



AD HOC QUERY ON 2020.70 Measures and procedures in place to prevent separation of migrants from their families within the EU

Requested by COM on 24 November 2020

Responses from Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden (22 in Total)

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1. Background information

The issue of missing, separated, and deceased migrants is recognised as a humanitarian tragedy addressed in the context of humanitarian aid and protection of human rights. ICRC and EMN had agreed to engage in research focusing on EU Member States' policies and approaches to prevent migrants from going missing or becoming separated and address their needs or the needs of their families, in the context of migration policies.

The scope of the Inform would be limited to:

- Migrants within the territory of EU Member States. Circumstances along migratory routes outside the EU border will only be considered in the context of measures to prevent irregular migration.
- Legislation, policies and practices under the responsibilities of migration authorities.

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Based on preliminary research, input by the ICRC and the Advisory Group (AG), some areas have been identified and prioritised as being of possible interest in a cooperation with the EMN.

Family reunification and legal pathways to migrate or seek asylum were excluded as these topics are widely addressed in other EMN outputs. Likewise search and rescue operations and the issue of disappearances as a follow-up to results of search and rescue operations are likely to be very difficult to address especially in relation to cooperation with third countries which falls outside of the legal framework of the EMN and would therefore be outside the scope of this Inform. For the purpose of this AHQ, "tracing systems" should be understood as the services available to restore contact between persons who have got separated /disappeared and their family members.

This AHQ aims to collect information on the first two identified topics within this initiative, namely on:

- Topic 1: Prevention measures applicable to different contexts, such as in formal reception centres and migration detention centres in the EU territory;
- Topic 2: Mechanisms to search for a migrant reported missing.

We would very much appreciate your responses by 15 January 2021. Note that Due to their length both AHQ are counted as 2 for budgetary purposes.

2. Questions

1. Does your Member State have measures and/or procedures in place to prevent separation of migrants from other family members when they first come into contact with authorities in your Member State?

Available choices: Yes, No

2. If you answered YES to Q.1, briefly describe the procedure and/or measure with a focus on the role of migration authorities. Please distinguish between the different types of settings: a.Arrival at the reception facilities b.Police stations when they are detected by the police and they are waiting to be identified c. Detention centres. If you answered NO to Q.1, briefly elaborate on the reasons why measures and procedures have not been put into place.

3. Does your Member State have measures and/or procedures in place to prevent separation of migrants from other family members during their stay in your Member State (during the international protection or return procedure, not after receiving a residence permit)?

Available choices: Yes, No

4. If you answered YES to Q.3, briefly describe the procedure and/or measure with a focus on the role of migration authorities. Please also elaborate on whether the procedure is followed ex-officio or whether it is done at the request of the applicants, their legal representative or a third-party (i.e. NGO, etc.). If you answered NO to Q.3., briefly elaborate on the reasons why measures and procedures have not been put into place.

5. Does your Member State have measures and/or procedures in place to prevent separation of migrants from other family members during transfers from one facility to another (e.g. from reception centre to detention centre, etc.)?

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6. If you answered YES to Q.5, briefly describe the procedures with a focus on the role of migration authorities. Please elaborate on whether your Member State has implemented a tracing system and describe it. For the purpose of this AHQ, "tracing systems" should be understood as the services available to restore contact between persons who have got separated /disappeared and their family members. If you answered NO to Q.5., briefly elaborate on the reasons why measures and procedures have not been put into place.

7. Does your Member State have procedures/measures in place to prevent separations of migrants from other family members in informal reception settings (if applicable to your Member State or information available)?

Available choices: Yes, No

8. If you answered YES to question 7, can you briefly describe the procedure and/or measure with a focus on the role of migration authorities? If you answered NO to Q.7., briefly elaborate on the reasons why measures and procedures have not been put into place.

We would very much appreciate your responses by **15 January 2021**.

3. Responses

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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>EMN NCP Austria</p>	<p>Yes</p>	<p>1. Yes Case constellation 1: Joint arrival of the family in Austria (e.g. application at an initial reception centre): In order to avoid separation of the family members, all steps of the initiation of the procedure are carried out jointly for the entire family. In addition, family members are identified as families in the Integrated Administration of Aliens system and the respective relationship to one another is recorded. The cases are linked. In the event of a later separation, this ensures that the family relationship can be reconstructed. Case constellation 2: Separate arrival of the family members in Austria (e.g. father already in the process in Austria, mother and children arrive in Austria and submit an application): As part of the initial questioning, the respondent is given the opportunity to name family members. By entering all persons in the Integrated Administration of Aliens system, a search for family members is easy to carry out. If the named family members can be found, family reunification can be facilitated. If family members are in the MS area, the initiation of a procedure in accordance with Regulation 604/2013 will be examined. If it is an unaccompanied minor, the option of family tracing is available.---Source: Ministry of the Interior</p> <p>2. 2a. The reception system in Austria follows the principle of shared responsibilities, which means that the tasks are shared between the Federal State and the Federal Provinces. During the admission procedure the Federal State is responsible for the reception of applicants and only organized housing is provided. After the admission procedure the Federal Provinces will become responsible and organized as well as individual housing is provided. At federal level, specialized reception facilities for families are available. If in addition, family members are in need of specialized medical assistance, families can also be accommodated in a specialized reception facility for this purpose. See also Q1</p> <p>--- Source: Ministry of the Interior</p> <p>3. Yes</p>
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			<p>If a family member decides to leave the Austrian territory without permission or to have an unknown residence in Austria, this will be noted in the Integrated Administration of Aliens system and a deregistration of material reception conditions and in the Central Register of Residents is performed. In the case of secondary migration to another MS, there is a fundamental obligation according to Art 18 para 1 subpara b to take the person back to Austria and to examine the application for international protection. However, this depends on the circumstances of the individual case (e.g. transfer of responsibility).---Source: Ministry of the Interior</p> <p>4. The process of deregistration of material reception conditions and in the Central Register of Residents is carried out officially. Family tracing is offered when a person arrives in Austria, see question 1. Family tracing by NGOs is available.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>5. Families are normally not being separated when being transferred from one federal reception facility to another. After the admission procedure and when the federal provinces become responsible, families are also normally transferred as a unit altogether.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>6.</p> <p>7. No There are no informal reception settings in Austria. During the admission procedure, every asylum seeker is being allocated to a federal reception facility.---Source: Ministry of the Interior</p> <p>8.</p>
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	<p>EMN NCP Belgium</p>	<p>Yes</p>	<p>1. Yes</p> <p>2.</p> <ol style="list-style-type: none"> 1. The Federal Agency for the Reception of Asylum seekers (Fedasil) centrally coordinates the Belgian reception network, which is organised by Fedasil together with reception partners. The Dispatching Service of Fedasil is in charge of referring asylum seekers to an appropriate reception structure throughout the Belgian reception network (collective reception structures, individual accommodation provided by municipalities or NGO's). <p>The Belgian Reception Act stipulates when accommodating applicants, among other, family unity shall be taken in account. The Dispatching Service of Fedasil therefore evaluates the individual situation of the applicant and the family composition to search for a suitable place to accommodate all family members together. Fedasil provides the possibility to relocate applicants to another reception facility after the initial assignment to a reception centre, allowing all of the members of a family to be accommodated within the same location.</p> <ol style="list-style-type: none"> b. Migrants reporting to the police in order to apply for asylum are being referred to the Registration Service of the Immigration Office in 'Petit-Chateau' also accommodating the Arrival Centre of Fedasil from where they will be allocated a reception place. Although there is no special procedure for families, the principle of family unity will always be applied. c. Detention premises are in the hand of the Immigration Office. In Belgium, families with minor children are not being detained. <p>3. Yes</p> <p>4.</p> <p>In October 2018, a Royal Decree was adopted to regulate the system and operating rules in reception centres. This Decree contains several general rights for the applicant, such as the right to a private and family life. Except in exceptional circumstances, residents belonging to</p>
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			<p>the same family have the right to be housed together or in a vicinity that satisfies the objective of respect for family life. Fedasil issued instructions or guidelines regarding all reception structures. Rejected applicants can receive a prolongation of their right to reception, they can stay in the reception facility until the right to material aid for their family member(s) comes to an end. These procedures are followed ex-officio.</p> <p>5. Yes</p> <p>6. Fedasil coordinates and provides the transfer of families from one reception facility to another. Their residents database provides an overview of where all applicants are residing.</p> <p>7. No</p> <p>8. NA</p>
	<p>EMN NCP Bulgaria</p>	<p>Yes</p>	<p>1. Yes</p> <p>2. The Bulgarian Red Cross Law (1995) stipulates the engagement of the National Red Cross Society as auxiliary to the State. Under the Law, the Bulgarian Red Cross (BRC) has a role and mandate to provide services for restoring and maintaining contact between members of families who are separated due to conflict, violence, disasters and other humanitarian ground, including migration. As per the same Law, the BRC is working with asylum seekers, refugees, third countries' nationals, UAM, UASCP, and etc. The BRC maintains 2 structures: Restoring Family Links Service and protection in immigration detention as well as Refugee and Migrant Service. Both services are available country-wide via the regional branches of the Bulgarian Red Cross.</p>


