



### Requested by EMN NCP Slovak Republic on 28 June 2021

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

### Disclaimer:

The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

## 1. Background information

In the Slovak Republic, when asylum applicants claim to be a family, they are usually accommodated together. We have had a couple of cases though, where it was discovered at a later stage, that they were not actually family members. In this regard and with the aim of early identification e.g., a potential victim of human trafficking, sexual abuse or other situation that may result in vulnerability, the Slovak Republic would be interested what methods/procedures have Members States in place to determine and verify family relations of applicants (marital relations, parents-children), who came to their Member State, applied together for international protection and they have been consequently accommodated together as a family. The question concerns methods and procedures used outside of the scope of the asylum interview and family reunification process.

#### Disclaimer

The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

Information will be used by the Migration Office of the Slovak Ministry of Interior while revising the current tool for identification of vulnerability used by social workers in this area.

## 2. Questions

1. Does your Member State have methods/procedures used by helping professions (e.g., social workers, psychologists) to verify family relations between applicants for international protection (marital relations, parents-children)?

Available choices: Yes, No, Not Applicable

2. If you answered yes to question 1: a) could you please describe in more detail what methods/procedures and supporting evidence you are using? b) who is responsible for the process and which professions are involved in the process? c) If possible, please provide concrete examples and procedures. d) If such method is available (even in national language, e.g. list of questions) could you, please share it with us and attach it here?

We would very much appreciate your responses by 28 July 2021.

# 3. Responses

1

		Wider Dissemination <sup>2</sup>	
П	EMN NCP	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is

<sup>&</sup>lt;sup>1</sup> 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.

<sup>&</sup>lt;sup>2</sup> 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."

Austria		not disseminated further.
EMN NCP Belgium	Yes	<ol> <li>Could you please describe in more detail what methods/procedures and supporting evidence you are using?</li> <li>Registration phase:</li> <li>In Belgium it is the Immigration Office (IO) who registers the asylum application of an asylum seeker. When doing so, they register the application on the basis of the information and declarations of the asylum seeker and thus establishing the family links.</li> <li>Reception phase:</li> <li>Throughout their stay in the reception, social workers carry out individual assessments of the residents' needs. On this occasion, they consult their internal colleagues or external persons to make this multidisciplinary assessment. On this occasion, elements may be noted that allow the social worker to provide more targeted support. This can be the observation of the behaviour of the residents; informing and discussing with family members even separately, liaising with specific external actors/organisations in case there is a suspicion of human trafficking, domestic violence etc.</li> <li>b) Who is responsible for the process and which professions are involved in the process?</li> <li>When registering an application:</li> <li>When registering an application for international protection, each applicant is asked to indicate which family members are present in the Belgian or European Territory. If research has to be done, this is mainly done with the wellbeing of the person in mind and within the framework of the procedure.</li> <li>Establishing the bond of parental authority by the guardianship service [= c) Concrete example of procedure]: In principle, the parentage or protective measures such as adoption, guardianship and 'kafala' under Islamic law are confirmed by a (legalised) deed from the civil register or by a court decision, in case of doubt about the authenticity of these documents or if they are missing, proof can be provided through a DNA test. The persons accompanying the minor are then asked to provide the (legalised) original d</li></ol>

#### Disclaimer

their identity and civil status. In the course of the interview by the guardianship service, the guardianship service gathers information on the young person's family and living conditions, their links with the person accompanying them and the authenticity of the documents presented. Depending of the outcome of this procedure, a guardian can be appointed.  At day 0 of the reception phase:  If the Dispatching Service of Fedasil[1] notices, on day 0, during the arrival at the arrival centre, something worrying in relation to family links, they inform the social assistants of the arrival centre and request a social intake as a priority for these people. An interview with a psychologist may also be requested. Based on the observations of the appointed social assistant and perhaps psychologist, if necessary, appropriate ad hoc measures can be taken. This can include placing the persons in separate rooms or in separate centres and requesting to inform the Immigration Office and the Office of the Commissioner general for Refugees and Stateless persons (CGRS)[2]. It can also be requested that the IO and CGRS split the files in terms of the asylum procedure.  Proceedings with the reception of people who say they are living together (family) without this being mentioned in their asylum application or in the 'waiting registry'[3]:  If there is no mention of family ties (regarding couples) on the registration annex or in the 'waiting registry', the Dispatching Service relies on the declarations of the individuals.  The Coordination of Fedasil has noted that in extreme cases it can become clear during the stay in a reception centre that the case does not pertain a real family. As there is no mandated formal procedure in place and situations are dealt with on a case-by-case basis, officially it remains up to an asylum seeker to take action to correct this with the asylum authorities. The reception agency can then provide a separate reception location if living together is no longer possible. This does not pertain to a situat

