

# AMBER Alert Europe

## Saving Missing Children

**Position on the European Commission Proposal amending the  
Eurodac Regulation (EU) No. 603/2013**

Brussels, 6 April 2018

## Eurodac Biometric Database

AMBER Alert Europe's Position on the EC's proposal on biometric database 'Eurodac'

### I. INTRODUCTION

AMBER Alert Europe, Saving Missing Children, is a non-profit organization that connects law enforcement with citizens when the police believe the public can help save a missing child's life. AMBER Alert Europe represents a network of 27 members (civil society, authorities and business) in 19 countries. AMBER Alert Europe facilitates the only European Police Expert Network on Missing Children, consisting of over 50 law enforcement experts in the field of missing persons.

### II. AMBER ALERT EUROPE POSITION

AMBER Alert Europe **broadly welcomes** the European Commission's proposal on extending the scope of biometric database Eurodac.<sup>1</sup> AMBER Alert Europe supports that border and law enforcement authorities must have appropriate means to identify children coming to the European Union by taking their fingerprints, while ensuring that each child's dignity and well-being is fully respected and there is no infringement of their right to privacy.

EC's proposal on Eurodac, which requires EU member states to take fingerprints from children, is a **necessary step** towards the identification and protection of all missing children in Europe. The proper and consistent identification of children who travel to the European Union significantly decreases their exposure to various risks such as protracted family separation, the risk of being victims of trafficking and exploitation as well as the risk of severe trauma and health problems. AMBER Alert Europe recalls member states' international obligation to ensure that each child receives adequate care and protection and emphasises that member states should be allowed to use

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<sup>1</sup> Proposal for a Regulation of the European Parliament and of the Council on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of [Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person], for identifying an illegally staying third-country national or stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes (recast): see [here](#).

reasonable and proportionate measures to compel a child when all other ways of gaining a child's consent to have fingerprints taken have been exhausted. Registration could furthermore put an end to the exploitation of loopholes in the system by individuals and organisations engaged in criminal activity.

Taking children's fingerprints to identify them contributes to the **protection of the rights of the child**. AMBER Alert Europe's view is that identification and registration of children can and should be done in a manner fully compliant with international human rights standards. The proposal to lower the age at which a child's fingerprints can be taken from 14 to six years old helps protect the child. Now that very young children are increasingly being smuggled across borders, a reliable system that protects this vulnerable group is needed more than ever. The EC's proposal should expressly reflect its underlying child protection objective.

AMBER Alert Europe calls for **strong safeguards** that ensure full respect of the child's fundamental rights, in order to provide comprehensive answers to questions about how to safeguard and protect missing children. We strongly support the following measures as suggested in the Report of the Committee on Civil Liberties, Justice and Home Affairs:

- The child should receive child-friendly and age-appropriate information about why fingerprints are being taken;
- When necessary, law enforcement authorities should receive specialized training on how to engage with children and how to identify vulnerable categories of children, i.e. potential victims of human trafficking;
- The child should have a representative or guardian present during the fingerprinting procedure.<sup>2</sup>

AMBER Alert Europe is **ready to engage** with the European Commission, the European Parliament, the Bulgarian EU Presidency, the forthcoming Austrian EU Presidency, Europol, eu-LISA and all other relevant stakeholders, to ensure that more children receive the protection they need.

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<sup>2</sup> Report on the proposal for a regulation of the European Parliament and of the Council on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of [Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person], for identifying an illegally staying third-country national or stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes (recast) (COM(2016)0271 – C8-0179/2016 – 2016/0132(COD)), Committee on Civil Liberties, Justice and Home Affairs, A8-0212/2017: see [here](#).