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			<p>The BRC communicates regularly with all competent state authorities, including the Ministry of Interior and the State Agency for Refugees, and the State Agency for Child Protection, as well as with NGOs in the country.</p> <p>With regard to the restoration of family links, the Geneva Conventions (which the Republic of Bulgaria is a party to) define the roles of: National Information Bureau (GCIII, art.122, and GCIV, art.136), and the Central Tracing Agency situated in Geneva, managed by the ICRC (GCIII, art.123 and GCIV, art.140). The activities can be grouped under the following categories: collecting, recording and forwarding information for the purpose of identifying prisoners of war, or civilian internees, the wounded, sick or dead and others afforded protection; forwarding family news; tracing missing persons; family reunification.</p> <p>3. Yes</p> <p>4. In addition to the State regulations, the Bulgarian Red Cross conducts information sessions with asylum seekers, refugees and migrants regarding possible tracing of family members and / or assistance for maintain contact with them, and restoring the connection. The Bulgarian Red Cross operates on the basis of recognized and publicly available standardized forms and in a network with all National Societies of the Red Cross and Red Crescent, the International Committee of the Red Cross and other relevant agencies where feasible and necessary.</p> <p>5. Yes, the Bulgarian Red Cross follows cases where family members are exposed to risk of separation and coordinates closely with the state authorities in charge as well as with other organizations in the country.</p> <p>6. National Information Bureau are Red Cross Red Crescent bodies placed under the responsibility of the State. The work of the NIB enables states to discover the fate of migrants and can contribute directly to the protection of people in the respective country. It also provides migrants' families with news for loved ones and an open channel for communication. Bulgarian Red Cross maintains contact with the relevant governmental structures responsible for the different cases related to families who are separated.</p>
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			<p>7. No</p> <p>8.</p>
	<p>EMN NCP Croatia</p>	<p>Yes</p>	<p>1. Yes</p> <p>2.</p> <p>a) As stipulated in the Act on International and Temporary Protection, Article 56., Paragraph 4., “When accommodating applicants in the Reception Centre, account shall be taken in particular of gender, age, position in a vulnerable group, applicants with special reception needs and family unity”. Therefore, when seekers of international protection arrive at reception center as a family, they are always accommodated in the same facility, and in one or more next door rooms, depending on the number of family members. Also, if a seeker of international protection already has a family member(s) living in one of the rooms in the Center, we accommodate them together, or try to provide them with room(s) suitable for their size.</p> <p>b) When migrants are detected by the police in relation to the identification process and for ensuring return, appropriate measures must be taken to maintain family unity. Those measures are based on the safeguard provisions of the Foreigners Law.</p> <p>c) Upon arrival at the Detention centre, families are accommodated in the same room and in a way that guarantees them adequate privacy.</p> <p>3. Yes</p> <p>4.</p>


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			<p>The procedure is followed ex-officio or at request of a family member (if family relations are not known before accommodation in detention center).</p> <p>In Reception Center the accommodation procedure is followed ex-officio, but applicant can always communicate with reception authorities (personally or through their legal representatives and third-party) and all their requests are taken into consideration.</p> <p>5. Yes.</p> <p>6. The rule is that family members are transferred together. If a family is being transferred from one reception center to another, family unity, in accordance with Act on International and Temporary Protection, is taken into account and they are always transferred together. In exceptional circumstances, when one applicant upon his arrival to a particular reception center is dislocated with his family, he/she will be transferred to another reception center to be accommodated with his family</p> <p>In addition to the fact that police officers must determine ex officio whether they are family members, we have a regular exchange of information with the Tracing Service from the Red Cross.</p> <p>Within the framework of its activities Tracing Service: reports on the victims of armed conflicts, manages requests for tracing missing persons and facilitates restoring links between separated family members.</p> <p>Its work is based on the Geneva Conventions and their Additional Protocols, resolutions adopted at International Conferences of the Red Cross and Red Crescent, and Restoring Family Links Strategy for the International Red Cross.</p> <p>Services of tracing are provided for asylum seekers and other migrants as well as to the victims of human trafficking.</p>
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			<p>It also traces persons who went missing in disasters and traces family members who lost contact due to migration. National Office of the Tracing Service cooperates with other Red Cross and Red Crescent National Societies, International Tracing Service.</p> <p>7. No</p> <p>8. There is no informal reception facilities in Croatia.</p>
	<p>EMN NCP Cyprus</p>	<p>Yes</p>	<p>1. Yes</p> <p>2. For all TCNs that arrive irregularly in Cyprus, the initial screening takes place at the First Reception Center by Police. All TCNs who arrive to Cyprus as a family are not separated by the Authorities.</p> <p>3. Yes</p> <p>4. For all TCNs that arrive irregularly in Cyprus, the initial screening takes place at the First Reception Center by Police. All TCNs who arrive to Cyprus as a family are not separated by the Authorities. If they are referred to a Reception Centre they will be referred to as a family to the same centre. If they do not apply for asylum (that is never the case), then since in Cyprus vulnerable groups are not detained, then alternatives to detention (mandatory reporting to a police station) is imposed in the whole family and the family is not separated.</p>


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			<p>5. Yes</p> <p>6. If within the asylum procedure, then the family is referred as a whole, is never separated and any transfer applies for the while family. If within the return procedure, no family is detained in Cyprus. Since families are not separated, no tracing system is necessary or exists.</p> <p>7. Yes</p> <p>8. For all TCNs that arrive irregularly in Cyprus, the initial screening takes place at the First Reception Center by Police. All TCNs who arrive to Cyprus as a family are not separated by the Authorities. If they are referred to a Reception Centre they will be referred to as a family to the same centre.</p>
	<p>EMN NCP Czech Republic</p>	<p>Yes</p>	<p>1. Yes</p> <p>2. The Foreign Police of the Czech Republic never separate members of families if they are aware of this relationship. Therefore they question migrants on this topic during their first contact. Later are migrants connected according:</p> <ul style="list-style-type: none"> • Information in their travel documents, • Self-declaration of migrants, • Declaration of a minor that a adult person is his/her guardian and will take full responsibility over the minor (in case the declaration comes from an adult person the minor has to verify it).