#### Disclaimer

		Came together with: Husband/wife/partner: □ Legal marriage □ Religious marriage □ fiancé □ Unofficial partner Name of partner: □ Relatives (names of relatives other than spouse/partner or minor children): - Family relationship: Name: - Family relationship: name: - Family relationship: name:  1] The Belgian Federal Agency for the Reception of Asylum Seekers. [2] The CGRS is the federal organ in Belgium responsible for examining each application for asylum individually and independently. [3] In Belgium, asylum seekers are registered in the 'waiting register' and foreign nationals having obtained refugee status are registered in the 'foreign nationals registry'. [4] 'ov' stands for public safety number; the registration number for the Immigration Office.
EMN NCP Bulgaria	Yes	1. Yes  2. Information on family relationship is obtained mainly during the interview, as an element of the procedure for granting international protection. A social worker is present still at the early stage of registration of the applicant. At the next stage, social interviews and psychological consultations are carried out. In the process of working with the applicants for international protection, the State Agency for Refugees with the Council of Ministers (SAR) involves employees specialised in social activities, as well as psychologists. When interviewing children, for instance, social experts ask questions about their parents' whereabouts. They ask questions also about maintaining contact with the parents, children's will to reunite with their families, the presence of relatives in the country, their relationships with the persons they travel with. Information is gathered also about any problems encountered during the journey or in the country in order to identify possible

			trafficking in human beings, violence or abuse. The tools that the social experts in SAR use are adapted versions of the form for Rapid assessment of the best interest of the child and the form for Full assessment.  During the procedure, foreigners are obliged to hand over all the documents in their possession (including those held by their accompanying minors) which can help to establish their identity. When foreigners do not have such documents, they need to prove their identity, date and place of birth, marital status, as well as those of the accompanying minors, by declaring these facts before an official. They are criminally liable for the accuracy of the declared information. The original documents submitted by the foreigners have certifying probative force, unless it is legally established that these documents are false. Copies of the submitted identity or family documents shall be taken into account together with all the facts and circumstances established in the course of the administrative procedure. The assessment shall be made individually on a caseby-case basis.  During the procedure, the interviewing authorities may request the opinion of experts on matters relating to medical, psychological, cultural or religious aspects, children or gender. Family relationship can also be established by performing a DNA examination, but only after obtaining the
H	EMN NCP Croatia	Yes	1. Yes  2. 2. a) The information on the matter is acquired by the means of interview, observation, and collaboration with other stakeholders. b) The identification of vulnerability and special needs is mainly the responsibility of social workers of the Reception Centre for Applicants for International Protection. Information is regularly exchanged with other stakeholders (NGOs, psychologists, doctors etc.) c) When a family arrives, through the reception and the dry screening we try to detect if they are a family or not. Later on, during the interview, we collect the data that supports their claim. We collaborate with NGOs

		who also gather information during their dry screening and information provision. d) N/A
EMN NCP Cyprus	Yes	<ol> <li>Yes</li> <li>The competent authorities (Registration officers, asylum service officers) receive the relevant documents of the applicants (marriage certificate, birth certificate of their children, family books, passports of the children, etc) in order to verify their statements.</li> <li>As soon as the applicants apply, the vulnerability interview is done for each one and separately. In case there is any indicator from the vulnerability interview (the vulnerability officer and social worker in case the applicant is a minor) or during the registration (register officer and police) that the relation is not the one they claimed, then it will be examined if other arrangements can be made.</li> <li>In case there are indicators that there is a potential victim of trafficking or abuse, then the potential victim is referred to the relevant authority (The Office of Combating Trafficking in Human Beings, Social Welfare Services, etc) for further examination.</li> <li>Also during the asylum procedure (interview), the relation can be examined.</li> </ol>
EMN NCP Czech Republic	Yes	<ol> <li>Yes</li> <li>This issue is not common in the Czech Republic. Our method in the reception center is to accomplish an entry interview with a social worker who is experienced enough to detect fraudsters.</li> <li>Add a. The social interview is thorough and focuses on the travel and social history of applicants for international protection. Social workers and recreational specialist are in close contact with clients and would detect any discrepancies.</li> <li>Add b. Social workers, recreational specialists and house assistant. All these professions work with applicants.</li> </ol>

