) is quickly transferred to the central police services of the requesting Member State.
- Dissemination of an "end of alert" message to the Member States concerned when maintaining the alert no longer appears justified. The "found/end" message must be relayed to all previously contacted Member State.

To enable the launch of their national alert mechanisms, the Member States would need to:

- establish a protocol setting out, for each Member State, the conditions of use of the alert and the legal framework for intervention (competent authorities, applicable procedures, including questioning of suspects, etc.);
- draw up a directory or a "crisis handbook" to be used in an emergency and containing the contact details for all of the national points of contact (legal authorities, investigative services, etc.) responsible for launching and subsequently monitoring alert procedures;
- define common channels of communication: the Member States are encouraged to define a single channel of communication so as to enable full and fast transmission of the available information and to use the SIRENE system where possible, without necessarily excluding other channels of communication where it seems possible to use them within the framework of bilateral cooperation and without prejudging the usefulness of designating legal points of contact where the national law of the Member States provides for the intervention of such authorities;
- define a common working language to facilitate communication when necessary;
- where more than two Member States are concerned, consider ways to share information, specifically by setting up a pre-defined Intranet forum to centralise the necessary information, taking account of the need to draw up a legal framework for sharing information in this way, as well as guarantees of confidentiality and security.