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			<p>3. Yes</p> <p>4. Once the relationship is declared are members of the family placed in the facility for families together and all other measures (transfers, returns etc.) are taken with bearing in mind this fact. Members of the family are not separated.</p> <p>5. Yes</p> <p>6. See answers above.</p> <p>7. Yes</p> <p>8. See answers above.</p>
	EMN NCP Estonia	Yes	<p>1. Yes The principle of family unity is maintained throughout of all procedures applied to migrants. However, if a family member is the actor of persecution or poses a serious threat, then this is the ground for not applying the principle of family unity in a certain case. Yet, our experience in this regard is very limited. Moreover, exception to family unity can be applied in an emergency situation according to the Obligation to Leave and Prohibition on Entry Act Article 154 (9) whereby family members detained in an emergency situation shall be placed together at the first opportunity, unless the separate detention of a family member is necessary for the protection of other persons, public health, public order or national security. Family privacy is guaranteed as far as possible.</p> <p>2.</p>

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			<p>Migration authority in Estonia is the Police and Border Guard Board (PBGB). PBGB while conducting procedures with regard to migrants respects the principle of family unity. Thus, migrants should be not separated from other family during any of the previously mentioned settings. Regarding detention of persons to be expelled, the Obligation to Leave and Prohibition on Entry Act Article 265 (3) states that family member shall be accommodated together in the detention centre.</p> <p>However, there could be exceptions in applying the principle of family unity. Namely, if a family member is the actor of persecution or poses a serious threat, this is the ground for not applying the principle of family unity in a certain case. Yet, our experience in this regard is very limited.</p> <p>Moreover, exception to family unity can be applied in an emergency situation according to the Obligation to Leave and Prohibition on Entry Act Article 154 (9) whereby family members detained in an emergency situation shall be placed together at the first opportunity, unless the separate detention of a family member is necessary for the protection of other persons, public health, public order or national security. Family privacy is guaranteed as far as possible.</p> <p>3. Yes The principle of family unity is maintained throughout of all procedures applied to migrants (except for exceptions highlighted before in Q2).</p> <p>4. If the person in the return procedure is also placed into detention, the Obligation to Leave and Prohibition on Entry Act Article 265 (3) states that family member shall be accommodated together in the detention centre.</p> <p>During the international protection proceedings family unity must be ensured by accommodating family members together (Act on Granting International Protection to Aliens Article 311). Moreover, according to the act a minor child of an applicant or an applicant who is a minor shall be accommodated together with their parent, their single minor sister or</p>
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			<p>brother or guardian on condition that it is in the interests of the minor. Finally, a dependant adult applicant with a special need shall be accommodated, where possible, together with their guardian, who is already staying in Estonia.</p> <p>All in all, the principle of family unity is maintained throughout of all procedures applied to migrants (except for exceptions highlighted before in Q2).</p> <p>All these procedures are followed ex-officio.</p> <p>Additionally, the Estonian Red Cross offers activities of Restoring Family Links which includes tracing requests to find lost family members, and the follow-up of requests to reunify families inside and outside the territory of Estonia. In the case of an interior request either from abroad or from inside the country, Red Cross works together with the Estonian authorities. In the case of a follow up, Red Cross provides the relevant information about the whereabouts and the conditions of the traced person with the necessary consent. The activities of Restoring Family Links are open to everybody.</p> <p>5. The principle of family unity is respected throughout of all procedures applied to migrants (except for exceptions highlighted before in Q2). Furthermore, the territory of Estonia is relatively small and the number of such people little, thus such incidents are not very likely to happen.</p> <p>6. Firstly, the principle of family unity is respected throughout of all procedures applied to migrants (except under circumstances mentioned in Q2). Thus, if the location of the separated/disappeared migrant is known then they will be unified with their family member(s).</p>
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			<p>Secondly, the PBGB in Estonia is the authority conducting the searches of missing persons in Estonia and in case of a missing person anyone can contact them.</p> <p>Thirdly, as mentioned before in Q4 Estonian Red Cross offers activities of Restoring Family Links which includes tracing requests to find lost family members, and the follow-up of requests to reunify families inside and outside the territory of Estonia.</p> <p>Finally, if necessary the PBGB will send out search queries for nearby countries if they know that the missing person is located in another country.</p> <p>7. No N/a. There are no informal reception settings in Estonia.</p> <p>8. N/a.</p>
	<p>EMN NCP France</p>	<p>Yes</p>	<p>1. Yes</p> <p>2. (a) in the Reception Centres for Asylum Seekers (CADA): if there is knowledge of the composition of a family, the French Office of Immigration and Integration (OFII) carries out the orientation of the family within a single institution. If there is knowledge of other family members, the OFII seeks to ensure that the other members may be in the same region to the extent of available places. (b) in reception centres: persons who declared to belong to the same household are accommodated together in order to ensure the family unity (in the case of persons applying for asylum, their referral to a dedicated accommodation facility takes place in the vast majority of cases once the application for international protection has been registered). It should be noted that Article 6 of the Charter of Rights and Freedoms and Received Persons annexed to the Ministerial Decree of 8 September 2003 enshrines the right to respect for family ties for persons receiving a place in a accommodation facility falling within the scope of Law 2002-2, with the principle of unconditional reception; thus including all</p>

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			<p>migrants irrespective of their administrative situation. "Care or support must encourage the maintenance of family ties and aim to avoid the separation of families or siblings being housed, in accordance with the wishes of the person, the nature of his or her benefit and the decisions taken by the court. In particular, establishments and services providing reception and care or support for minors, young adults or persons and families in difficulty or in distress shall, in conjunction with the competent public authorities and other parties involved, take all appropriate measures." These provisions are not specific to migrants and apply to anyone who is sheltered.</p> <p>c) police stations/gendarmeries when they have been apprehended by the police and are awaiting identification: if the persons apprehended declare that they wish to apply for international protection, they will be referred to the competent services, which will register jointly the members of the household as declared;</p> <p>d) detention centres: the possible implementation of an expulsion measure must take into account the family unit as declared by the person concerned.</p> <p>3. Yes</p> <p>4.</p> <ul style="list-style-type: none">• When registering an asylum application, all members of a household present on the territory are registered together. Since 2018, children have been mentioned in the temporary residence document given to adult asylum seekers and when deciding on the application of each parent, the decision granting the most extensive protection is deemed also to be taken for the benefit of the children.• As soon as possible after an unaccompanied minor has made an application for asylum, the administrative authority starts searching for the members of his or her family, while protecting the best interests of the minor. In cases where the life or physical integrity of a minor or of his or her close relatives could be threatened, this research is carried out in a confidential manner (Article L. 741-4 of the Code on Entry and Residence of Foreign Nationals and Right of Asylum - CESEDA).• As far as possible, the implementation of an expulsion procedure (following an obligation to leave French territory or in the context of a Dublin transfer) must make it possible to
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			<p style="text-align: center;">maintain the family unit (covering all members of a household) or should not be carried out if one of the members of the nuclear household is protected against such a removal order).</p> <ul style="list-style-type: none"> • The measures referred to above applying to persons applying for asylum shall be implemented ex officio by the authorities as far as they are provided for by the CESEDA. <p>5. Yes</p> <p>6.</p> <ul style="list-style-type: none"> • The French Office for Immigration and Integration (OFII) and the decentralised departments of the state (prefectures) must make a proposal for accommodation adapted to the family composition of the asylum seekers. In the case of transfers between accommodation facilities, this obligation remains. Any detention is made in accordance with the specificities of each structure and the rules applicable to the detention of minors. • Of the 19 metropolitan administrative detention centres (CRA) within the Central Directorate of the Border Police (DCPAF) competence, eight CRA are entitled to host families (for a total of 81 places). In the current period of health crisis, only four CRAS admit families (Mesnil-Amelot 2, Metz, Rennes and Oissel). <p>Family areas make it possible to maintain cohesion among members of the same family, provided that the children are minors.</p> <p>According to CRA placement management practice, adult children are placed in areas according to their gender. Similarly, a family father may be placed in the male area and the mother and the minor child in the family area. The best practice is also to place family members in the same CRA. Within the family area, the equipment is adapted and separation from the detainees, particularly those placed in the men's area, is optimal, depending on the constraints/specific features of the building. The "walks" take place in separate courtyards. Reserved slots are organised, if there is a need to use the same court. It should be noted that the average detention period does not exceed three days. The purpose of the placement of a family in a CRA is to implement removal as soon as possible and under optimal conditions, including for rerouting. The alternative to detention is the house arrest (AAR).</p> <ul style="list-style-type: none"> • Concerning the implementation of removal: Depending on the circumstances and particularities of the files, a group or commercial flight is carried out in order to expel the family members at the same time. However, no legal obligation imposes the removal of all
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			<p>family members on the same day. However, it is impossible to implement a removal, which would have the effect of leaving a single minor on national territory.</p> <ul style="list-style-type: none"> • France did not put in place a tracking system. <p>7. No</p> <p>8. In France, there are no informal reception settings.</p> <ul style="list-style-type: none"> • The State (Ministry of the Interior — General Directorate for Foreign Nationals in France (DGEF)/OFII) coordinates the accommodation centres covered by the National Reception Facility (DNA) in accordance with the rules mentioned above. It also welcomes migrants in general shelters under the principle of unconditional reception and respect for family unity (reception centres under the responsibility of the Ministry of Social Affairs — DGCS).
	<p>EMN NCP Germany</p>	<p>Yes</p>	<p>1. Yes</p> <p>2. Family members in general are distributed to the responsible reception facilities together. If there is one family member already living in a reception facility in Germany and other family members arrive, they will also be sent to this specific reception facility.</p> <p>3. Yes</p> <p>4. Family members arriving together are generally distributed and accommodated together by the authorities. Family members arriving at a later time can be (re)distributed with the previously arrived family members at the request of the applicant or the legal representative, if possible. Unaccompanied minors are also reunited with their families if their location in Germany is known to the responsible authorities. An exception to this will only apply if the youth welfare office (Jugendamt) responsible for the UMA objects to this procedure if they deem the UMA's welfare in danger.</p>