			Add c., d.  We have a special entry interview focused on family ties.  This issue is not common in the Czech Republic at the moment.
	EMN NCP Estonia	Yes	1. No  2. We do not have any specific procedures. Cases are carried out on a case by case principle. The Police and Border Guard Board have agreed with the Social Insurance Board that, if necessary, they will involve experts who will help assess whether, in addition to the social worker in the accommodation center, it is necessary to involve other experts, for example psychologists.  Sofar there haven 't been cases where it turns out that a person who called him/herself a family member is not a member of a family. In general, a social worker and often a psychologist, is involved in family-related cases.
+	EMN NCP Finland	Yes	<ol> <li>No</li> <li>As mentioned above, there are no specific methods to categorically verify the authenticity of family relationships. The reception centers mainly operate based on the information provided in the electronic database of the Finnish Immigration Service. Accommodation for families is arranged based on this information. If there is a suspicion on the veracity of family ties of applicants, the matter is of course looked into and referred to the social and healthcare professionals available in the receptions centers. Further steps will be determined based on the information and evidence at hand regarding the suspicion, as officials cannot take action based on pure speculation. If needed, the police are informed for further investigation. The person may also be referred to the Assistance System for Victims of Trafficking in Human Beings, if there is indication of exploitation of some kind.</li> <li>If there is a suspicion whether a child really is the child of the parent, the reception center may also avail the</li> </ol>

			Lapset puheeksi-method ("Let's talk about children"), which is a tool to map out personal history of the family and gain deeper knowledge over the parent-child relationship. Through this method, the officials can find out, how much does the parent actually know about the child. In case the parent seems to know very little, further inquiries into the matter will be made. If needed, child protection services can also be notified for further action.
•	EMN NCP France	Yes	1. No  Nevertheless, the French Office for the Protection of Refugees and Stateless Persons (OFPRA) has the capacity to refer to the Red Cross service for the restoration of family links: information in this respect is available at the OFPRA.This capacity is also presented during training courses on the unaccompanied minors' asylum procedure for which OFPRA runs or co-runs for external stakeholders (e.g. Ministry of the Interior- UNHCR-OFPRA training courses since 2019, the OFPRA training courses for social workers in the city of Paris 2020-2021 etc.).Outside the OFPRA and regarding family reunification for unaccompanied minors refugees, there is no psychologists and/or social workers either involved in the procedure. In addition, there is a family reunification procedure under article 8 of the Dublin III Regulation, at the "single-desk contact point for asylum seekers" (GUDA) registration stage, in the presence of the unaccompanied minor's legal representative, but this does not a priori involve psychologists and/or social workers, even if those involved in accompanying unaccompanied minor are gradually being trained in the existence of this procedure.  2. Proof of identity and proof of family ties of the asylum seeker's family members are requested when the asylum application is registered at the "single-desk contact point for asylum seekers" (GUDA) of the Prefecture. The GUDAs are composed of agents from the prefecture and agencies of the French Office for Immigration and Integration (OFII). The asylum seekers submit information about their civil status and that of their family members. Then, The OFII interviews the asylum seeker to detect any potential vulnerabilities and sends this information to the OFPRA.  Article R. 521-5 of the Code on Entry and Residence of Foreign Nationals and Right of Asylum (CESEDA) provides that foreign nationals applying for asylum must present information relating to their civil status and, where applicable, that of their spouse, their partner with whom they are in a civil unio

			cohabiting partner and their dependent children. Article L. 521.14 of the CESEDA states that "the foreign national is required to cooperate with the competent administrative authority in order to establish his identity [], his family situation []. He shall present any identity or travel documents at his disposal".
•	EMN NCP Germany	Yes	<ol> <li>In the case of doubts about family ties during the asylum procedure, measures taken depend on the circumstances in the special case. Anyway, the Federal Office will get into contact with the responsible authorities at local level (Aliens Authority, Youth Welfare Service).</li> </ol>
	EMN NCP Hungary	Yes	1.  2. Even though, there are no formal (written) methods or procedures used by social workers to verify family relations among applicants for international protection, social workers spend enough time, especially in reception centres with 24/7 social service, with residents in order to build trust and provide professional support for them. During the time spent together, for instance, at leisure activities for the accommodated persons (besides joint family programmes, separate free time activities organised for men, women, and children as well), social workers may get an impression about families and the family ties. If there is any doubt about family relationships, or any information on any kind of harm caused between family members, the social worker will report the case to his/her supervisor for consideration of an aimed investigation.
	EMN NCP Ireland	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.

EMN NCP Italy	Yes	2. After identification through photo-identification and examination of documents in the possession of migrants who have arrived in Italy - which is the responsibility of the Police - within the territorial distribution, priority is given to the assignment of any family units to apartments, in order to ensure their unity. Reunifications between members of the same nucleus who are in different provincial areas are guaranteed.  The operators/cultural mediators of NGOs and International Organizations, during pre-identification, collaborate with police operators also to report possible situations of vulnerability.  In particular, the legislation in force guarantees a series of protections to Unaccompanied Foreign Minors. In particular, pursuant to Article 5 of Law No. 47 of 7 April 2017, at the time when a minor comes into contact with or is reported to the police authorities, social services or other representatives of the local authority or judicial authority, the qualified personnel of the first reception facility conducts, under the direction of the services of the competent local authority or, assisted, by other organizations, bodies or associations with proven and specific experience in the protection of minors, an interview with the minor, aimed at investigating his or her family history and bringing out any other element useful for his or her protection. Since the first cognitive interview and especially in the context of the interview referred to in the aforementioned Article 5 of Law 47/2017, any profiles and indicators of trafficking and exploitation are assessed. In addition to the interviewer, an inter-cultural mediator, a legal expert and a psychologist are present.  With regard to the management of cases of victims or presumed victims of trafficking plan, to the International Organization for Migration (IOM), or to the Anti-Trafficking is made to the recognized anti-trafficking bodies active at the local level in the framework of the National Anti-Trafficking Plan, to the International Organization

			the International Organization for Migration (IOM).
II	EMN NCP Latvia	Yes	<ol> <li>No</li> <li>No special procedures have been introduced to verify family relations by the involvement of social workers or others professionals. At the same time the observations of the above mentioned professionals are used to better understand the relationship between family members and assess potential threats.</li> </ol>
•	EMN NCP Lithuania	Yes	1. No 2. N/A
II	EMN NCP Luxembourg	Yes	1. No During the lodging of the application of international protection, the applicants fill out a form informing about family members that live in Luxembourg or elsewhere in Europe. They also fill in the details of their husband/wife and/or children, even if they stayed in their country of origin. Unfortunately, we do not have any specific methods/procedures to verify family relations between applicants. However, if the applicant(s) hand(s) in identity documents or documents informing about family ties (marriage certificate, birth certificates, family record book, family status form, etc.) these documents are send, for authenticity verification to the Luxembourgish Airport Police. Nonetheless, even if the documents turn out to be falsified, this does not prove that the family link, as indicated by the applicant(s) do not exist. In case all the persons concerned are present, and if it is considered that a family link exists (common children, married couple - documents: even if they are not verified yet, behavior of the people present etc.) this family link is registered in the National Registry of Natural Persons, and a common file for the family is opened.  2. a) N/A;

			b) N/A; c) N/A; d) N/A.
	EMN NCP Malta	Yes	<ol> <li>Yes</li> <li>In Malta, when asylum applicants claim to be a family, they are usually accommodated together.</li> <li>Sometimes we have cases who they claimed to be relatives after or else they claim that they are not actually family members. In addition, we had cases of children accompanied by adults who claimed to be the parents upon arrival but at a later stage, they declare that they are not actually the parents but close relatives. These cases are assessed by social workers using different assessments, such as the Marriage Verification Assessment Tool and the Family Tree Chart. The family tree is a visual representation of a person's lineage, tracing relationships to common descendants. Certain cases are also being referred for a DNA testing to establish relationships especially in cases of children that are accompanied by adults claiming to be their relatives. A vulnerability assessment is also conducting with the families. The tool consist of initial observations, background information about the person referred, medical/health Conditions and wellbeing, psychological and psychosocial conditions, Indication of vulnerability linked to the journey (torture, violence due to armed conflict, FGM, SGBV, THB, chronic health concerns, and/or risk of harm, current situation and recommendations.</li> </ol>
П	EMN NCP Netherlands	Yes	<ol> <li>2. 2a) Even though the answer to question 1 is 'other' for the case of the Netherlands, we provide some explanatory information in the answers to question 2a-d.</li> <li>The Royal Netherlands Marechaussee (Koninklijke Marechaussee - KMar) carries out screening of families with minor children.[1] This screening is an extension of the Identity Examination carried out by the KMar. If there is doubt about the family situation and an investigation into child-related crime is necessary and this</li> </ol>