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			<p>As a matter of principle, the competent authorities ensure that families can stay together. This also applies to the context of return measures. Nevertheless, separation is possible after examination of the individual case. For example, if the separation of the family is self-induced due to the behaviour of a family member, e.g. if a family member goes into hiding. Even in such cases, however, care is taken to keep the period of separation as short as possible and to restore the family unity as soon as possible. Third country nationals are informed about the possible separation during the return procedure in such a case. They also receive counselling on the possibility of leaving the country voluntarily as a family, and are offered to use available AVRR programmes. In addition, if departure as a family is not an option due to the circumstances (availability of visa, etc) the third country nationals will be informed about this at an early stage and care is being taken to find a possible solution.</p> <p>5. Yes.</p> <p>6. If a family has to be transferred between facilities, this happens as a family unit as a matter of principle. All responsible authorities are aware of the address of the location to which the family will be transferred. Third country nationals who, for whatever reason, don't arrive at the foreseen destination are able to get the correct address at any moment of time. This way, only persons who intentionally abscond will get separated from their families. A separation of the family members is, however, possible if an adult family member has to be placed in detention during the scope of the return process. As mentioned above, great care is being taken to ensure that families are being re-united at later stages of the return process.</p> <p>A separate tracing system is not in place outside of the usual cooperation of the responsible authorities.</p> <p>7. Yes</p> <p>8. See questions 4 and 6.</p>
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			As a matter of principle, great care is being taken to ensure family unity of third country nationals. Reception, registration and transfer will generally happen without separating families. Possible exceptions of this rule only happen in specific circumstances described above and are, if they are not the result of absconding of single family members, always temporary.
	EMN NCP Hungary	Yes	<p>1. Yes</p> <p>3. Yes</p> <p>4.</p> <p>According to the Act LXXX of 2007 on Asylum and the Government Decree 301/2007 (XI.9.) on the implementation of the Act LXXX of 2007 on Asylum, during placement at the reception facilities – at open reception centre and in asylum detention centre as well, the asylum authority is obliged to maintain the unity of the family, even in the case of a different legal status of the family members, to accommodate the family members together, unless otherwise requested and to ensure the protection of the family life of the resident. The maintenance of family unity should, as far as possible, be ensured during the separation of a person in need of special treatment. When accommodating an unaccompanied minor, family unity shall be ensured by the joint placement of siblings, taking into account the age of the siblings and their level of maturity</p> <p>Normal 0 false false false HU X-NONE X-NONE</p> <p>/* Style Definitions */ table.MsoNormalTable {mso-style-name:"Normál táblázat"; mso-tstyle-rowband-size:0; mso-tstyle-colband-size:0; mso-style-noshow:yes; mso-style-</p>

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			<p>priority:99; mso-style-parent:""; mso-padding-alt:0cm 5.4pt 0cm 5.4pt; mso-para-margin-top:0cm; mso-para-margin-right:0cm; mso-para-margin-bottom:10.0pt; mso-para-margin-left:0cm; line-height:115%; mso-pagination:widow-orphan; font-size:11.0pt; font-family:"Calibri","sans-serif"; mso-ascii-font-family:Calibri; mso-ascii-theme-font:minor-latin; mso-hansi-font-family:Calibri; mso-hansi-theme-font:minor-latin;} 5. NO 6. N/A 7. No 8. N/A</p>
	EMN NCP Ireland	Yes	<p>1. Yes This answer refers to migrants who make applications for international protection on entry to the State.</p> <p>2. Answer relates to section a - reception facilities. Applicants for international protection are offered accommodation in the reception system, on a 'direct provision' basis which offers full accommodation, a financial allowance and other supports. Applicants are under no obligation to accept this offer and may choose to stay with friends or relatives in the State. In 2019, 3,847 applicants were accommodated by the International Protection Accommodation Services which was 80.7% of new applications [Source: Report of the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Process, September 2020. Available at: www.gov.ie]. Of persons pending in the application process at end July 2020, 38.1% were part of a family unit [Source: Ibid].</p>


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			<p>Applicants are referred in the first instance to a reception centre in Dublin, where initial screening, including health screening and vulnerability assessment, takes place. Applicants are then assigned a place in one of the accommodation centres throughout the country.</p> <p>Family unity is preserved to the maximum extent possible in assigning accommodation places. Accommodation types includes accommodation in congregated settings, where the family is accommodated in a room or number of interconnected rooms in a dedicated accommodation centre. A significant proportion of families are accommodated in own door accommodation, including apartments with cooking and laundry facilities in the apartment. IPAS is aiming to accommodate all families in own door accommodation.</p> <p>Children remain under the care and responsibility of their parents while in accommodation centres, not in the care of the State. For general information, it should be noted that unaccompanied minors are placed in the statutory care of Tusla, the Child and Family Agency and are not accommodated in the reception system.</p> <p>National Quality Standards for Accommodation Centres published in 2019, set out standards in relation to maintenance of family unity in accommodation centres. See link: http://www.justice.ie/en/JELR/Pages/PR19000215</p> <p>In particular, Standard 4.4 provides that: "The privacy and dignity of family units is protected and promoted in accommodation centres. Children and their care-givers are provided with child friendly accommodation which respects and promotes family life and is informed by the best interests of the child." Standard 7.1 provides that: "The service provider supports and facilitates residents to develop and maintain personal and family relationships." One of the indicators to support this standard states: "Family unity is respected and promoted by ensuring that families of every kind are accommodated together where appropriate, or facilitated to visit with family members, in a style that promotes family life and in line with the best interests of the child."</p> <p>The Standards also cover the procedures in place in situations of domestic violence and a Child Safeguarding Policy is also in place for accommodation centres. Such circumstances may necessitate separating family members, following consultation and advice from the dedicated IPAS child and family services unit Manager, a Social Work Team leader as well as other appropriate experts and advocates.</p> <p>3. Yes</p>
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			<p>4. See answer to Question 2 above referring to the international protection procedure. It should be noted that Ireland does not operate immigrant detention centres. Ireland does not participate in the Return Directive 2008/115/EC. A person subject to a deportation order may be subject to arrest and detention, if they do not comply with the conditions set out in the deportation order and accompanying arrangements letter. Minors are not detained. If parents/guardians are detained, children are taken into the temporary care of social services and the family will be reunited at the airport for removal.</p> <p>Section 5(6)(c) of the Immigration Act 1999 provides: (c) Where an unmarried child under the age of 18 years is in the custody of any person (whether a parent or a person acting in loco parentis or any other person) and such person is detained pursuant to the provisions of this section, the immigration officer or the member of the Garda Síochána concerned shall, without delay, notify the Child and Family Agency of the detention and of the circumstances thereof."</p> <p>It is possible that only one parent would be detained. In these circumstances, the children would remain in the care of the other parent.</p> <p>5. Every effort is made to ensure family members are accommodated together in reception centres, including in cases where transfer to another centre is necessary.</p> <p>6. Not applicable.</p> <p>7. No Not applicable.</p> <p>8. Not applicable. Ireland does not use 'informal reception settings'.</p>
	EMN NCP Italy	Yes	1. Yes

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			<p>2.</p> <p>When migrants irregularly cross the border, Italian authorities conduct them to the hotspots (first aid and reception facilities regulated by art. 10 ter del D. Lgs. n. 286/98) in order to proceed to health screening, pre-identification (assessment of potential vulnerability), registration, photographic identification, fingerprints.</p> <p>Then, according to a Circular of the Department of Civil Liberties and Immigration issued on 6 October 2015 (protocol n. 14106), Italian authorities may deal with 3 situations:</p> <ul style="list-style-type: none">- Migrants who want to ask for international protection: they are transferred to reception facilities in order to formalize the application through the fill of the model C3;- Migrants coming from countries whose rate of recognition of international protection is equal to or greater than 75%: Italian authorities grant the support of EASO and UNHCR and an information focused on relocation procedures. If a migrant wants to ask for asylum, he/she is identified by photograph as EURODAC CAT. 1 and transferred to regional hubs for the formalization of the application through the fill of the European Model C3;- migrants disinterested in international protection application or relocation procedures: they are transferred to Centres for Return, waiting for expulsion/repatriation. <p>3. Yes</p> <p>4.</p> <p>The Dublin Regulation (in particular, the competence criteria) offers the opportunity and scope to avoiding the family separation during asylum procedures, also if members of the same family submit the application in different member states.</p> <p>In hotspots, migrants are informed by Italian authorities and supported by law enforcement, medical staff, European agencies (European Border and Coast Guard Agency, EASO, EUROPOL, UNHCR). Also NGOs can access to hotspots but only on the basis on specific agreements with the Government.</p>
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			<p>Moreover, as said in Q.2, migrants who want to ask for international protection are transferred to reception facilities in order to formalize the application through the fill of the model C3. In this form, the applicant has to specify if:</p> <ul style="list-style-type: none">- there is another family member who apply for asylum;- there are sons living in Italy or in another states;- there are some familiars living in Italy. <p>All this information is aimed to maintain or restore the family unit.</p> <p>The family unit is granted also in cases of expulsion. For example:</p> <ul style="list-style-type: none">- if a parent is affected by an expulsion order, the Juvenile Court may retain to allow him/her an authorization to legally reside within the national territory if there are serious reasons connected to physical and mental development of him/her child, taking into account the age and the medical condition of the minor concerned (art 19 comma 2 lett. a) and art. 31 comma 3 of law 286/1998);- article 19 of law 286/1998 also provides that ban of expulsion for familiars (within the fourth degree of consanguinity or the spouse) of an Italian citizen. <p>5. YES</p> <p>6.</p> <p>Regulation about reception system is clear: the reception facilities are obliged to respect unit of family members, privacy, gender differences, needs link to age, physical and psychological health (art. 10 of law 142/2015, recently modified by the law 130/2020 and art. 20.5 of law 25/2008).</p> <p>About tracing system, Italy elaborated a specific regulation for UAMs. In fact, with the purpose to guarantee the right to family unit, the Ministry of Interior stipulated conventions with international or intergovernmental organizations, humanitarian associations to implement programs aimed at identifying family members of the minor, taking into account his best interest (art 19 comma 7, law 142/2015).In particular, with regards to return decisions,</p>
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			<p>according to the national legislation, the Directorate-General for Immigration and Integration Policies of the Ministry of Labour and Social Policies is responsible for Family Tracing & Assessment of UAMs present in Italy, in order to trace family members, in other Member states or also in the Country of Origin.</p> <p>7. No</p> <p>8.</p>
	<p>EMN NCP Latvia</p>	<p>Yes</p>	<p>1. Yes There are no special measures and/or procedures in place to prevent separation of migrants from other family members when they come into contact with state authorities. The principle of family unity is maintained throughout of all procedures applied to migrants.</p> <p>2. Migration authorities of Latvia while applying procedures with regard to migrants respect the principle of family unity. Taking into account mentioned migrant family members are not separated neither when detected nor during identification process or any other stage of migration procedure applied, including accommodation and detention. Immigration law and Asylum law provisions defines that in order to preserve family unity members of a family shall be accommodated together</p> <p>3. Yes There are no special measures and/or procedures in place to prevent separation of migrants from other family members during their stay, but there are provisions defined in Immigration law and Asylum law regarding placement of family members in accordance with family unity principle in accommodation centers. The principle of family unity is maintained throughout of all procedural measures applied to migrants</p>