cannot take place within the intended 9 hours, the family will be refused entry. The family is then placed in the Closed Family Friendly Facility (GGV) in Zeist.  In some cases, DNA research may be carried out (see question 2c). If there is demonstrable smuggling in which the child is or is at risk of becoming a victim, the child will be separated from the alleged parent/guardian/supervisor and placed with NIDOS (a youth protection organisation for refugees).  Criminal law will prevail for the alleged parent/guardian/supervisor and an arrest will follow. If the parent/guardian/supervisor is not arrested, the person concerned will be refused and transferred to the JCS[2]  2b) This screening is carried out jointly by the KMar with the Immigration and Naturalisation Service (Immigratie- en Naturalisatiedienst - IND). There are no external care providers such as psychologists and social workers.  2c) In order to verify family relations in the asylum procedure a DNA research can be done, but only under specific circumstances. There have to be concrete indications that the claimed family relations are not correct. Not being in the possession of documents proving family relations is not a sufficient reason to doubt the family relationship. Only if the explanation for the absence of the documents does not add up or if the statements of family members do not match the statements of other family members, there might be a reason to start a DNA investigation. Suspicions about human trafficking can also be reason to start a DNA investigation.  [1]  Work instruction IND/SUA, 2021/4, 'Nader onderzoek' of WI 2021/4 for the procedure of doing a DNA investigation.  [1] Work instruction IND/SUA, 2021/4, 'Nader onderzoek in de nareisprocedure, inclusief DNA-onderzoek in de asielprocedure, section 4.2', <a href="https://ind.nl/Documents/WI 2021-4.pdf">https://ind.nl/Documents/WI 2021-4.pdf</a> , last accessed on 15 July 2021, p. 10-12.  [1] Work instruction IND/SUA, 2021/4, 'Nader onderzoek in de nareisprocedure, inclusief DNA-onder

		family). [2] Information provided by the KMar on 15 July 2021.
EMN NCP Poland	Yes	<ol> <li>No</li> <li>1. Foreigners applying for international protection in Poland are people coming to Poland in the vast majority with documents confirming their identity. The Border Guard authority accepting the application for international protection shall establish the identity of that person.</li> <li>2. People who have passed the Border Guard verification, have issued a Polish identity document - TZTC, are admitted to the reception centers, and the minor children of foreigners are entered into the document. Foreigners coming to the center have established family relationshipsand are treated in accordance with the arrangements made at the verification stage of the Border Guard.</li> <li>3. In the case of, for example, family reunification, verification is based on the documents and statements of foreigners.</li> <li>4. In case of justified doubts, the Department of Social Assistance sends an inquiry to the Department of Refugee Proceedings for an analysis of the documentation held, ie submitted documents and information provided during the status interview.</li> </ol>
EMN NCP Portugal	Yes	<ol> <li>Yes</li> <li>a)Supporting documents, when they exist, such as a marriage certificate/birth certificate.</li> <li>b)Inspectors, case workers and court officials.</li> <li>c)In order to verify the family relationships of applicants for international protection during their reception,</li> </ol>

			either in terms of conjugal relationships or when it is necessary to confirm the parent-child relationship, inspectors from the Portuguese Immigration and Borders Service or other adequately trained workers, check the existing documentation and, for example, if there's no birth certificate, or is not clear or if there is any doubt about its authenticity, it is request the support of the minors and family courts for something more specific, such as DNA testing, for example.  d) NA
	EMN NCP Slovakia	Yes	<ul> <li>1. No</li> <li>2. <ul> <li>a) The information on the matter is acquired by the means of interview, observation, while e.g., organising free time or therapeutic activities with applicants.</li> <li>b) The identification of vulnerability and special needs is mainly the responsibility of social workers of the Slovak Migration Office. Information is also regularly exchanged with e.g. psychologists, cultural mediators, medical staff.</li> <li>c) The Slovak Republic has only limited experience in this regard, but due to several different cases identified at a later stage there is a need to address this issue.</li> <li>d) NA</li> </ul> </li> </ul>
1	EMN NCP Slovenia	Yes	<ol> <li>Yes</li> <li>If there is indication that applicants are not related, officials employed by Ministry of the Interior, International Protection Procedures Division conduct simultaneous interviews with persons in the family where suspicion arose. Questions posed in the interview relate to specific situation and are not prepared in advance. In most cases, the statements of applicants are taken into account</li> </ol>

#### Disclaimer

The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

		<ul> <li>as evidence, because in principle there is no other evidence (such as a marriage certificate, birth certificate).</li> <li>2. Interview is conducted by official from Ministry of the Interior and Social worker from Government Office for the Support and Integration of Migrants.</li> <li>3. There are no specific procedures in place, since questions are aiming at specific situations and are presented on ongoing base through the interview. Interviews with family members are conducted simultaneously.</li> <li>4. There are no methods prescribed in advance.</li> </ul>
EMN NCP Sweden	Yes	<ol> <li>Not Applicable</li> <li>If it within the reception system is suspected that a person is vulnerable in any sense this is immediately reported to the social service of the municiplaity which is then responsible for further investigation and actions in accordance with the rights of every person living in the municipality.</li> </ol>

\*\*\*\*\*\*\*\*