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			<p>4. In accordance with Immigration law upon request of a detained foreigner, who is in return procedure, in order to preserve family unity, the other detained family members shall be accommodated together with him/her in the Detained Foreigners Accommodation center. If a detained foreigner has a child who has not been detained, on the basis of a request of the detained foreigner, in order to preserve family unity, the child may be placed in the Detained Foreigners Accommodation center together with the detained foreigner. If the detained foreigner is not willing to be placed together with not detained child in detention center, the child will be placed with relatives legally staying on the territory of Latvia or in the child care facilities.</p> <p>In accordance with Asylum law when providing accommodation of an asylum seeker in Accommodation Centre for Asylum seekers (opened center), to the unity of a family shall be preserved, taking into account the opinion of the asylum seeker. Additionally to that the detained family members of an asylum seeker shall be accommodated together in Detained Foreigners Accommodation Center, if any of them does not object, however, separately from other detained persons, ensuring privacy.</p> <p>The exception will be in case if the migrant poses a threat to his/her family members or because of health reasons</p> <p>5. Yes. With the aim to prevent separation of migrants from other family members the State Border Guard provide the transfer of families of migrants from one accommodation center to another (from one center to another).</p> <p>6. There are family tracing measures within procedures applied to unaccompanied minors (UAM):</p> <p>In case if UAM is found on the territory of Latvia:</p> <ol style="list-style-type: none">1. In accordance with Immigration law: If the identity and citizenship or country of residence of a minor foreigner who is not accompanied by a parent or his or her legal representative has been established, the State Border Guard with the intermediation of the Consular Department communicate with the diplomatic or consular representation of the relevant country, relevant competent institutions or non-governmental organizations which monitor the respect of the rights of children in this third country, and implement other necessary measures in order to ensure execution of the voluntary return decision or removal
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			<p>order and the handing over of the minor foreigner who is not accompanied by a parent or his or her legal representative to a family member, legal representative of the parents, representative who monitors the respect of the rights of children in this country, or a representative of the institution which ensures placing of the child in a suitable accommodation institution.</p> <p>1. <u>In accordance with Asylum law:</u> If asylum application is submitted by UAM, the Orphan's and Custody Court together with the social service office of the local government, the State Border Guard, and the Office shall take measures to look for family members of the minor and ascertain the possibilities of returning such person to family. The Orphan's and Custody Court shall immediately decide on appointing a guardian for the unaccompanied minor. The Orphan's and Custody Court shall take a decision to appoint a guardian, finding out the opinion of the Office. Primarily an unaccompanied minor shall be provided care with a guardian or a foster family.</p> <p>In case of a minor missing on the territory of Latvia: The State Border Guard send an alert on a missing child with detailed information to the neighboring countries through the National Coordination Centre of the State Border Guard and inform contact points at the borders with Lithuania and Estonia. There is a helpdesk that accepts calls related to missing minors and passes this information to the police, provides advice and support to those responsible for the missing minor and provide support in the investigation. This service operates 24/7 and is provided by the Ministry of the Interior.</p> <p>In case of families missing on the territory of Latvia: Taking into account that Latvia is used by migrants as a transit country on their way to the country of destination, there are no special measures defined for tracing families, because missing families are later found at the other EU Member States and are several times returned back with the use of different instrument (e.g. Dublin, readmission)</p> <p>7. No</p> <p>8. N/A</p>
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	<p>EMN NCP Lithuania</p>	<p>Yes</p>	<p>1. Yes</p> <p>2. According to the legal regulation in Lithuania, families shall be accommodated together. Therefore in all above mentioned stages or facilities family members should be accommodated/detained together and only in exceptional circumstances family members can be separated.</p> <p>a. When foreigners arrive to Lithuania and they are identified as irregular or asylum seeking in the State Border Guard Service, until their situation is resolved, i.e. whether to detain them or apply measures alternative to detention or to accommodate asylum seekers, all family members are waiting for the decision in the same place and are not separated.</p> <p>b. If foreigners are detected by the police and while they are waiting to be identified and will be transferred to other authorities, all family members are waiting in the same place and are not separated. Also it should be noted that the person without the court judgement cannot be detained for more than 48 hours.</p> <p>c. Elaborated further, please see answer no 4.</p> <p>3. Yes</p> <p>4. According to the legal regulation in Lithuania, families shall be accommodated together. During international protection procedure asylum seekers can be accommodated in the Foreigners Registration Centre, in the Refugee Reception Centre, or in accommodation facilities provided by NGOs (i.e. alternative accommodation places). At the asylum seeker's request, he can be accommodated in his own place.</p> <p>When asylum seekers are accommodated in the above mentioned Centers, members from one family are accommodated together in one living premises or in separate premises, which are nearby and are not isolated from each other, and adequate privacy is insured. Also, asylum seekers from one family are accommodated together in the same premises, when they are accommodated in an alternative accommodation places provided by NGO. If asylum seekers are detained during international protection procedure, they are detained in the Foreigners Registration Centre in the detention section. During detention family members are accommodated together. In the detention center there are separate detention section for single men and detention section for families and single women.</p>
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			<p>Accommodation premises for the foreigners who are in the return procedure are not provided by the state. If returnees are detained during return procedure they are detained in the Foreigners Registration Centre in the detention section. During detention family members are accommodated together. In the detention center there are separate detention section for single men and detention section for families and single women.</p> <p>The foreigners do not need to submit any request to accommodate family members together, it is stated in the legal regulation that family members are accommodated together.</p> <p>It should be noted that in a specific circumstances family members can be separated, i.e. if one family member have to be detained and other family members are not detained. But as it is stated in the case law, these measures can be applied only in exceptional cases, when the ground for detention is special (for example threat to the state and similar) and there are no alternative measures which can be applied.</p> <p>5. Yes.</p> <p>6. When there is a decision to accommodate foreigners in the other place or to detain them, these decisions are issued to all family members on the same time and they are transferred to a different facility at the same time.</p> <p>In Lithuania there is no "tracing system" on national level. However, Lithuanian Red Cross Society performs family tracing activity, i.e. Lithuanian Red Cross is a part of Restoring Family Links Network managed by the International Committee of the Red Cross, which is helping people to find their family members, who have got separated or disappeared.</p> <p>7. Yes</p> <p>8. According to the legal regulation, members of one family are accommodated together in one living premises or in separate living premises, which are nearby and are not isolated from each other and adequate privacy is insured. When there is issued decision to accommodate family in the alternative accommodation facility, the decision is issued for all family members together.</p>
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	<p>EMN NCP Luxembourg</p>	<p>Yes</p>	<p>1. Yes This is especially the case for applicants for international protection (see answers to the following questions). Outside the framework of international protection the situation is different : Indeed the third-country national who tries to find a third-country national family member in Luxembourg must, before entering Luxembourg, have already an authorization for stay as a family member. The latter is only granted if the sponsor who is on the territory of the Grand Duchy can prove stable, regular and sufficient resources to meet his needs and those of his family members, appropriate housing to receive his family members and health insurance for himself and his family members. With regard to family reunification and thus the constitution of the family unit a distinction is made according to the degree of kinship and the category of family members. The Law on the Free Movement of Persons and Immigration also defines the circle of beneficiaries of family reunification: the spouse/partner and minor children are allowed to join the sponsor if the conditions are met. Entry and residence may be authorized under certain conditions, in particular for first-degree relatives in the direct ascending line of the sponsor or his/her spouse or partner to the unmarried adult children of the sponsor or his/her spouse or partner.</p> <p>2. In regard to the arrival at the reception facilities, article 10 (4) of the amended law of 18 December 2015 on the reception of applicants for international protection and temporary protection states that the Director of the National Reception Office ("Office national de l'accueil", ONA) shall ensure that the family unit is preserved and that the applicant is transferred from one structure to another only when necessary. According to article 10(5) of the law, the Director also ensures that dependent adult applicants with special needs are accommodated together with adult close relatives already present in an accommodation structure.</p> <p>In practice, any person arriving and wishing to file or that has filed an application for international protection with the Directorate of Immigration of the Ministry of Foreign and European Affairs must first move to the first-reception facility to be tested for the COVID-19. After being tested negative people are transferred, according to their eventual vulnerability and the availability in the accommodation structures, If the person has filed a reunification demand then he/she will be transferred as soon as feasible, depending on availability of places within the reception structures, and reunified with his/her family. If there is no available place within the reception structure, the person will await the reunification with his/her family in a transition structure.</p>
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			<p>In a general way it is taken care to preserve/constitute the family unit primarily with close relatives (1st degree, or even 2nd degree), or even according to the situation with relatives of the 3rd degree (nephews and nieces in relation to their uncles and aunts).</p> <p>The reception procedure will significantly change at the start of 2021 with the opening of a new first-reception structure. The change will improve the handling of the AIP and facilitate the management of the different cases: inadmissible application for international protection, the Dubliners etc.</p> <p>In the Detention Center, families can be detained up to 7 days (article 6 of the amended law of 28 May 2009 on the creation of the detention center). This is a measure of last resort but in those cases the unity of the family is preserved (all of them stay/remain together).</p> <p>3. Yes</p> <p>4. See answer to question 2. As mentioned above it is up to the Director of the ONA to maintain the family unity. If the family members are dispersed in different reception centers the Director will bring them together except if it is necessary to keep them apart (e.g. for disciplinary measures and in the best interests of the minor) or if they choose to be separated. Migration authorities do not play an active role on this.</p> <p>As already mentioned the Director must act ex-officio, but he can also act at the request of the applicant or their legal representative (i.e. lawyer).</p> <p>Additionally to the legal procedures applied by the state authorities and due to the fact that the Luxemburgish Red Cross is present in the First Reception Facilities as well as in other Reception Facilities, the Luxemburgish Red Cross offers activities of Restoring Family Links which includes tracing requests to find lost family members, and the follow-up of requests to reunify families inside and outside the territory of Luxemburg. In the case of an interior request either from abroad or from inside the country, Red Cross works together with the Luxemburgish Authorities. In the case of a follow up, Red Cross provides the relevant information about the whereabouts and the conditions of the traced person with the necessary consent. The activities of Restoring Family Links are open to</p>
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			<p>everybody and are not limited to our beneficiaries. The same applies to natural disasters or human conflicts.</p> <p>5. Yes. See answer to question 2. Red Cross interferes as far as they are contacted or asked.</p> <p>6. As mentioned in the answer to question 2, the Director of the ONA shall maintain the family unity. As all the reception facilities in Luxembourg are under the authority of the ONA (ONA has 54 structures under its supervision from which 28 structures are managed by the ONA, 14 by the Red Cross and 12 by Caritas), the location of family members is easily done by using the registers of the reception centers. No tracing system is needed due to the geographical size of the country and the centralized structure supervising the reception centres. In several situations of forced returns, Luxemburgish Red Cross visits the returnees in the Detention Centre and offers the same service as written under question 5.</p> <p>7. Yes</p> <p>8. The Restoring Family Links Activities of Red Cross is available for all people independently where they stay inside the territory of Luxembourg and on request. Regarding different activities offered in informal reception settings (Wanteraktioun, Streetwork ...) Red Cross is involved and offers the activities of Restoring Family Links. The same procedure as the one described under question 2 is applied for applicants for international protection and temporary protection that are accommodated within private households.</p>
	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. Yes</p> <p>2. 1. Arrival at the border:</p>

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			<p>The Royal Netherlands Marechaussee (KMar) can come in contact with families either at the airports or during Mobile Security Monitoring which take place just within the Dutch Borders. In principle, when a family is found, a screening will take place to establish the family relationship as much as possible. This is part of the registration and identification process and takes place at a facility of the RNLN. If the family relationship is confirmed, a family will in principle always stay together and be transported via the Chain-wide[1] Operational Coordination Centre for Third-country Nationals (Ketenbreed Operationaal Coördinatiecentrum Vreemdelingen, KOCV) to Ter Apel. In the event that a custodial measure is imposed on the members, the family will be transferred to the GGV (closed family facility) in Zeist. There are no special procedures in place in the unlikely event if a person goes missing after the screening procedure and before arriving in the reception centre in Ter Apel.[2]</p> <p>1. Police stations</p> <p>Migrants, including families, who report at the police station for the purpose of seeking asylum are referred to the registration centre (see below). To this end, they are provided a train ticket to Ter Apel. There is no special procedure for families, though if the whole family is under age they are brought to the registration centre (transportation provided by taxi/cab). Exceptions might be made for families who arrive at a police station in the evening. If it is not possible to travel to the registration centre at that time the police will contact the Central Agency for the Reception of Asylum Seekers (COA) at a location near the police station to arrange temporary accommodation for that night.[3]</p> <p>1. Arrival at the reception facilities:</p> <p>There are measures in place to prevent the separation of migrants from other family members when they first come into contact with authorities upon arrival at the reception facility, i.e. when they arrive at a registration centre for the purpose of claiming asylum. There are two registration centres, in Ter Apel and in Budel. At both registration centres there is a special family room where the registration of families takes place. This family</p>
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			<p>room is child friendly and the whole family can stay in this room together during the registration process.[4]</p> <p>Furthermore, families who enter the country together and who are present together at the registration, are also placed in reception together. If family members did not enter the country together, then the COA strives to unite them as soon as the procedure allows it.[5]</p> <p>d. Detention centres: Not applicable.</p> <p>[1] The word 'chain' refers to the 'migration chain' (migratieketen), which is the term used to indicate the government organisations cooperating in the migration process in the Netherlands.</p> <p>[2] Information provided by provided by the Royal Netherlands Marechaussee for questions 70 and 71 on 16 December 2020</p> <p>[3] Information provided by the National Police on 6 January 2021</p> <p>[4] EMN NCP Netherlands, 'Questionnaire Children in Migration', 2020</p> <p>[5] Information submitted by the Central Agency for the Reception of Asylum Seekers on 7 January 2021, additional information submitted on 12 January 2021.</p> <p>3. Yes</p> <p>4.</p> <p>International protection procedure</p> <p>There are procedures/measures in place to prevent the separation of migrants from other family members during the international protection procedure.</p> <p>After completing the registration and identification procedure at the registration centre, families are first hosted in the reception centre at the application centre (centrale ontvangstlocatie, COL) for the medical assessment and the application interview. Thereafter families are transferred to one of the general process reception centres (procesopvanglocatie, POL), where they stay during the general asylum procedure. If the general asylum procedure for some reason takes longer than the maximum time of 8 days, the family will enter the extended asylum procedure. The family will be transferred from the</p>
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			<p>POL to a reception centre (asielzoekerscentrum, AZC). The residents live in residential units often with 5 up to 8 people, where families sometimes share a unit with other residents. Families remain together throughout their stay In the registration centre, COL, POL and AZC. This procedure is followed ex officio. In this regard, the COA applies the concept of “placement unity”: families who travelled together as a group are placed in reception together. This prevents separation of families who have travelled together.[1]</p> <p>Return procedure</p> <p>There are procedures/measures in place to prevent the separation of migrants from other family members when they are detained for the purpose of return, and when an alternative to detention is applied for the purpose of return.</p> <p>The Royal Netherlands Marechaussee has a special family room where families will stay in the hours before being deported by plane.[2]</p> <p>Detention</p> <p>Families with minors can be placed in detention under certain strict conditions. If detention is ordered, the family is placed in a family unit in the Secure Family Facility (Gesloten Gezinsvoorziening, GGv). This procedure Is followed ex officio.</p> <p>Alternative to detention</p> <p>There is an alternative to the detention of families with children for the purpose of return available in the Netherlands. Families with minor children who did not leave the Netherlands within the voluntary departure period are placed in an open family location (gezinslocatie, GL).</p> <p>Other</p> <p>Throughout the departure procedure, the Relocation and Departure Service (Dienst Terugkeer en Vertrek, DT&V), maintains that families depart together. Should one of the family members abscond, then DT&V continues to give them the opportunity to rejoin the family, e.g. by ensuring that return tickets remain available.</p> <p>[1] Information provided by the Central Agency for the Reception of Asylum Seekers on 7 January 2021.</p>
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			<p>[2] Information provided by provided by the Royal Netherlands Marechaussee for questions 70 and 71 on 16 December 2020</p> <p>5. Yes</p> <p>6. It is common practice that families remain together in all facilities they stay in, during their stay in Netherlands. During the transfer between different COA locations, the family also travels together, which prevents separation of the family during the transfer itself. If a migrant nevertheless disappears, this information is shared within the COA considering the possibility that a person will appear again at another COA location. If that is the case, COA will investigate whether reunification with the other family member(s) is desired. If that is the case, there is contact between the different COA locations.</p> <p>7. No Not applicable</p> <p>8. Not applicable</p>
	<p>EMN NCP Poland</p>	<p>Yes</p>	<p>1. Yes</p> <p>2.</p> <ol style="list-style-type: none"> 1. Arrival at the reception facilities: Foreigners who arrived to reception centres for the first time are joined with their family members living in or out of the centre. 1. Police stations when they are detected by the police and they are waiting to be identified: n/a 2. Detention centres: n/a


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			<p>3. Yes</p> <p>4.</p> <p>All foreigners applying for international protection and planning to live outside the centre for foreigners (receiving social benefits for accommodation outside the centre) have an opportunity to fill in the survey with the information about the person who is to be informed in case of serious disease or death. When an applicant for international protection living in the centre for foreigners without family has a serious problem with health condition, Office for Foreigners checks contact with their family through Dublin procedures. If there is not any way to contact the family, Office for Foreigners contacts the Polish Red Cross to find their family member and let them know about the problem. When a single foreigner dies during the international protection procedure, Office for Foreigners tries to find any contact with their family members in their country of origin through their friends living in the same centre. If there is not any way to contact the family, Office for Foreigners organizes a funeral and then a local Registry Office is required to send to the proper Embassy in Poland the information about the death of their citizen. When a single applicant for international protection comes from an EU Member State and has a serious psychological/ psychiatric problem, Office for Foreigners checks a contact with their family through Dublin procedures. If there is not any way to contact the family, Office for Foreigners calls a proper Embassy in Poland to find a family member and send the foreigner back to the family care. The applicant submits the application for granting international protection on behalf of minor children accompanying him/her, spouse and minor children of such spouse, with consent of the spouse expressed in writing (common application). If an unaccompanied minor is accompanied by an adult relative in a straight second line (grandfather / grandmother) or in a second or third degree lateral line (siblings or siblings of his/her parents), the Border Guard can apply to the guardianship court to establish the relative as a foster family. While making a decision on granting international protection Polish authorities consider applications of family members together, even if each of them applied for international protection on their own, and assess the best interests of the child taking into account factors and standards like right to live together with a family and not to be separated from parents. When an unaccompanied minor escapes from a child care facility (orphanage), authorities of the facility call the Police to report the missing and initiate the search. In case of Dublin transfer, in every decision Office for Foreigners adds: "You are kindly asked to make every effort to avoid the</p>
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			<p>separation of families during transfer. In case the transfer arrangements are made separately for each member of a family you must reckon with the refusal of acceptance of these persons at the Polish border.”.</p> <p>5. Yes</p> <p>6. During registration, in order to obtain social assistance, foreigners can stay in the center or receive social assistance to cover their own costs of staying in the territory of the Republic of Poland outside the center. Usually, foreigners declare their willingness to live where their relatives are already during registration. Both at private address and in centers. On the basis of family reunification, the Office responds positively to such applications. Office for Foreigners transfers from reception centre to the residence centre all family members. There is no possibility to separate migrants from their family. Both in reception as well as in residence centres foreigners are accommodated with all family members in the same room/apartment, if all members agree to that. The issue is guaranteed in Regulation of the Ministry of Interior and Administration on the rules of stay in the center for foreigners. Due to the open nature of the centers for foreigners operated by the Office for Foreigners, leaving the center is possible. In this case- family members can call the Police to report the missing and initiate the search. When the missing foreigner is a minor, Office for Foreigners calls the Police as well.</p> <p>7. No</p> <p>8. n/a</p>
	<p>EMN NCP Portugal</p>	<p>Yes</p>	<p>1. Yes</p> <p>2.</p>


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			<ol style="list-style-type: none">1. Arrival at the reception facilities - When a citizen ask for an application for international protection in Asylum and Refugees Department, it is verified if there are family members in the other EU Member States, if so, we apply Article 11 of the Dublin Regulation. In case the applicant has family members in Portugal, all steps towards family reunification are taken.1. Police stations when they are detected by the police and they are waiting to be identified – Police authorities always seek to guarantee family unity. When the security forces (PSP (Public Security Police) GNR (National Republican Guard) and the Maritime Police), detect TCN families, they contact the Portuguese Immigration and Borders Service (SEF), so that the concrete situation is identified. If necessary, they take the family to SEF's facilities in order the ensure that the necessary measure in terms of migration control and prevention of risk of separation is adopted. Judicial authorities (the Criminal Police) may be involved due to any related specific case (e.g. minors at risk, among other situations of vulnerability or victimization).2. Detention centres – In detention centers, guaranteeing family unit is a main objective, thence the existence of rooms for families. 3. Yes 4. The prevention of the separation of migrants from other family members is carried out through all the measures taken for the family unit. Families are lodge in the same facilities and all efforts are made for the social insertion of the household, including the integration of minors into the education system, in health care free and juridical support free. 5. Families are transferred together, all at the same time.
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			<p>6. The Portuguese Immigration and Borders Service (SEF) proceeds to transfers between reception and detention centres</p> <p>7. Yes</p> <p>8. In the premises of the lodging facilities there are rooms for female members and rooms for male members, as well as rooms for the accommodation of households.</p>
	<p>EMN NCP Slovakia</p>	<p>Yes</p>	<p>1. Yes</p> <p>2. According to the Act on Residence of Foreigners, when placing third country nationals into the detention center, the Police take into consideration their age, health status, family ties and religious, ethnic and national specificities. It is a common practice that during the detention or during the procedure on administrative expulsion a family is kept together either at a respective Police department or in case of detention also in the detention center. Moreover, considering the size of the Slovak Republic and the fact that there are only two detention centers in place, it is also more likely that a family is placed together. One of the detention centers is a specialized facility for families with kids and the families are usually placed in this one. As regards asylum seekers and their arrival to the reception or accommodation center, family members are accepted and accommodated together. Questions regarding the presence of their family members in the territory of the Slovak Republic and EU are part of the initial interview. In case the asylum seeker is interested in a family reunification, the institutions responsible for the family reunification are notified about this.</p> <p>3. Yes</p>

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			<p>4. As regards detention centers, see the response in 2. – this is a common practice at the respective departments. Families with children are automatically placed into a facility specialised for this purpose. Family-related asylum seekers are accommodated together, in common areas/rooms of the reception centre. After the quarantine, they are moved together to the accommodation centre dedicated to housing vulnerable groups of applicants, e.g. families. This is an ex-officio procedure.</p> <p>5. Yes.</p> <p>6. These persons are transferred together.</p> <p>7. No N/A</p> <p>8. N/A</p>
	EMN NCP Slovenia	Yes	<p>1. Yes</p> <p>2. a) According to the Slovenian International Protection Act "family members of an applicant" mean third-country nationals or stateless persons who are present in the Republic of Slovenia and who are members of the family that already existed before their arrival in the Republic of Slovenia. The following shall be deemed to be family members: - the applicant's spouse, registered partner or partner who has been living with the applicant in a relationship for an extended period, whereas in the case of polygamy, only one person shall be deemed to be such family member, i.e. the one designated by the applicant,</p>


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			<ul style="list-style-type: none">- minor children of the applicant or the person referred to in the preceding indent on condition that they are unmarried and regardless of whether they were born in wedlock or in an extra-marital relationship or were adopted,- the applicant's children born in the Republic of Slovenia,- the father, mother or another adult who is responsible for the applicant if the applicant is a minor and unmarried,- other relatives of the applicant when they live in a community which is essentially the same as a nuclear family or has the same function as a family, which shall mean, in particular, genuine family ties among the members, physical care, protection, emotional support and financial dependence. Persons who arrive in the Republic of Slovenia as family members are treated as such in the process of accommodation and care. <p>c) The right to respect for family life granted under Article 8 ECHR is applied at the admittance at the detention centre. Family members admitted to the detention centre are accommodated together in the department dedication for vulnerable groups. Individual foreigners accommodated in the detention centre are allowed to have telephone conversations with family members or other persons. Foreigners have the right to a free telephone call upon the admission to the centre. Additional free phone calls are also allowed if requested.</p> <p>3. Yes</p> <p>4.</p> <p>As mentioned above, persons who arrive in a reception centre in Slovenia as family members are not separated. This also applies in case of transfer to another accommodation location. In the case of unaccompanied minors in international protection procedure, who came accompanied by persons who do not prove to be close family members, in order to protect and determine the best interests of the child, in addition to a legal representative, competent institutions are also involved in the process of establishing family ties. In the case of established family ties, these persons are treated as a family and are not separated.</p> <p>The right to respect for family life granted under Article 8 ECHR applies also in the context of return procedures and has to be followed ex-officio or at the request of the applicants. The principle must be</p>
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			<p>respected at all stages of the return process. Also the removal itself must e (ex officio or at the request) postponed in order to maintain family unification.</p> <p>5. Yes.</p> <p>6. See answers to questions 3 and 4.</p> <p>7. Yes</p> <p>8. See answers to questions 3 and 4.</p>
	EMN NCP Spain	Yes	<p>1. Yes</p> <p>2. a) From the point of view of the reception facilities (managed by the General Directorate of Inclusion and Humanitarian AID, GDIHAID, as a national body in charge of these competences), we only take care of guaranteeing, through the financing of resources to NGO or public migrants centres, that there are facilities for reception of family units, guaranteeing that members can remain together all the time, even before the Covid tests, that are now mandatory, and during the period they have to wait for DNA tests. Their reception is prioritized on arrival at the coast, although this is the decision of the police, since we cannot pick them up until they are reviewed ("reseña") and referred to us for reception.</p> <p>Concerning b) and c): Families with children are not kept in detention centres. When irregularly entering, they are arrested for the minimum time to go through identification procedures and start the administrative return procedure. Afterwards they are referred to reception facilities managed by NGOs. Families are handled as units.</p> <p>However, it can happen that they don't hold documents proving their family ties. In such cases, DNA tests are performed to gain assurance on that point. Awaiting the results, they are allowed to stay together.</p>

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			<p>3. Yes See above. The GDIHAID does not have the possibility of deciding on the permanence of the family together, since it is the Prosecutor who makes the decision of letting them to remain together (or not) when it has not yet been proven that they are a family. The GDIHAID provide the reception facility.</p> <p>4. See above. The GDIHAID does not have the possibility of deciding on the permanence of the family together, since it is the Prosecutor who makes the decision of letting them to remain together (or not) when it has not yet been proven that they are a family. The GDIHAID provide the reception facility.</p> <p>5. See above</p> <p>6. See above</p> <p>7. No</p> <p>8. Not applicable</p>
	EMN NCP Sweden	Yes	<p>1. Yes</p> <p>2. In asylum procedures, which also includes asylum applications at the border, families (parents and minor children) are treated as one entity and kept together in the sense that their cases/applications are linked in all the different systems and at all stages. When detention is used, such as in the framework of a return procedure, it can happen that only one family member is taken into detention while other members of a family remain in ordinary accommodation.</p> <p>3. Yes</p>

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			<p>4. Please see answer to question 2.</p> <p>5. Yes, please see answer to question 2.</p> <p>6. Not applicable. Members of a core family are normally kept together during asylum procedures, which also includes accommodation.</p> <p>7. Yes</p> <p>8. Not applicable.</p>
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